

Country/entity Somalia

Region Africa (excl MENA)

Agreement name Protocol Establishing the Technical Selection 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 establishing the Signatories Technical Facilitation Committee, and sets forth its powers and duties.

Agreement document [SO_120622_ProtocolTechnicalCommittee.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.(a) Six representatives from each of the four main clans and three representatives from the 5th clan reflecting the 4.5 formula. At least two of the representatives selected by each of the four main clans and at least one of the representatives selected by the 5th clan must be women...

(b) Two persons from the UN Political Office for Somalia (UNPOS), one of whom must be a woman, serving as non-voting members who shall provide technical advice and support.

Page 3, ARTICLE 3, Functions of the Technical Selection Committee, (f) Ensure compliance with the composition rules concerning women quota, the 4.5 formula and the involvement of the cross section of society in the establishment and membership of the National Constituent Assembly and the new Federal Parliament, in accordance with the principles referred to in paragraph (e);

Page 4, ARTICLE 4, Procedures of the Technical Selection Committee, 1. As soon as practicable after being appointed, the members of the Technical Selection Committee shall--

(a) Select from among themselves two co-chairs, one of whom shall be a woman; and ... (g) The Technical Selection Committee may declare its meetings open for other observers, including the Somali Civil Society and women groups at any time.

Page 6, Article 6, Procedures for Review of Nominees by the Technical Selection Committee

6.4. Any list determined to not meet the criteria including the requirement of at least 30% women nominees must be rejected and sent back to the Traditional Leaders to re-submit according to established rules.

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)	Governance→Political institutions (new or reformed)→Temporary new institutions [Summary] Agreement establishes the Technical Selection Committee which is responsible for quality control in the selection of individuals for the Transitional Federal Government's National Constituent Assembly and the new Federal Parliament. It consists of 27 Somali and 2 UNPOS members and Somali representation is dictated by clan-quotas. Representatives appointed by Somali Roadmap Signatories and must fulfill criteria stated in [Page 2, Art. 2.4]. More detailed functions are listed in [Page 3, ARTICLE 3, 2a-f]
Elections	No specific mention.
Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	Page 4, ARTICLE 4, Procedures of the Technical Selection Committee, (g) The Technical Selection Committee may declare its meetings open for other observers, including the Somali Civil Society and women groups at any time.

**Traditional/
religious leaders**

Page 3, ARTICLE 3, Functions of the Technical Selection Committee, 1. The Technical Selection Committee shall document and publicize the list of 135 recognized Traditional Leaders who will be engaged in selecting members to the National Constituent Assembly and the new Federal Parliament in accordance with the relevant procedures.

...

2(g) Undertake other tasks requested of it by The Traditional Leaders to ensure that the National Constituent Assembly and new Federal Parliament are established in a transparent and credible manner.

3. The Technical Selection Committee in plenary shall--

... (b) Advise the Traditional Leaders accordingly;

**Public
administration**

No specific mention.

Constitution

No specific mention.

Power sharing

Political power sharing

Power sharing→Political power sharing→Other proportionality
State level

Pages 5-6,
ARTICLE 6

Procedures for Review of Nominees by the Technical Selection Committee

...

4. Any list determined to not meet the criteria including the requirement of at least 30% women nominees must be rejected and sent back to the Traditional Leaders to re-submit according to established rules.

Power sharing→Political power sharing→International involvement

State level

Page 2, Art 2 Establishment of the Technical Selection Committee, 1. (b) Two persons from the UN Political Office for Somalia (UNPOS), one of whom must be a woman, serving as non-voting members who shall provide technical advice and support.

...

