



Mainstreaming Conflict Prevention

A Study of EU Action in ACP Countries

Case Study - Somalia

The Quaker Council for European Affairs

Produced by the Quaker Council for European Affairs (QCEA)

This study is based on two years of research through questionnaires to European Commission delegations and NGO staff, through interviews with European Commission staff in Brussels, and through desk-based research. This report forms the main document of the study, and builds on six country case studies which are available to download at: www.quaker.org/qcea

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The Quaker Council for European Affairs (QCEA) was founded in 1979 to promote the values of the Religious Society of Friends (Quakers) in the European context. Our purpose is to express a Quaker vision in matters of peace, human rights, and economic justice. QCEA is based in Brussels and is an international, not-for-profit organisation under Belgian Law.

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List of Acronyms

These are the main acronyms used in this report:

ACP	African Caribbean and Pacific (Group of States)
AMISOM	African Union Mission to Somalia
APF	African Peace Facility
APRM	African Peer Review Mechanism
AU	African Union
DDR	Disarmament, Demobilisation and Reintegration
EDF	European Development Fund
EIDHR	European Initiative for Democracy and Human Rights
EP	European Parliament
EPA	Economic Partnership Agreement
EU	European Union
IDP	Internally Displaced Persons
IGAD	Intergovernmental Authority on Development
JNA	Joint Needs Assessment
LAS	League of Arab States
NGO	Non-Governmental Organisation`
NSA	Non-State Actors
NEPAD	New Partnership for Africa's Development
QCEA	Quaker Council for European Affairs
ROLS	Rule of Law and Security (UNDP Programme)
SALW	Small Arms and Light Weapons
SSR	Security Sector Reform
TFG	Transitional Federal Government
TFI	Transitional Federal Institutions
UIC	Union of Islamic Courts
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UNPOS	UN Political Office for Somalia

1 Introduction

The EU introduced the approach of ‘mainstreaming’ conflict prevention into all elements of its programming and policy-making through the European Commission Communication on Conflict Prevention of 2001 and the ACP-EU Partnership Agreement signed in Cotonou, Benin in 2000 (the Cotonou Agreement). This country report is part of a project studying this new approach. The purpose of this project is to serve as an educational tool for ACP-EU conflict prevention rather than to evaluate what the EU is doing with regard to conflict prevention.

The EU is involved in a wide range of areas and this study has identified seven thematic areas on which to focus: disarmament, demobilisation and reintegration including child soldiers; small arms and light weapons; security sector reform; political dialogue, including good governance, elections and civil society consultation; gender; management of natural resources; and transitional justice. The main report of the study describes in detail what each of these areas entail and what the EU does in general in each of them.

A more thorough examination of EU policy and activity in the seven areas listed above was then conducted through six country case studies. The case study countries are:

- Republic of the Fiji Islands (Fiji)
- Republic of Haiti (Haiti)
- The Federal Republic of Nigeria (Nigeria)
- Somali Republic (Somalia)
- Republic of the Sudan (Sudan)
- Republic of Uganda (Uganda)

The main report and the other case studies are available at: www.quaker.org/qcea

This country report begins with a short background of the situation in Somalia, describing briefly the complex situation in the country. It is followed by a more detailed analysis of the seven thematic issues listed above and how the EU is involved in each of them. The report provides the results of a questionnaire conducted within this study, which was carried out with the Delegation of the European Commission as well as civil society organisations in Somalia. Finally, recommendations drawn from the results are presented.

2 The Somali Conflict

Somalia is a semi-arid country located in the Horn of Africa, with a coastline of 3,025 kilometres, making it the longest coastline of any continental African country. It has no significant mineral resources, and though forty-five per cent of land can be used for grazing, only thirteen per cent is arable. Most of the population are either pastoralists or farmers.¹

Somalia is considered a least developed country (LDC) according to the United Nations (UN), with 43.2 per cent of the population living on less than one US dollar a day, and 73.4 per cent living on two US dollars a day. The malnutrition rate in Somalia is at nineteen per cent, four per cent above what is considered emergency level.² Despite these indicators, a report published at the end of 2006 by the Independent Institute found that compared to forty-two sub-Saharan African countries, Somalia measured up fairly favourably, ranking in the top half in six areas out of thirteen assessed. Somalia ranked in the bottom half in infant mortality, immunisation rates and access to improved water sources. Though life expectancy fell by two years from 1985 to 1990, it rose by five years between 1990 and 2005, and Somalia has moved from twenty-ninth to eighth in telecommunications.³

There are about six million people currently living in Somalia, which is two million fewer than before the war.⁴ Over 500,000 are internally displaced persons (though numbers have recently risen even higher), and 400,000 are refugees elsewhere.⁵

Pirates off the Somali coast make food and aid shipments difficult. In 2007 alone there were more than twenty ships taken by pirates, several of which carried UN shipments of food. Roadblock taxes (run by militia members) have been elevated to extremely high levels.⁶ Somalia also suffers from severe cycles of drought and flooding, resulting in food shortages and contributing to general insecurity.⁷

The conflict in Somalia is a complex combination of regional conflicts and intrastate tensions, political crises and interstate relations, particularly between Somalia, Ethiopia and Eritrea, who each harbour groups involved in fighting in the other countries. Somalia has been without a functioning government since 1991 and is plagued by food and environmental insecurity; infighting and divisions between clans and between agro-pastoralists and pastoralists; as well as war profiteers.⁸ There have also been significant clashes and increasing tensions between clans in bordering regions over pasture land and access to water.⁹ The dissolution of social services and

¹ Internal Displacement Monitoring Centre, *Massive new displacements as power struggle in Mogadishu flares up again* (April 2007) [on-line], accessed 10 December 2007, available at [http://www.internal-displacement.org/8025708F004CE90B/\(httpCountries\)/02EE5A59E76049F5802570A7004B80AB?OpenDocument](http://www.internal-displacement.org/8025708F004CE90B/(httpCountries)/02EE5A59E76049F5802570A7004B80AB?OpenDocument)

² Gettleman, Jeffrey 'As Somali Crisis Swells, Experts See a Void in Aid', *The New York Times* (19 November 2007) [on-line], accessed 10 December 2007, available at http://www.nytimes.com/2007/11/20/world/africa/20somalia.html?_r=1&oref=slogin

³ Powell, Benjamin, Ryan Ford and Alex Nowrasteh, *Somalia After State Collapse: Chaos or Improvement?*, Independent Institute Working Paper Number 64 (November 2006), pp. 18-20 [on-line], accessed 10 December 2007, available at www.independent.org

⁴ European Commission, *European Commission Strategy for the Implementation of Special Aid to Somalia 2002-2007*, p. 5, [on-line], accessed 10 December 2007, available at http://ec.europa.eu/development/icenter/repository/print_so_csp_en.pdf

⁵ Internal Displacement Monitoring Centre, *Massive new displacements*, p. 1

⁶ Gettleman, As Somali Crisis Swells

⁷ Quaker United Nations Organisation - NY, *Somalia Country Summary: Humanitarian Situation* [on-line], accessed 10 December 2007, available at <http://www.quono.org/emergingconflicts/Watchlist/somalia.htm>

⁸ European Parliament, Committee on Development, *Working Document on the Horn of Africa: EU Regional political partnership for peace, security and development*, DT/654129EN.doc (19 February 2007), p. 3 [on-line], accessed 10 December 2007 available at

http://www.europarl.europa.eu/meetdocs/2004_2009/documents/dt/654/654129/654129en.pdf

⁹ European Commission, *Country Overview: Political Situation* (8 September 2006) [on-line], accessed 10 December 2007 available at www.ec.europa.eu/development/body/country/so_home_en.htm

government institutions, the decay of the private sector,¹⁰ and recent cycles of drought and flooding, all contribute to ongoing insecurity.¹¹

In 2004 the thirteenth transitional government since 1991 was instated through a reconciliation process involving all major clans, but the violence in Somalia has not stopped.¹²

Much of the Somali economy depends upon remittances, totalling as much as 300 to 400 million US dollars a year, and despite the collapse of the government and state infrastructure, private enterprise has helped to provide social services. What has been achieved is questionable however, and according to a European Commission report published in 2002, not one person had graduated from secondary school in Somalia for ten years.¹³

2.1 Background to the Conflict

In 1969 Major General Mohamed Siad Barre overthrew Somalia's only democratically elected President, Abdirahid Ali Sharmarke. He created one of the most centralised states in Africa in modern times, maintaining a repressive regime characterised by playing clans off against one another, creating and exploiting divisions. He also, with the support of the Soviet Union, built up the Somali army to become one of the largest standing armies in Sub-Saharan Africa.¹⁴

There were three major violent conflicts under Barre:

- from 1977 to 1978, the Ogaden War with Ethiopia leaving 25,000 Somalis dead and turning another 700,000 Somalis into refugees¹⁵;
- in 1988 between the Somali National Movement (SNM) and the Somali military for control of what would later become Somaliland, with massive atrocities committed by the army and tens of thousands of civilians dead and hundreds of thousands displaced; and
- from 1989 to 1990 between the army and various liberation movements.¹⁶

In response to the conflicts, many people returned to the traditional geographic areas of their clans contributing to the emergence of Somaliland and the Somali State of Puntland. Somaliland, the north-west area of Somalia, declared independence in 1991. Puntland (north-east) declared itself autonomous seven years later. As the war has continued in the southern part of the country, both Somaliland and Puntland have been able to begin promoting local reconciliation, increase security, install governments and help the functioning of the private sector.¹⁷ They are both now semi-autonomous, relatively stable regions, with the governments providing basic services, though neither is internationally recognised.¹⁸ Despite their relative stability in the last few years, recent events suggest that both may be drawn into the conflict, as tensions over the regions of Sool and Sanaag have increased.¹⁹ Sool and Sanaag are situated in northern Somalia, and are claimed by both Somaliland and Puntland.