2. The members of the Technical Selection Committee shall be assisted by 7 observers from the international community.

Power sharing→Political power sharing→Other

State level

Article 2, Establishment of the Technical Selection Committee

1. There is established a Technical Selection Committee consisting of 27 Somali voting members plus 2 non-voting members from UNPOS comprising:

(a) Six representatives from each of the four main clans and three representatives from the 5th clan reflecting the 4.5 formula. At least two of the representatives selected by each of the four main clans and at least one of the representatives selected by the 5th clan must be women, reflecting the Kampala Accord, the Somali Roadmap, the Garowe I & II Principles, the Galka'yo

Agreement, and the Addis Ababa Communiqué; and

(b) Two persons from the UN Political Office for Somalia (UNPOS), one of whom must be a woman, serving as non-voting members who shall provide technical advice and support.

2. The members of the Technical Selection Committee shall be assisted by 7 observers from the international community.

3. The members of the Technical Selection Committee, except the non-voting and observer members, shall be appointed by the Somali Roadmap Signatories immediately upon signing this Protocol.

4. Each member of the Technical Selection Committee, except the non-voting and observer members referred to in clause (1) (b) and (2), shall--

(a) Be a Somali citizen;

(b) Be at least 21 years old;

(c) Have at least a secondary education;

(d) Have experience in elections or related fields;

(e) Be of good standing and repute in Somali society, as an honest, patriotic, and tolerant citizen

who upholds the rights of all Somalis;

(f) Have no immediate declared personal political ambitions, or conflict of interest within the process of a personal or familial nature;

(g) Have no known history or record of committing serious crimes or crimes against humanity.

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 Rights related issues→Media and communication→Other
Page 3, 2. The Committee shall have the following particular responsibilities and functions: (d) Promote full transparency in the process of nomination of candidates for the National Constituent Assembly and the new Federal Parliament, through public notices, publication of names of nominees in the media;

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

Page 3, 2. The Committee shall have the following particular responsibilities and functions: (d) Promote full transparency in the process of nomination of candidates for the National Constituent Assembly and the new Federal Parliament, through public notices, publication of names of nominees in the media;

...(g) Undertake other tasks requested of it by The Traditional Leaders to ensure that the National Constituent Assembly and new Federal Parliament are established in a transparent and credible manner.

Page 4, ARTICLE 5, Code of Conduct for members of the Technical Selection Committee, 1. A person appointed or seconded to assist the Technical Selection Committee under Articles 1 and 2 shall not seek to be a member of either the National Constituent Assembly or the new Federal Parliament and, in the performance of his or her functions, shall not --

- (a) Engage in any activity that may undermine the integrity of the Technical Selection Committee;
- (b) Participate in any meeting, investigation, hearing, or decision concerning a matter in respect of which that person has a personal interest;
- (c) Make private use of, or profit from, any confidential information obtained as a result of performing that person's official functions on behalf of the Technical Selection Committee; or
- (d) Divulge any information referred to in paragraph (c) to any third party, except as required as part of that person's official functions within the Technical Selection Committee.

Page 5, 2. If, at any time, it appears to a member of the Technical Selection Committee that a matter being considered at a meeting concerns a personal interest of that member that member shall --

- (a) Immediately and fully disclose the nature of that interest to the meeting; and
- (b) Recuse himself/herself from the meeting to allow the remaining members to discuss the matter and determine whether the member should be prohibited from participating in any further proceedings concerning that matter.

3. The disclosure by a person in accordance with clause (2)(a), and the decision by the Technical Selection Committee in accordance with clause (2)(b), must be expressly recorded in the minutes of the meeting in question.

4. Proceedings of the Technical Selection Committee, and any decisions taken by a majority of the members present and entitled to participate in those decisions, are valid despite the fact that--

- (a) It is subsequently discovered that a member unknowingly failed to disclose an interest as required by clause (2); or
- (b) It is subsequently discovered that such a member described under (a), who had such an interest attended those proceedings, participated in them in any way, or directly or indirectly influenced those proceedings.

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 Page 2, Article 2 Establishment of the Technical Selection Committee,
2. The members of the Technical Selection Committee shall be assisted by 7 observers from the international community.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source UN Political Office to Somalia - <http://unpos.unmissions.org/> ; <http://unpos.unmissions.org/LinkClick.aspx?fileticket=S4IVZB7V9YA%3D&tabid=9705&language=en-US>