¹⁰ European Commission, *Strategy for the Implementation of Special Aid to Somalia*, pp. 5-7

¹¹ UN Integrated Regional Information Networks, *Conflict, Floods and the Prospect of Animal Disease Compound Crisis in Southern River Valley* (25 January 2007) [on-line], accessed 10 December 2007, available at <http://www.allafrica.com/stories/printable/200701250348.html>

¹² Gettleman, *As Somali Crisis Swells*

¹³ European Commission, *Strategy for the Implementation of Special Aid to Somalia*, p.14

¹⁴ World Bank, *Conflict in Somalia: Drivers and Dynamics* (World Bank: January 2005), p. 9 [on-line], accessed 10 December 2007, available at <http://siteresources.worldbank.org/INTSOMALIA/Resources/conflictinsomalia.pdf>

¹⁵ Tensions worsened when the USSR, which had previously signed a friendship agreement with Somalia, backed Ethiopia in the dispute. QUNO-NY, *Somalia Conflict Summary*

¹⁶ World Bank, *Conflict in Somalia: Drivers and Dynamics*, p. 10

¹⁷ European Commission, *Strategy for the Implementation of Special Aid to Somalia*, pp. 5-7

¹⁸ *ibid.*, p. 3

¹⁹ Hassan, Harun and Leslie Lefkowitz, *Caught in a Quagmire*, (Chatham House: December 2007), p. 8 [on-line], accessed 10 December 2007 available at <http://www.chathamhouse.org.uk/publications/twt/>

2.2 Since 1991

Since the fall of Barre's regime in 1991, lawlessness has ruled in Somalia. Stronger clans moved into both lucrative areas (both rural and urban) in a bid for resources and political power, often displacing people there or enslaving them. The impact of the changed structure of clan distribution on state and societal relations fuelled several forms of conflict. Additionally, Barre's 'oppressive and exploitative' regime included high-level corruption, control of resources and rewarding those clans which supported his rule with land and water rights.²⁰ This led to increased mistrust and the impression of a 'zero-sum game' for power, resources and land, further complicating the reconciliation process.²¹

2.2.1 The Transitional Federal Government

There have been several failed attempts to form a government since 1991. The current transitional federal government (TFG) was initiated at the Somali National Reconciliation Conference in 2002 by the Heads of State of the Intergovernmental Authority on Development (IGAD) countries, but progress was stalled because of the inability to agree on the nature of the TFG. In 2004 Somali participants signed the 'Declaration on the Harmonisation of Various Issues Proposed by the Somali Delegates at the Somali Consultative Meetings from 9-29 January 2004', effectively establishing the TFG and the transitional federal institutions (TFIs).²² Abdullahi Yusuf Ahmed, the former President of Puntland, was elected President, and each of the four biggest clans - Darod, Hawiye, Dir and Digil-Mirifle - submitted a list of sixty-one members of parliament (MPs), with the Allied clan (a coalition of smaller clans) asked to submit thirty-one, using what is known as the '4.5 formula' to reach a total of 275 MPs.²³

The TFG was first located in Kenya because of security concerns, caused in large part by mainly Hawiye members of the parliament and warlords known as the 'Mogadishu Group' or the 'armed ministers', who, isolated by what was perceived as a selection of pro-Ethiopian ministers, walked out of the parliament in Nairobi, and returned to Mogadishu. In 2005 the TFG was able to move to Baidoa, with the transitional federal parliament convening there in 2006, the first time on Somali soil.²⁴

For the TFG to have any chance of bringing stability to Somalia, opposing clans must all be part of the government and reconciliation process.²⁵ Currently, it is seen as crossing lines of clans and business, through acts such as taking over airfields belonging to Hawiye businessmen or raising port taxes by 300 per cent. There is concern by some that the TFG is being controlled by the Darod, the clan of the TFG president and the traditional rival of the Hawiye, though the TFG itself is made up of elders of all of the clans.²⁶

²⁰ Powell, *Somalia After State Collapse: Chaos or Improvement?* p. 5

²¹ World Bank, *Conflict in Somalia: Drivers and Dynamics*, p. 11

²² UN Political Office for Somalia, *UN in Somalia, Background* [on-line], accessed 30 November 2007, available at http://www.un-somalia.org/UN_Somalia/index.asp

²³ Kaplan, Eben, *Somalia's Transitional Government* (Council on Foreign Relations: 23 January 2007) [on-line], accessed 10 December 2007, available at <http://www.cfr.org/publication/12475/>

²⁴ Baxter, Zach, 'Somalia and the Union of Islamic Courts: A Somali Response to State Collapse' (2007), p. 10, *Clocks and Clouds* [on-line], accessed 2 December 2007, available at http://www.clocksandclouds.org/issue_two_articles/ITC%20Somalia%20and%20the%20UIC.pdf

²⁵ International Crisis Group, *Somalia: the Tough Part is Ahead, Policy Briefing 45* (26 January 2007), p. 4 [on-line], accessed 10 December 2007, available at <http://www.crisisgroup.org/home/index.cfm?id=4630&tl=1>

²⁶ Gettleman, Jeffrey, 'In Somalia, Those Who Feed Off Anarchy Fuel It', *The New York Times* (25 April 2007) [on-line], accessed 10 December 2007, available at <http://www.nytimes.com/2007/04/25/world/africa/25somalia.html?pagewanted=2&hp>

2.2.2 Union of Islamic Courts

In June 2006, the Union of Islamic Courts (UIC) fought and defeated the warlords that had been reigning in Mogadishu, and established eleven clan-based Islamic courts supported by armed militias.²⁷ The grassroots Islamist movement that drove the warlords out of Mogadishu for the first time in fifteen years brought peace that neither the warlords nor the TFG had been able to bring.²⁸ The International Crisis Group reported that ‘Mogadishu was reunited, weapons removed from the streets and the port and airport reopened.’²⁹ Though the UIC was too radical for most Somalis, they were welcomed because they brought peace. The move was also initially backed by business leaders fed up with paying taxes to the warlords, and for whom business boomed until a more radical wing took over the UIC.³⁰

2.2.3 Recent Developments

At the end of 2006 Ethiopia staged a large-scale military offensive in Somalia with American support in the form of weapons, tanks and intelligence. This was followed by US military attacks launched from Ethiopia in January 2007, at the request of the TFG.³¹ The Islamists gave way quickly, blending in with the civilian population. The TFG, along with Ethiopian forces, regained control of Mogadishu and much of southern Somalia.³² The fall of the UIC by no means signified the end of the conflict, however. In fact, not only has it left a power vacuum that the TFG cannot yet fill and allowed suppressed clan rivalries to resurface,³³ but, according to an article in *The Times*, the ousting of the UIC in the name of counter-terrorism may have destroyed Somalia’s best chance of peace.³⁴ There is continued insurgency, both by the UIC fighting for power, as well as by ousted warlords eager to regain their war economy assets.³⁵ The recent fighting between Ethiopian forces and TFG forces, clan militias along with UIC leftovers in Mogadishu has been described as the worst fighting to take place for over fifteen years.³⁶

Currently there are Ethiopian soldiers stationed in Somalia.³⁷ They are seen not only as foreign occupiers, but as ‘fighting a proxy war for the Darod clan, who want to take revenge on Hawiye’, who, along with the Ogaden, strongly backed the UIC.³⁸ The pull out of the Ethiopian troops is essential, yet there is also a valid fear that if they pull out, warlords and militias will fill the vacuum of power left behind.³⁹ Though Ethiopia’s intervention temporarily stabilised the TFG, it also sowed the seeds for retaliation by clans and Islamist extremists.⁴⁰ The conflict between Ethiopian and government troops and a growing insurgency is increasingly and continually disrupting the lives of Somalis.⁴¹

²⁷ Gordon, Michael R. and Mark Mazzetti, ‘U.S. Used Bases in Ethiopia to Hunt Al Qaeda in Africa’, *The New York Times* (23 February 2007) [on-line], accessed 10 December 2007, available at http://www.nytimes.com/2007/02/23/world/africa/23somalia.html?pagewanted=2&_r=1&hp

²⁸ Gettleman, As Somali Crisis Swells

²⁹ International Crisis Group, *Somalia: the Tough Part is Ahead*, p. 1

³⁰ Gettleman, In Somalia, Those Who Feed Off Anarchy Fuel it

³¹ Gordon and Mazzetti, U.S. Used Bases in Ethiopia to Hunt Al Qaeda in Africa

³² Predergast, John and Colin Thomas-Jensen, ‘Blowing the Horn’, *Foreign Affairs* (March/April 2007) [on-line], accessed 10 December 2007, available <http://www.crisisgroup.org/home/index.cfm?id=4679&l=1>

³³ EuropaWorld, *Somalia Faces Best Chance in Years for Peace* (9 March 2007) [on-line], accessed 10 December 2007, available at <http://www.europaworld.org/week298/somalia9307.html>

³⁴ Fletcher, Martin, *We don't have civil servants. We have guns*, *The Times* (27 April 2007) [on-line], accessed 12 December 2007, available at <http://www.timesonline.co.uk/tol/news/world/africa/article1712030.ece>

³⁵ Walker, Sophie, ‘Somalia reconciliation congress in weeks-President’, *Reuters* (22 February 2007) [on-line], accessed 10 December 2007, available at <http://www.alertnet.org/thenews/newsdesk/L22635721.htm>

³⁶ Lobe, Jim, ‘Somalia: Stability Looks Remote’, *Terraviva* (2 May 2007) [on-line] accessed 10 December 2007, available at <http://www.ipsterraviva.net/Europe/article.aspx?id=4696>

³⁷ Gordon and Mazzetti, U.S. Used Bases in Ethiopia to Hunt Al Qaeda in Africa

³⁸ International Crisis Group, *Somalia: the Tough Part is Ahead*, p. 3

³⁹ <http://www.ipsterraviva.net/Europe/article.aspx?id=4696>

⁴⁰ Predergast and Thomas-Jensen, *Blowing the Horn*

⁴¹ Hassan, Caught in a Quagmire, p. 7

The TFG has instituted what the US Ambassador described as ‘new and unreasonable regulations’ on relief agencies, making it extremely difficult to reach internally displaced persons (IDPs) - airstrips have been closed to aid deliveries, food deliveries are plundered by government-controlled militias and aid workers are harassed and threatened.⁴² In addition, in March and April 2007, an Ethiopian-led offensive to pacify an insurgency in Mogadishu left hundreds of civilians dead and turned another 400,000 Somalis into IDPs. The offensive, which was done jointly with the TFG, has been called a war crime by some commentators. Xan Rice, in an article in the Guardian, argues that it is possible that AMISOM, the African Union Mission to Somalia, could also be charged with war crimes for ‘failing to act responsibly’ - Ethiopian troops used AMISOM controlled airstrips to launch the attacks. This indicates that the Ethiopian troops, the TFG and the AMISOM commander may have violated the Rome Statute of the International Criminal Court by intentionally attacking civilians. He further states that the European Commission, as the biggest donor to both Ethiopia and Somalia, could, by extension, be held accountable for war crimes as well.⁴³

2.3 Clan Divisions

Clan leaders have traditionally been responsible for conflict mediation, but the majority of violent conflict in Somalia since 1991 has been as a result of clan tensions and happens along clan lines. This is not because there are inherent divisions between clan identities, but because differences have repeatedly been manipulated to create or dissipate tensions. In fact, Somali clan identities are not immutable but fluid, allowing them to be manipulated to serve the interests of those seeking power and resources, as well as to allow for reconciliation and cooperation. Siad Barre played extensively upon clan identities, using them to create tensions and divisions.⁴⁴ These remnants from the Barre regime still continue to fuel conflict in Somalia today.⁴⁵

Immediately after the collapse of the government, inter-clan conflict took place. As the situation has evolved, conflict has become more concentrated between subclans and sub-subclans. With no functioning state or services, each group feels the need to secure resources and power, to ensure their best survival. This tends to take place on a localised scale, between clans in the same regions as opposed to across regions. The relative homogeneity of the clans in Somalia has led towards a trend of identification in terms of subclans. Despite this, there are and have been significant cross-clan marriage, interaction and cooperation, including within civil society organisations and businesses.⁴⁶

2.4 Somalia and the Horn of Africa

Somalia is situated in the ‘Horn of Africa’, a region also comprising Ethiopia and Eritrea. In many cases a greater area is included in the definition, that is: Sudan, Eritrea, Ethiopia, Djibouti, Somalia, Kenya, and Uganda. This report uses this latter definition. Regional insecurity is fuelled by proliferation of small arms and light weapons; insecurity of border areas; competition for natural resources; migrants and IDPs; limited access to water and food insecurity; religious extremism; tensions between pastoralist and agro-pastoralists; groups which feel marginalised and isolated from those with access to resources and power; as well as those profiting from the conflict.⁴⁷

⁴² Fletcher, We don’t have civil servants. We have guns

⁴³ Rice, Xan, *EU given war crime warning over Somalia aid*, The Guardian (7 April 2007) [on-line], accessed 13 December 2007, available at <http://www.guardian.co.uk/eu/story/0,,2052060,00.html>

⁴⁴ World Bank, *Conflict in Somalia: Drivers and Dynamics*, pp. 15-16

⁴⁵ *ibid.*, p. 10

⁴⁶ *ibid.*, pp. 15-16

⁴⁷ European Commission, *Strategy for Africa: An EU regional political partnership for peace, security and development in the Horn of Africa*, {SEC(2006)1307} (20 October 2006) [on-line], accessed 10 December 2007, available at http://ec.europa.eu/development/body/tmp_docs/com2006601_en.pdf

The first fighting between Somalia and Ethiopia erupted in 1964 over disputed border land containing water and oil.⁴⁸ Each country sponsors rebels fighting in the other. A proxy war between Ethiopia and Eritrea is also taking place in Somalia, with Eritrea supporting the UIC (though Eritrea denies this), while Ethiopia backs the TFG.⁴⁹ To make matters worse, many of the UIC's leaders are now based in Asmara, Eritrea, as they call for Ethiopia's withdrawal from Somalia, strengthening these impressions further.⁵⁰

Close to nine million people have been displaced in the region and all countries are very insecure, making it hard for humanitarian aid to reach the sixteen million people who need it.⁵¹ As the situation worsens in Somalia, people fleeing the country have been forced into already dire areas such as Darfur, worsening the situation there.⁵²

The border with Kenya was closed in December 2006 because of Kenyan concerns over security issues.⁵³

2.5 European Union in Somalia

Funds are allocated to Somalia under Article 93 (6) of the Cotonou Agreement, which states that 'The Council of Ministers may decide to accord special support to ACP States party to previous ACP-EC Conventions which, in the absence of normally established government institutions, have not been able to sign or ratify this Agreement.'⁵⁴ The two main sources of funding to Somalia from the EU are the European Development Fund (EDF) and the European Community Budget. Under a special co-financing provision, the European Commission manages funds from Italy as well.

Somalia's inability to sign or ratify either Lomé IV or the Cotonou Agreement led to the appointment of the Chief Authorising Officer of the EDF to take on the role of National Authorising Officer⁵⁵ to '[act] on behalf of the Somali people'. The European Commission Somalia Operations Unit (within the Delegation of the European Commission, stationed in Kenya) and the Directorate-General Development are responsible for strategic planning and programming for Somalia.⁵⁶ The Desk Officer for Somalia is planning to involve civil society in future programming, as they will have the clearest picture of the needs inside the country.⁵⁷

On 10 June 2005, the Minister of Foreign Affairs wrote to the Commission expressing the desire of the TFG to accede to the Cotonou Agreement. The process requires the TFG to submit a formal request to the ACP-EU Council of Ministers.⁵⁸

⁴⁸ Gleick, Peter H., *Water Conflict Chronology* (Pacific Institute for Studies in Development, Environment and Security: 12 October 2006), p. 12 [on-line], accessed 10 December 2007 available at <http://www.worldwater.org/conflictchronology.html>

⁴⁹ Ryu, Alisha, *History of Bad Blood Fuelling War Between Somalia and Ethiopia*, Voa News (22 December 2006) [on-line], accessed 10 December 2007, available at <http://www.voanews.com/english/archive/2006-12/2006-12-22-voa65.cfm>

⁵⁰ Hassan, Caught in a Quagmire, p. 7

⁵¹ Predergast and Thomas-Jensen, *Blowing the Horn*

⁵² Lederer, Edith M., *UN seeks aid for Somalia, Sudan refugees* (Associated Press: 6 December 2007) [on-line], accessed 10 December 2007, available at <http://www.kansascity.com/news/world/story/392742.html>

⁵³ UN Integrated Regional Information Networks, *Conflict, Floods and the Prospect of Animal Disease Compound Crisis*

⁵⁴ ACP-EU, *ACP-EU Partnership Agreement* (DG Development: September 2000), Article 93 (6)

⁵⁵ The National Authorising Officer (NAO) is responsible for the preparation, submission and appraisal of projects and programmes in close co-operation with the Head of the EC Delegation.

⁵⁶ Delegation of the European Commission to Somalia, *EU & Somalia. EC funding mechanisms: EDF and Budget Lines, Special conditions applicable to Somalia*, [on-line], accessed 10 December 2007 available at <http://www.delken.ec.europa.eu/en/information.asp?MenuID=3&SubMenuID=12>

⁵⁷ Notes from meeting European Peacebuilding Liaison Office (EPLO) and members, 1 March 2007

⁵⁸ Delegation of the European Commission to Somalia, *EU & Somalia. EC funding mechanisms*

Commission-funded interventions are directed by the European Commission Strategy for the Implementation of Special Aid to Somalia (SISAS), which has ‘poverty alleviation and promotion of a more peaceful, equitable and democratic society’ as its main objectives. The first programming guided by the SISAS was the 4th Rehabilitation Programme of fifty million euros, followed by the 5th Rehabilitation Programme of 100 million euros signed in December 2003. This came out of a total of 149 million euros allocated to Somalia under the 9th EDF. A mid-term review in 2004 of the 5th

Rehabilitation programme brought with it a refocusing of goals, shifting emphasis onto governance and peacebuilding, rural development and food security, social services (such as education, health and water), and private sector support.⁵⁹ The expected results of the SISAS were outlined as:

- civil society representation is enabled to better express, manage and defend common interest at local level;
- local communities have better access to basic social infrastructure and are able to manage them durably;
- local communities have better access to productive resources and services and are able to manage them in a sustainable way.

In 2005 the Commission was the biggest donor to Somalia, with 47 million euros.⁶⁰ The vast majority of aid to Somalia goes towards emergency assistance,⁶¹ though the EU also provided financial support for the Somali peace conferences held in 2002 and 2004, under which the TFG was formed. The Commission Delegation’s active participation in the conference also made it possible for non-governmental organisations (NGOs) to contribute.⁶²

A review conducted in 2006 revealed that because of exceptional humanitarian circumstances, the funds available under SISAS 2002-2007 were insufficient and needed to be increased. An additional 36 million euros from the 9th EDF were allocated as transitional funding until the start of the 10th EDF.⁶³

In August 2007, the EU granted 10 million euros in humanitarian aid under the SISAS to finance projects on health, food security and safe drinking water, aimed at helping 1.5 million Somalis at risk in south central Somalia. The new aid is in addition to 4 million euros released in June 2007 following violent fighting in Mogadishu.⁶⁴

According to the Delegation in Nairobi, the European Commission currently supports numerous initiatives in Somalia, including: support to civil society - capacity building, civil education and human rights, support to the Non-State Actors Forum, dialogue for peace; to Somali traditional structures; a democratisation programme and a rule of law and security programme. The Commission is working extensively with Saferworld (an NGO working in this field) to ensure that conflict sensitivity is included in all programming and that it can be monitored throughout all stages.⁶⁵

⁵⁹ *ibid.*

⁶⁰ Swedish International Development Cooperation Agency, *Cooperations in figures* [on-line], accessed 10 December 2007 available at http://www.sida.se/sida/jsp/sida.jsp?d=1271&a=32719&language=en_US

⁶¹ OECD, *Somalia: Recipient Aid Chart* (2005) [on-line], accessed 10 December 2007 available at <http://www.oecd.org/dataoecd/0/38/1878989.gif>

⁶² International Crisis Group, *Somalia: the Tough Part is Ahead*, p. 3

⁶³ Council of the European Union, *Proposal for a Council Decision on the position to be taken by the Community within the ACP-EC Council of Ministers regarding a decision amending ACP-EC Council of Ministers Decision No 3/2001 on the allocation of resources to Somalia from the 8th and 9th European Development Fund*, 6484/07, COM(2007) 57 final (15 February 2007), p. 5 [on-line], accessed 10 December 2007, available at <http://register.consilium.europa.eu/pdf/en/07/st06/st06484.en07.pdf>

⁶⁴ Africa News, *EU grants 10M euros of aid to Somalia*, 1 August 2007 [on-line], accessed 3 August 2007, available at http://www.africanews.com/site/list_messages/10349

⁶⁵ Personal communication with European Commission DG Development, 21 May 2007

2.5.1 Support to the Transitional Federal Government

In March 2006 the EC and the TFG signed a Memorandum of Understanding (MoU) as a basis for partnership towards the promotion of the agreed goals of peacebuilding, democracy, security and poverty eradication.⁶⁶

2.5.2 European Commission Approach to Aid Cooperation in Somalia

The Commission employs an 'area-based approach', meaning that 'the position of a particular geographical area on the "Relief to Development Continuum"...determines what kind of interventions are supported and how they are implemented, [as well as] the degree and type of community participation that is expected.'⁶⁷

The Commission's aid to Somalia is intended to 'contribute to reconciliation and sustainable peace building; support administrative structures in applying principles of good governance; and support the contribution of civil society to the enhancement of good governance'. It lists the following as aspects of their approach:

- strict neutrality
- focus on local level
- institution building
- local absorption capacity
- support to the private sector
- implementing partners (generally NGOs of Member States)
- multi-sectoral delivery capacity
- gender mainstreaming.⁶⁸

2.5.3 Commission Strategy for the Horn of Africa

In October 2006 the Commission adopted a regional strategy for the Horn of Africa in addition to country-specific strategies because of the interconnectedness of the conflicts in the region. The conflicts all fuel each other and transboundary issues such as desertification and small arms trafficking make a regional strategy necessary. The strategy targets all IGAD countries: Djibouti, Ethiopia, Eritrea, Kenya, Somalia, Sudan and Uganda. It sets out a comprehensive approach to conflict prevention, tackling the root causes of instability, and provides a political framework for concrete regional initiatives and for structured dialogue between partners.⁶⁹ The focus is on short to medium-term involvement in an attempt to address the root causes of instability and conflict, regionally and within each country. The Commission plans to strengthen regional entities like the AU and IGAD and to help build capacity for regional integration mechanisms such as the Economic Partnership Agreements (EPAs), with issues such as governance, security, migration and refugees, management of natural resources and pastoralism, education and the rise of religious fundamentalism.⁷⁰

2.5.4 Areas of European Commission Engagement

The European Commission is engaged in several groups and forums in Somalia all aiming to bring peace and enable development.

Joint Needs Assessment

The Joint Needs Assessment (JNA) is a programme run primarily by the UN Development Group and the World Bank, in partnership with the TFG and regional authorities. Close to eighty per cent of the initial JNA costs have been provided by the European Commission, which committed 1.5 million

⁶⁶ Unpublished field report (2007), p. 5, commissioned by Crisis Management Initiative

⁶⁷ European Commission, *Strategy for the Implementation of Special Aid to Somalia*, p. 15

⁶⁸ *ibid.*, pp. 16-17

⁶⁹ ECDPM, *EU-Africa e-alert*, No. 3 / November 2006 [on-line], accessed 26 September 2008, available at <http://europafrika.org/2006/11/15/eu-africa-e-alert-eu-au-relations-and-follow-up-of-the-eu-strategy-for-africa/>

⁷⁰ Unpublished field report

euros to the JNA in 2005.⁷¹ The aim of the JNA is to help improve livelihoods for the Somali people through peace and development creating a forum for dialogue on strategic planning as well as exploring ways to enhance the capacity of the government.⁷² Its conclusions will be presented at an international donors' conference and used as the basis for the medium-term recovery and development programme.⁷³ The JNA has established that it will place particular importance on the 'involvement of Somali women in post-conflict reconstruction.'⁷⁴

Somalia Aid Coordination Body

Somalia Aid Coordination Body (SACB) is responsible for aid coordination between different donors active in Somalia. It also works as a platform for multi-donor negotiating with local Somali administrations. The European Commission supports the work of SACB through technical assistance to the Secretariat.⁷⁵

Standing Committee on Somalia

The Commission is also a member of the Standing Committee on Somalia, a forum chaired by Ethiopia which brings together all the IGAD States, as well as others such as the League of Arab States. This is the central conduit for contact between all external stakeholders.⁷⁶

IGAD Partners Forum

The IGAD Partners Forum (IPF), a forum for governments and international organisations supporting the work of IGAD, has a 'Special Committee on Somalia', of which the Commission is a member. Within this Committee the Commission is part of an eight-member operational Liaison Group.⁷⁷

International Somalia Contact Group

The EU is a member of the International Somalia Contact Group, which was 'established to support the peace and reconciliation efforts in Somalia... to address the way forward for enhanced multilateral engagement with the Somali transitional federal institutions and other actors inside Somalia.'⁷⁸

2.6 Regional Cooperation

2.6.1 African Union

In January 2007 the African Union (AU) authorised the deployment of AMISOM, a military peacekeeping mission, for a period of six months from the date of the decision. The mandate of AMISOM is to:

- provide support to the TFIs in their efforts towards the stabilisation of the situation in the country and the furtherance of dialogue and reconciliation;
- to facilitate the provision of humanitarian assistance;

⁷¹ Joint Planning Committee, *Summary of Joint Planning Committee*, 4 August 2005, Jowhar meeting, p. 4 [on-line], accessed 20 December 2007, available at

<http://www.somali-jna.org/downloads/JPC%20Summary%204%20Aug%202005.doc>

⁷² Delegation of the European Commission to Somalia, *Governance and Peacebuilding: EC Support to Coordination of External Assistance* [on-line], accessed 10 December 2007, available at

<http://www.delken.ec.europa.eu/en/information.asp?MenuID=3&SubMenuID=14&ThirdMenuID=21>

⁷³ European Commission, *Country Overview: Political Situation*

⁷⁴ UNIFEM, *News: Women at the Centre of Somalia's Post-Conflict Joint Needs Assessment* (October 2005) [on-line], accessed 10 December 2007 available at

http://www.unifem.org/news_events/story_detail.php?StoryID=348

⁷⁵ European Commission, *Strategy for the Implementation of Special Aid to Somalia*, p. 19

⁷⁶ *ibid.*

⁷⁷ *ibid.*

⁷⁸ Norway mission to the UN, *Norway chairs the International Somalia Contact Group* [on-line], accessed 10 December 2007, available at http://www.norway-un.org/News/20060615_somalia.htm

- to create conducive conditions for long-term stabilisation, reconstruction and development in Somalia.⁷⁹

The tasks that AMISOM is intended to undertake are:

- to support dialogue and reconciliation in Somalia, working with all stakeholders;
- to provide, as appropriate, protection to the TFIs and their key infrastructure, to enable them to carry out their functions;
- to assist in the implementation of the National Security and Stabilisation Plan of Somalia, particularly the effective re-establishment and training of all inclusive Somalia security forces, bearing in mind the programmes already being implemented by some of Somalia's bilateral and multilateral partners;
- to monitor the security situation in areas of deployment of its forces,;
- to facilitate, as may be required and within capabilities, humanitarian operations, including the repatriation and reintegration of refugees and the resettlement of IDPs;
- to protect its personnel, installations and equipment, including the right of self-defence.⁸⁰

Since the beginning of 2007 the AMISOM mandate has been renewed repeatedly in six-month periods, the latest in the second half of 2008. Likewise, the UN Security Council has repeatedly authorised it, starting from Resolution 1744. The mission is severely underfunded however, with AU member states finding it difficult to provide troops and finances. A recent report by the AU Peace and Security Council illustrates this clearly:

The total budget for AMISOM for a year amounts to about US\$ 622 million. So far, a little over US\$ 32 million have been contributed, originating exclusively from AU partners, namely the EU, Italy, Sweden, China and the League of Arab States.⁸¹

The AU has requested that the UN replace the AU mission with a UN mission, but this is sensitive since it is difficult to deploy 'peacekeeping' troops in a situation lacking both a peace agreement and early stages of stability. The UN has said that it will consider, at an appropriate time, a peacekeeping operation to take over from AMISOM but 'subject to progress in the political process and improvement in the security situation on the ground.'⁸²

The EU has said that it will contribute 15 million euros to AMISOM, but that this funding is contingent on there being ongoing inclusive political dialogue and reconciliation. The Somali institutions need to establish their authority and stabilise the situation by addressing reconciliation, institution building and providing peace for the Somali people. One step towards this was the National Reconciliation Congress, which included clans, religious leaders, civil society, business and political leaders, with the aim of creating an inclusive and therefore credible government. The European Commission, in conjunction with the United States, gave 8 million US dollars of the 32 million needed to hold the Congress.⁸³

⁷⁹ African Union, *Communique of the 69th Meeting of the Peace and Security Council*, PSC/PR/Comm(LXIX), p. 3 [on-line], accessed 12 December 2007, available at http://www.iss.co.za/dynamic/administration/file_manager/file_links/COMMSOMALIA69.PDF?link_id=22&link_id=4015&link_type=12&link_type=13&tmpl_id=3

⁸⁰ *ibid.*

⁸¹ AU Peace and Security Council, *Report of the Chairperson of the Commission on the Situation in Somalia*, (18 January 2008, Addis Ababa) [on-line], accessed 26 September, available at http://www.issafrika.org/dynamic/administration/file_manager/file_links/PSC105REP.PDF?link_id=14&link_id=5431&link_type=12&link_type=13&tmpl_id=3

⁸² Dersso Solomon A., *The Prospect of a UN Peace Support Mission in Somalia* (September 2008, Pretoria: Institute for Security Studies) [on-line], accessed 25 September 2008, available at http://www.issafrika.org/index.php?link_id=14&link_id=6555&link_type=12&link_type=12&tmpl_id=3

⁸³ UN, *Press Conference by Prime Minister of Transitional Federal Government of Somalia* (28 June 2007) [on-line], accessed 10 December 2007, available at http://www.un.org/News/briefings/docs/2007/070628_Somalia.doc.htm

The Council of the European Union also adopted a joint action amending its civilian-military support to the AU mission in Darfur to include a temporary military support element to support the setting up of AMISOM.⁸⁴

2.6.2 IGAD

IGAD is a regional development organisation in east Africa, with its headquarters located in Djibouti. Extensive disasters - flood, drought, environmental degradation - leading to extreme poverty and humanitarian issues, caused Djibouti, Ethiopia, Eritrea, Kenya, Somalia, Sudan and Uganda to decide to adopt a regional approach in dealing with common issues. The regional group began initially as an authority on drought and environmental change under the auspices of the United Nations, but in 1995 decided to expand their mandate to include political, trade, economy, development and security issues.

IGAD sponsored the Somali peace conference that resulted in the creation of the current TFG. In 2005, IGAD pledged to send 10,000 troops to Somalia through the IGAD Support Mission to Somalia (IGASOM), but it was replaced by the AMISOM.⁸⁵

2.7 UN

In 1992 the UN sent international observers and over 4,000 support troops to Somalia as part of UNOSOM I, in reaction to disastrous flooding in the country. This programme was underfunded by twenty per cent and never really got off the ground. In 1993 the UN Security Council authorised UNOSOM II, a combination of UNOSOM I and the United Task Force, which had also been authorised by the UN in 1992. But, in 1995 the mandate was not extended because UNOSOM II was deemed unsustainable.⁸⁶

Some NGOs warn that one must be cautious about sending troops into Somalia when there is no peace to keep. The UN is able to go into certain parts of Somalia including Baidoa and Mogadishu, but still rarely into the south central region.⁸⁷

2.7.1 United Nations Development Programme

The United Nations Development Programme (UNDP) in Somalia is structured in three thematic units: democratic governance, rule of law and security, and recovery and sustainable livelihoods. The European Commission has contributed significantly to the UNDP Rule of Law and Security (ROLS) programme. The programme has seven components:

- judiciary
- law enforcement
- human rights and gender
- small arms control
- disarmament, demobilisation and reintegration
- mine action
- Somalia demilitarisation planning unit.

Parts of this programme are described further in the thematic chapters of this report which follow.

⁸⁴ Council of the European Union, *Press Release 2795th/2796th Council meetings*, 8425/07 (Presse 80) (April 2007), p. 34 [on-line], accessed 10 December 2007 available at http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/gena/93798.pdf

⁸⁵ Council of the European Union, *7th EU-Africa Ministerial Troika Meeting*, 13823/06 (Presse 283) (11 October 2006), p. 6 [on-line], accessed 10 December 2007 accessed on 30 November 2007, available at <http://register.consilium.europa.eu/pdf/en/06/st13/st13823.en06.pdf>

⁸⁶ QUNO-NY, *Somalia Country Summary: Conflict History*

⁸⁷ Notes from EPLO meeting 1 March 2007

3 Disarmament, Demobilisation and Reintegration

There are 50,000 to 200,000 militia members in Somalia.⁸⁸ According to a report by the World Bank, disarmament, demobilisation and reintegration (DDR) in Somalia cannot follow traditional patterns, however. The majority of militias will not be totally disarmed, and significant groups will not be disbanded. As many of the militias are clan-based and transgressions against the clan value system have not necessarily occurred, many do not need to be reintegrated into their home communities. Additionally, some militia members have lived 'by the gun' since they were teenagers, making the concept of reintegration moot, and the idea of an alternative lifestyle perhaps more accurate. In place of DDR, 'arms control and alternative livelihood programmes' would be better suited to the Somali situation.⁸⁹

The World Bank identifies a lack of willingness among regional and international actors to lead an integrated national DDR programme as a major impediment to successful DDR in Somalia - even though there are many willing to contribute.⁹⁰ The alternative is for existing DDR efforts to be strengthened and built upon.⁹¹

3.1 Child Soldiers

In 2004, close to 200,000 children were thought to have participated in the Somali conflict. The United Nations Children's Fund (UNICEF) reports that all sides recruit child soldiers.⁹²

3.2 Disarmament

Currently, disarmament in Somalia is voluntary, though Ethiopian troops in Mogadishu are helping to disarm warlords and others. President Yusuf was quoted as saying that if voluntary disarmament does not work, then they will "do it by other means." He is also planning to close down the city's gun markets,⁹³ some of which are the most active in the region.

At the Somali National Reconciliation Congress, held between July and September 2007, some of the decisions taken by the Congress regarding disarmament were:

- To carry out a well-coordinated, demobilisation, disarmament, and rehabilitation programme all over the country while seeking assistance from the international community.
- To construct screening and rehabilitation Centres for the disarmed youth in order to facilitate the process of the DDR, programme and to provide the youth with skilled training that could assist them in the future so they can assimilate again into the standard norms of the society, while requesting financial support from the international community and the friendly countries.
- To launch a constant orientation programme for the promotion of disarmament and national security through the media while utilising religious leaders, artists, poets, the women and all other sectors of the society.

⁸⁸ World Bank, *Disarmament, Demobilization & Reintegration, Somalia Militia* (Nairobi: May 2005), pp. 3-13 [on-line], accessed 10 December 2007 available at <http://www.somali-jna.org/downloads/ddr.doc>

⁸⁹ *ibid.*

⁹⁰ *ibid.*, p. 33

⁹¹ European Parliament, *Working Document on the Horn of Africa*

⁹² The 411 Initiative for Change, *411: Somalia, Children in Somalia* (UNICEF) [on-line], accessed 10 December 2007 available at <http://www.whatsthe411.ca/index.asp?pageID=63>

⁹³ Walker, *Somalia reconciliation congress in weeks-President*

- The issued decisions of the congress concerning disarmament and the national security should be recognised as legal or constitutional where any person violating them would be penalised/persecuted accordingly.
- The congress appeals to the Somali people for a complete ceasefire and voluntary disarmament.⁹⁴

The militias throughout Somalia have widely varied agendas ranging from economic, to personal, to religious to clan agendas. The scope of the latter ranges from community protection, retaliation or extending clan influence for business, economic, political or territory/land purposes. An analysis by the World Bank concludes that ‘it is highly doubtful clan militias, who have historically kept small arms, can or should be disarmed.’⁹⁵ Until a sufficient justice system is in place that protects people within and between clans it is highly unlikely that the militias will be disarmed.

3.3 Demobilisation and Reintegration

In the case of Somalia, it is more accurate to consider the term ‘reintegration’ to mean a shift to ‘law-abiding’ lifestyle, as many militia members are already within their communities, and unless they have crossed a clan-value line, they will most likely continue to be accepted there.⁹⁶

The existence of different types of militias means that several types of demobilisation and reintegration are necessary. Some suggestions for each group were outlined in a 2005 report on DDR published by the World Bank:

Type of Militia	Possible Alternative Livelihood
Business	Convert to private guard services
Court militias	Community-based options
Clan militias	Community-based options
Hard-core/Technical ⁹⁷	Convert to controlled police back-up
Mid-level leaders	Leadership roles
Freelance and Faction militias	Individual treatment, leadership positions
Spoilers	Charge as criminals ⁹⁸

The expectations of those to be demobilised must be carefully managed. Additionally, far greater numbers of people than those who will actually be able to be demobilised look forward to the jobs and money that are promised.⁹⁹

3.3.1 Rehabilitating Child Soldiers

UNICEF supports a local NGO, the Elman Child Soldiers Rehabilitation Project, intended to reintegrate child soldiers through vocational training, trauma counselling and teaching peaceful conflict resolution skills. The first phase of the project included 120 participants, and the second phase will include 420 former child soldiers.¹⁰⁰

⁹⁴ Council on Foreign Relations, *Somali National Reconciliation Conference Decisions, September 2007* [on-line], accessed 20 December 2007, available at <http://www.cfr.org/publication/14263/>

⁹⁵ World Bank, *Disarmament, Demobilization & Reintegration, Somalia Militia*, pp. 3-13

⁹⁶ *ibid.*

⁹⁷ ‘Technicals’ refer to the vehicles used. They are often unarmed non-combat vehicles modified to carry for example a machine gun or anti-aircraft gun.

⁹⁸ World Bank, *Disarmament, Demobilization & Reintegration, Somalia Militia*, pp. 2-3

⁹⁹ *ibid.*, p. 40

¹⁰⁰ UNICEF, *Somalia: Child Protection* [on-line], accessed 10 December 2007 available at http://www.unicef.org/somalia/cpp_134.html

3.4 UNDP

In early 2005 the only DDR project active in Somalia was a UNDP DDR project. Its aim was to disarm, demobilise and reintegrate around 4,400 police and army members before June 2006, primarily in Somaliland and Puntland. The programme focused on the security forces and not on the militia groups, and the World Bank therefore concluded that it therefore addressed only a fraction of the problem.¹⁰¹

3.4.1 The UNDP ROLS Programme

In December 2005, the ROLS programme initiated a fourteen-month project to disarm, demobilise and reintegrate 512 freelance militia from the sixteen districts of Mogadishu. It was implemented by a local NGO SAACID (*say-eed* - Somali, meaning 'to help').¹⁰² The programme included all sixteen districts of Mogadishu and all clans, inviting thirty-two militiamen from each to participate - the first programme of its type to do so. Participants had to provide a functioning weapon to demonstrate their commitment to the programme. By 31 January 2007, 505 of the 512 men had completed all elements of the programme. Unfortunately, a few months after the end of the programme SAACID began receiving threats and was later attacked.¹⁰³

The aim of the ROLS DDR component is to 'support the authorities in their force reduction efforts by demobilisation and reintegration of former combatants with psycho-social assistance.' To do so the programme:

- provides vocational and entrepreneurship training and small and micro enterprises support to ex-combatants;
- assesses local psychosocial support capacities (clinical capacity, non-governmental structures and governmental structures) to assist ex-combatants;
- provides micro-economic skill support to war widows.¹⁰⁴

So far the ROLS DDR programme has disarmed, demobilised and reintegrated 300 militia in Mogadishu, carried out assessment of the effects of small arms on civil society and conducted sensitisation workshops for elders on treatment of psychosocially affected community members.¹⁰⁵

3.5 International Labour Organisation

As mentioned earlier, reintegration in the Somali context is more a question of providing opportunities for alternative lifestyles than reinserting militia members into society. The International Labour Organisation (ILO) is responsible for the creation of a labour-intensive public works project that will require 2,000 employees in Mogadishu and 2,000 in other parts of Somalia. The EU and UNDP are responsible for the funding of this project.¹⁰⁶

¹⁰¹ *ibid.*, p. 13

¹⁰² UNDP Somalia, *UNDP Somalia Quarterly Update* (January 2006) [on-line], accessed 26 September 2008, available at <http://www.reliefweb.int/rw/RWB.NSF/db900SID/LSGZ-6M9CQ5?OpenDocument>

¹⁰³ SAACID, *Disappointing Conclusion to Demobilisation, Disarmament and Reintegration Programme* [on-line], accessed 10 December 2007 available at <http://www.saacid.org/UNDP%20-%20DDR/DDR%20-%202006-7/statement%20-%20concluding%20DDR%20in%20Mogadishu%20-%2027-6-07.pdf>

¹⁰⁴ UNDP, *Rule of Law and Security: Disarmament, Demobilisation and Reintegration* [on-line], accessed on December 2007, available at <http://mirror.undp.org/somalia/Themes/ROLS/DDR.htm>

¹⁰⁵ UNDP, *Rule of Law and Security: Disarmament, Demobilisation and Reintegration*

¹⁰⁶ World Bank, *Disarmament, Demobilization & Reintegration*, p. 26

3.6 European Commission Involvement in DDR

The TFG lists the Commission as one of the donors contributing to the 2.3 million euros needed for the DDR aspect of their relocation plan, though it does not say how much specifically. The relocation plan builds heavily on the Strategic Demilitarisation Planning Unit, elaborated upon below.¹⁰⁷

The Commission contributed 1.8 million euros from the EDF for a DDR project which demobilised 670 people between 1999 and 2003. Beginning in 2004 it has contributed 345,000 euros towards a demobilisation project, intended to target 230 people.¹⁰⁸

Between 1994 and 2004 the European Commission contributed 4 million US dollars to DDR throughout Somalia intended to be applied in total to 10,000 people in conjunction with the UNDP, the German Technical Cooperation Agency (GTZ) and NGOs. The work was intended to cover all of Somalia and significant components involved in reintegration in Somaliland.¹⁰⁹

3.7 Strategic Demilitarisation Planning Unit

In October 2004 a joint AU-UN Somalia Strategic Demilitarisation Planning Unit was set up by the AU and the UNDP together with the European Commission, Italy and the UK Department for International Development (DFID) (as part of the UNDP ROLS programme), to provide technical support to the AU. It was intended to develop a joint implementation strategy for demilitarisation through coordinating efforts by the international community and conducting a full mapping analysis of the current and probable short and medium-term security needs in Somalia¹¹⁰

The unit was dissolved when the TFG and the international community were unable to decide on a way forward.¹¹¹

3.8 National DDR

In March 2005 the Mogadishu Security and Stabilisation Plan (MSSP) was proposed by several (mainly Hawiye) former members of the TFG as well as leaders of the Islamic Courts, and a number of civil society organisations and local militias.¹¹² The MSSP was an ‘ambitious proposal to disarm and demobilise 1,400 militiamen, eliminate militia roadblocks and checkpoints across the city, and establish a municipal government.’ Even though the plan had the support of citizens in Mogadishu, it failed because the militias would not demobilise.¹¹³

¹⁰⁷ *ibid.*, p. 17

¹⁰⁸ Council of the European Union, *Plan of Action for the EU Guidelines on Children and Armed Conflict* (2004/2005), p. 81 [on-line], accessed 10 December 2007 available at <http://www.consilium.europa.eu/uedocs/cmsUpload/Plan%20of%20Action.pdf>

¹⁰⁹ World Bank, *Disarmament, Demobilization & Reintegration*, pp. 30-32

¹¹⁰ UNDP, *Somali Demilitarisation Planning Unit* [on-line], accessed 10 December 2007 available at <http://mirror.undp.org/somalia/Themes/ROLS/SDPU.htm>

¹¹¹ World Bank, *Disarmament, Demobilization & Reintegration*, p. ii

¹¹² Baxter, *Somalia and the Union of Islamic Courts: A Somali Response to State Collapse*

¹¹³ Country Watch, *Somalia/Ethiopia* [on-line], accessed 10 December 2007 available at http://www.countrywatch.com/facts/facts_default.aspx?type=text&topic=SESOE

4 Security Sector Reform

Due to the lack of a functioning government in Somalia security sector reform (SSR) is almost non-existent. While the TFG has vowed to come up with a national security plan, which the EU has said it will support, it is at a standstill as there are still disputes over whether or not Somaliland and Puntland are included under the TFG's jurisdiction.¹¹⁴

In south central Somalia clan-based vigilante groups have more recognition and tend to be more effective at keeping the peace than TFG security forces, in large part because they are working within the cultural parameters.¹¹⁵ The Somali judicial system is a mixture between traditional or customary law, *Shari'a* law and the penal code from pre-1991, though there is a lack of trained judges and lawyers.¹¹⁶ This lack of government functions led to a revival of *Shari'a* courts, which were backed by businessmen and clan elders, though they did not provide equal justice for women and were often unaccountable.¹¹⁷

An entire industry has grown up around the political chaos in Somalia. Those benefiting from the war economy are some of the biggest impediments to stability, as most peaceful solutions to the conflict threaten their interests.¹¹⁸

The DDR advisor at the UN Political Office for Somalia (UNPOS) outlined the following as the challenges surrounding SSR in Somalia:

- Challenges of preconditions - the clan system implicates a mutual suspicion and mistrust among leading groups. Even though a peace agreement was signed in 2005, the reconciliation efforts failed and Somalia is facing a political impasse.
- Challenges related to SSR instruments - DDR has not taken place and the Rule of Law is more or less nonexistent.
- Challenges of gaps in SSR constituents - Agencies authorised to use force were destroyed and fights to gain economic power command the country. The protection of the TFG by Ethiopian forces and separate clan security creates a deadlock for possible SSR.
- Challenges of international scepticism - The failure of UN forces in Somalia left it in a state of violence and anarchy. Somalia presents vast security problems and therefore the international community avoids sending peacekeepers to the country.¹¹⁹

4.1 Traditional Law in Somalia - *Xeer*

Somalia's traditional law is a clan system called *xeer*. *Xeer* has continued to be practised even when other systems have been introduced, and many people returned to the traditional system when faced with a lack of government services. Clans provide Somalis with identity as well as protection, and they also enforce and maintain *xeer*. *Xeer* outlaws 'homicide, assault, torture, battery, rape, accidental wounding, kidnapping, abduction, robbery, burglary, theft, arson, extortion, fraud and property damage.' The system is focused on restitution as opposed to punishment, with fines to be paid either in livestock or the equivalent monetary value as the most

¹¹⁴ Unpublished field report

¹¹⁵ Notes from EPLO meeting 1 March 2007

¹¹⁶ UN Somalia, *Absence of codified law* [on-line], accessed 1 December 2007, available at http://www.un-somalia.org/Human_Rights/index.asp

¹¹⁷ World Bank, *Conflict in Somalia: Drivers and Dynamics*, p. 17

¹¹⁸ European Commission, *Country Overview: Political Situation*

¹¹⁹ Japan Center for Conflict Prevention, *News: the 10th monthly seminar of the Japan Center for Conflict Prevention* (October 2007) [on-line], accessed 10 December 2007, available at http://www.jccp.gr.jp/english/news/news.html#SlideFrame_1

common form of compensation. This is often applied to the clan rather than to the individual, creating an internal policing system. Clan elders function as interpreters of the law.¹²⁰

4.2 The EU's Involvement in SSR

The EU has hired a special advisor to aid in the drafting of the strategic framework for SSR in Somalia.¹²¹

4.2.1 The UNDP ROLS Programme

The European Commission has provided over 5 million euros to help establish a Somali police force through the UNDP ROLS programme. They also supported the security arrangements for the deployment of 400 Somali police to Baidoa.¹²²

4.3 National Level Developments

The Somali National Reconciliation Congress of July to September 2007 agreed:

- To build up well-trained and fully-equipped national armed forces provided with all the necessary supplies that can facilitate the accomplishment of their obligation and that should have good discipline and religious conviction, while guaranteeing the payment of their allocated stipend and other additional benefits at the end of each month.
- The TFG will be accountable for the security of the people and the country where the public is requested to give full support in the implementation of the national security programme.
- Any individual, clan or group causing harm to the Somali people, after the finalisation of the National Reconciliation Congress, would meet the people's collective resistance and of the government and would be brought to justice. Moreover, it is an obligation of each individual and clan to observe the restoration of peace in the country.¹²³

¹²⁰ Powell, *Somalia After State Collapse: Chaos or Improvement?*, pp. 21-23

¹²¹ Unpublished field report

¹²² Council of the European Union, *Presidency report to the European Council on EU activities in the framework of prevention, including implementation of the EU Programme for the Prevention of Violent Conflicts 10158/06* (13 June 2006), p. 28 [on-line], accessed 10 December 2007, available at <http://www.eplo.org/documents/Con%20sens%20in%20progmg%20CSPs%20FINAL%2007-03-15.pdf>

¹²³ Council on Foreign Relations, *Somali National Reconciliation Conference Decisions*

5 Small Arms and Light Weapons

Small arms and light weapons (SALW) are a major issue in Somalia, despite the thirteen-year arms embargo placed on the country. The Horn of Africa is arguably one of the most armed regions of the world. This has to do in large part with the lucrative international arms trade, in which European producer countries are very much involved.¹²⁴ Arms are passed to warring groups, fuelling the conflict.¹²⁵

The collapse of Somalia's government contributed to SALW proliferation in the Horn of Africa. At the time of the collapse there were large stockpiles of weapons and significant numbers of soldiers in several border regions, who often traded their weapons for safe passage home or other needs. Because of Somalia's continued lawlessness, the passage of illegal weapons to and through Somalia has been easy and persistent, as well as a source of income for many Somalis. Recent studies have shown that all major illegal arms trade routes in the Horn of Africa pass through Somalia,¹²⁶ despite the fact that Somalia has no indigenous production of SALW.¹²⁷ The main source of arms in Somalia is the Bakaaraha arms market in Mogadishu.¹²⁸

A report released in 2003 by the UN Institute for Disarmament Research lists as contributing factors to the proliferation of SALW in the Horn of Africa:

- international arms trade;
- the collapse of government and continued anarchy in Somalia;
- international criminal and terrorist organisations;
- the conflict between Ethiopia and Eritrea;
- large number of IDPs and refugees¹²⁹;
- porous borders.

Civilians arm themselves in the absence of an official or state protection force. This creates a vicious circle; when one group arms itself, the others feel the need to do the same.¹³⁰

Communities are coming together in many areas of the Horn of Africa to combat the spread of SALW and their bloody consequences. This often takes the form of traditional community nonviolent conflict resolution. This is particularly effective because it is not imposed on communities, but instead relies on traditional types of conflict resolution.¹³¹

In Somaliland the traditional law, *xeer*, is strongly in use and carries high fines for the use of small arms. As the fines are collective this leads to internal pressure to abide by the rules.¹³²

¹²⁴ Whitehead, Darryl, *SALW Proliferation Pressures, The Horn of Africa and EU Responses*, Life and Peace Institute (United Nations Institute for Disarmament Research: 2003), p. 10

¹²⁵ European Commission, *Country Overview: Political Situation*

¹²⁶ Whitehead, *SALW Proliferation Pressures*, p. 10

¹²⁷ International Action Network on Small Arms, *Government Statements to the BMS* [on-line], accessed 10 December 2007, available at http://www.iansa.org/un/government_statements.htm#somaliaror

¹²⁸ UN Political Office for Somalia, *UN in Somalia*

¹²⁹ As refugees are often seen as a problem in their host country, they tend to receive little support or protection from that country's armed forces, often leading them to acquire arms for their own protection. Whitehead, *SALW Proliferation Pressures*

¹³⁰ Whitehead, *SALW Proliferation Pressures*, p. 11

¹³¹ *ibid.*, p. 14

¹³² *ibid.*

5.1 Regional Cooperation

At the Nairobi Declaration of 2000 a regional intergovernmental mechanism, originally the Nairobi Secretariat, now the Regional Centre for Small Arms of the Great Lakes Region and the Horn of Africa (RESCA), was set up to combat the spread of SALW in the region and to coordinate national efforts.¹³³

From 2000 to 2003 IGAD ran the Small Arms and Light Weapons in IGAD (SALIGAD) project, intended to build capacity for tackling the misuse of small arms and light weapons in the region. It was meant to raise awareness, to generate policies on SALW at the national level and to promote peace in the IGAD countries and regionally, through dialogue and information sharing between NGOs, the academic community and governments.¹³⁴

5.2 The EU's Contribution to Combatting SALW

The EU adopted UN Security Council measures from 2001 and 2002 relating to an arms embargo on Somalia, but since December 2006 the Security Council has made an exemption for technological or military equipment for the UNISOM mission in Somalia. According to the December 2006 decision, arms and military equipment can go to the mission, as well as protective gear for humanitarian use or institution building programmes.¹³⁵ The lifting of the arms embargo makes it officially possible for the TFG and the AU to have a security force.

5.3 The UN's Role in Combatting SALW

UNDP's Bureau for Conflict Prevention and Recovery (BCPR) undertook a pilot project addressing the spread of SALW that ran from 2002 through 2005, as part of the ROLS programme. Among its achievements the project lists:

- the introduction of police armouries and stockpile control within the security sector of Somaliland;
- the registration of police weapons;
- the drafting of new legislation on gun control;
- a baseline study of small arms in Somaliland;
- and improved public awareness of the need for small arms control.¹³⁶

¹³³ *ibid.*, p. 5

¹³⁴ Bonn International Centre for Conversion, *About SALIGAD* [on-line], accessed 10 December 2007, available at <http://www.saligad.org/about.html>

¹³⁵ Council of the European Union, *Council Common Position 2007/94/CFSP of 12 February 2007 amending Common Position 2002/960/CFSP concerning restrictive measures against Somalia* [on-line], accessed 13 August 2007, available at

http://eur-lex.europa.eu/LexUriServ/site/en/oj/2007/L_041/L_04120070213en00190020.pdf

¹³⁶ Menkhaus, Ken, 'Small Arms Survey - Somalia', *BCPR Strategic Review* (2006), p. 2 [on-line], accessed 3 October 2007, available at http://www.undp.org/cpr/documents/sa_control/BCPRStra-_SOMALIA.doc

6 Political Dialogue

In the other country reports of this study this section has focused on political dialogue between the country in question and the EU. Because of the political situation in Somalia and the special role the EU is playing, we have taken a broader approach here and have also included dialogue between different parties within Somalia.

The two main forums for political dialogue within Somalia are led by the International Contact Group (ICG) and the League of Arab States (LAS), which provide a forum for high-level dialogue between international actors on political issues and a forum for inter-Somali dialogue on issues such as security and governance, respectively.¹³⁷ The dialogue that has taken place between the TFG and the UIC has been facilitated by the LAS.¹³⁸

There is also a recently established informal task force set up by the EU, composed of the current EU Presidency, Italy, Sweden and the UK, which was set up to assist with LAS-led dialogue between the TFIs and the UIC.¹³⁹

In May 2005, meetings on the Cotonou Agreement took place in Somaliland, Puntland and in south central Somalia to inform non-state actors on the content of the agreement as well as the processes available for their participation.¹⁴⁰

6.1 UN and Political Dialogue

6.1.1 UNPOS

UNPOS is a political mission in Somalia, established in 1995 under the UN Department of Political Affairs. It monitors the situation in Somalia and makes recommendations for the UN engagement in Somalia. UNPOS supported the efforts launched by the President of Djibouti in 2000 that led to the creation of the TFG as well as the Somali National Reconciliation Conference that took place from 2002 to 2004 and led to the creation of the current TFG. UNPOS has been authorised by the UN Security Council to:

- promote reconciliation through dialogue between Somali parties;
- assist efforts to address the Somaliland issue;
- coordinate support for the peace moves by Somalia's neighbours and other international partners;
- play a leading political role in peacebuilding activities.¹⁴¹

6.2 EU Role in Political Dialogue

The Commission has introduced the idea of a 'governance dividend' within the framework of cooperation in Somalia. The objective of this concept is to promote and encourage good governance, and in particular inclusive political processes. It was hoped that the successful implementation of the Somali National Reconciliation Council would be aided by this support. The European Commission stated that 'only through viable governance that receives the continuing

¹³⁷ Unpublished field report, p. 4

¹³⁸ Council of the European Union, 7th EU-Africa Ministerial Troika Meeting, p. 6

¹³⁹ Unpublished field report

¹⁴⁰ Delegation of the European Commission to Somalia, *EU & Somalia. EC funding mechanisms*

¹⁴¹ UN Political Office for Somalia, *About UNPOS*

support of the general public can peace, stability, the return to the rule of law, democracy and respect for human rights be achieved in Somalia on a sustainable basis.¹⁴²

6.2.1 Council of the European Union

The Council of the EU repeatedly makes political statements concerning Somalia. For example, the General Affairs and External Relations Council adopted the following conclusions on Somalia in December 2007, in response to the alleged war crimes committed in March and April of 2007 by the TFG, the Ethiopian troops and the insurgents:

- The Council condemned all acts of violence and called on all parties to cease hostilities and engage in ceasefire, confidence building and security arrangements in the search for sustainable peace;
- The Council urged the TFI, Ethiopia and all other actors in Somalia to ensure humanitarian access, respect human rights and international humanitarian law, to protect the civilian population and to facilitate the secure and early return of displaced persons to Mogadishu and other areas of origin.
- The Council called on the Prime Minister to affirm the commitment of the TFG to respect and ensure respect of international humanitarian law and the protection of the civilian population at risk. Peace cannot be built on impunity. The Council therefore called on the TFG to investigate all human rights abuses committed in Somalia and bring those responsible to justice. The Council encouraged the UN to use all available instruments to improve monitoring of the human rights situation in Somalia. The EU remains committed to enhance humanitarian assistance, provided there is unimpeded humanitarian access and respect of the integrity of humanitarian assistance.¹⁴³

6.2.2 European Parliament

The European Parliament strongly advocates an inclusive political dialogue in Somalia. In April 2007 it reported that it:

- Welcomes the EU's support for AMISOM but stresses that the EU's contribution must be conditional on the launch of an inclusive political dialogue and reconciliation by the Somali authorities, addressing promptly the challenges of reconciliation, institution building and providing peace for the Somali people.
- Stresses the central role of an all-inclusive political dialogue that will lead to reconciliation and the reconstruction of the country; welcomes the commitment of the transitional federal government (TFG) for Somalia to call a broad reconciliation conference (National Reconciliation Congress) involving clans, religious communities, civil society, business communities and political leaders; points out that the way forward must be the establishment of a credible, all-inclusive government.¹⁴⁴

6.2.3 Support to National Processes

The EU facilitated the first convening of the Somali parliament in Somalia on 26 February 2006.¹⁴⁵

Somali National Reconciliation Congress

Much of the EU's support of political dialogue in Somalia has been centred around the reconciliation process, in particular the National Reconciliation Congress, which took place in July and August of 2007 and was supported by the EU, Norway, IGAD, the AU and the LAS.¹⁴⁶

¹⁴² Delegation of the European Commission to Somalia, *EU Strategy for Somalia* [on-line], accessed 2 December 2007, available at <http://www.delken.ec.europa.eu/en/information.asp?MenuID=3&SubMenuID=13>

¹⁴³ Council of the European Union, *2839th General Affairs Council meeting*, Brussels (10 December 2007) [on-line], accessed 15 December 2007, available at http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/gena/97555.pdf

¹⁴⁴ European Parliament, *Report on the Horn of Africa: EU Regional political partnership for peace, security and development* (17 April 2007) [on-line], accessed 6 July 2007, available at <http://www.europarl.europa.eu/sides/getDoc.do?Type=REPORT&Reference=A6-2007-0146&language=EN>

¹⁴⁵ Council of the European Union, *Presidency report to the European Council on EU activities in the framework of prevention*, p. 28

Some results of the congress were:

- The government should mobilise timed conferences that would bring together religious clerics (of the Sunna-wal-Jama'a sect) focusing on the purpose of identifying international extremist groups while enforcing the right religious interpretation of the Islamic doctrine.
- Parliament should amend the Federal Transitional Charter so that it paves the way for the formation of an efficient government chosen from the public or the parliament giving full consideration to the education, efficiency, experience, transparency, good behaviour and patriotism of its members.
- The anticipated government should be inclusive of all clans and based on real political power sharing in conjunction with the Transitional Charter.
- While keeping in mind the remaining time of the term of the TFG, the government is requested to enforce the provisions of the Transitional Charter and implement the following:
 - i. population census
 - ii. draft a federal constitution
 - iii. conduct a referendum for the drafted constitution
 - iv. formation of the law regularising the multiparty systems
 - v. issue electoral laws
 - vi. nomination of electoral committees
 - vii. the performance of fair and free elections before the end of the term of the TFG in the year 2009.¹⁴⁷

Coordination and Monitoring Committee

The European Commission is involved in the Coordination and Monitoring Committee (CMC), set up in 2004 and intended to aid and coordinate the efforts of stakeholders at the national, regional and international level, as well as to provide a forum for dialogue between Somalia and international donors.¹⁴⁸

Somali Joint Needs Assessment

In 2006 the JNA undertook an extensive survey - 7,200 questionnaires - covering all areas of Somalia to ensure that the voices of all Somali civil society stakeholders and regional authorities are included in the ongoing Post-Conflict Needs Assessment. This Assessment will aid donor countries, the UN and the World Bank to address the protracted conflict in Somalia as well as recovery. The final product of the survey will be the Somali Reconstruction and Development Programme, which will form the basis of future development plans in Somalia.¹⁴⁹

Civil Society

The level of civil engagement in Somalia is high. It must be recognised that it will take many years before the TFG will be able to provide adequate social services, and there will always be a need for civil society to meet the needs that the government cannot. To find a solution to the conflicts in Somalia, focus needs to be placed on Article 8 of the Cotonou Agreement - political dialogue between all partners, including civil society.¹⁵⁰

The Delegation of the European Commission has helped to set up a forum for non-state actors, in conjunction first with the international NGOs Oxfam Novib and Saferworld, and later also with three Somali partners: the Academy for Peace and Development (APD), the Peace and Development Research Centre (PDRC), and the Centre for Research and Development (CRD).¹⁵¹

¹⁴⁶ Unpublished field report, p. 5

¹⁴⁷ Council on Foreign Relations, *Somali National Reconciliation Conference Decisions*

¹⁴⁸ European Commission, *Country Overview: Political Situation*

¹⁴⁹ UN, *The Somali Joint Needs Assessment (JNA) launches the largest survey undertaken by the project to date*, ReliefWeb [on-line], accessed 18 December 2007, available at <http://www.notes.reliefweb.int/w/rwb.nsf/6686f45896f15dbc852567ae00530132/ce17498c5e837ee1c1257131004e8681?OpenDocument>

¹⁵⁰ Notes from EPLO meeting 1 March 2007

¹⁵¹ European Commission, *Country Overview: Political Situation*

The Commission supports civil society as a third sector of governance through the Decentralised Co-operation Budget Line. This budget line also provides support to grassroots democratisation, participatory and community development, and institution building, and for this purpose the Commission launched a Call for Proposals worth 950,000 euros.¹⁵²

In 2007, under the same budget line the Commission awarded nearly 90,000 euros for a fifteen-month project run by the War-torn Societies Project (WSP) in Puntland on ‘public participation in local governance and capacity building of municipalities’. Roughly the same amount was awarded to the same organisation for a second public participation in a local governance project, on the ‘management of local revenue and urban land’ in Somaliland.

Under the same Call for Proposals, the Commission also awarded Oxfam Novib 100,000 euros for a year-long programme ‘supporting Somali civil society as a sustainable force for positive change, through lobbying and advocacy.’¹⁵³ This programme is now in its third phase, having researched priorities of Somali civil society and implemented activities aimed at promoting public awareness, capacity building and direct funding, including ‘developing institutional capacity in the sectors of human rights, gender and peacebuilding.’ The third phase is intended to address Somali civil society as a whole, building on past areas of work while increasing Somali ownership of the programme.¹⁵⁴

According to the Delegation, the Commission also supports:

Project Title	Implementing Organisation
Promoting good governance in Somaliland	Heinrich Boell Foundation
Role of civics and intellectuals in post-conflict reconstruction in Somalia	Heinrich Boell Foundation
Creating effective dialogue between NSAs, Administrations and International Community	Saferworld
Creating a Non-State Actors Forum in Somalia	Saferworld
Somali Democratisation Programme	Interpeace

¹⁵² Delegation of the European Commission to Somalia, *Decentralised Co-Operation* [on-line], accessed 4 December 2007, available at

<http://www.delken.ec.europa.eu/en/information.asp?MenuID=3&SubMenuID=14&ThirdmenuID=13#euro>

¹⁵³ Delegation of the European Commission to Somalia, *Grants awarded under Call for Proposals* (EUROPEAID/122948/ACT/SO, 24 April 2006) [on-line], accessed 10 December 2007, available at

<http://www.delken.ec.europa.eu/en/news.asp?menuid=13&submenuid=47&newsid=58&Newscat=Arc>

¹⁵⁴ Oxfam Novib, *Somali Civil Society* [on-line], accessed 20 December 2007, available at

http://www.somali-civilsociety.org/index.php?option=com_content&task=view&id=26&Itemid=49

7 Gender

Due in part to the fact that as many as eighty per cent of Somalia's skilled workers (mostly men) have left the country, women play a significant role in the Somali economy in both urban and rural situations.¹⁵⁵ The European Commission explains:

one of the most striking effects of the civil war has been the removal of many young males from the national workforce, resulting in a growing number of households in which women are the main breadwinners. Women have rather restricted rights, violated by the widespread practice of Female Genital Mutilation; they also suffer from parent-induced restrictions to education and from the limited availability of targeted health services, rendering them highly vulnerable to maternity risk.¹⁵⁶

Women's role in Somali society is well organised around traditional structures. Interestingly, familial ties of sisters and daughters carry more priority for Somali men than wives or daughters-in-law.¹⁵⁷

7.1 Gender-Based Violence

Domestic violence occurs frequently in homes, and while there are reports of severe gender-based violence in IDP-camps, hardly anyone comes forward to report the incidents. Rape, not particularly common before 1991, is frequently used as a weapon of war, with perpetrators preying particularly on women from weaker clans or minority groups, from whom there is little chance of retaliation. A UNICEF report states that one-third of children living in IDP camps report rape as a problem in their family. Because of the risk women face when they go to fetch water or firewood over long distances, many families survive on less than ten litres of water a day.¹⁵⁸ The Internal Displacement Monitoring Centre reports on the limited rights of women:

Typically, when a woman is raped, the "problem" is settled by a meeting between traditional leaders, the woman's husband or family, and the perpetrator's family. They proceed to negotiate the monetary value of the "damage" done to the victim's husband/family's honour, whereupon compensation is paid accordingly...In cases where the victim is unmarried, marriage of the victim by her rapist is the accepted solution. At no time is the victim consulted or even present at these meetings.¹⁵⁹

There are also reports of 'deliberate killings and cases of torture perpetrated with total impunity by clan-based militias.'¹⁶⁰ In the mid-nineties there were several reports of Belgian and Italian peacekeepers sexually abusing Somali women.¹⁶¹

¹⁵⁵ European Commission, *Strategy for the Implementation of Special Aid to Somalia 2002-2007*, p. 12

¹⁵⁶ *ibid.*, p. 7

¹⁵⁷ TakingITGlobal, *A look at Women in Somalia* (December 2002) [on-line], accessed 10 December 2007 available at <http://www.takingitglobal.org/express/panorama/article.html?ContentID=865>

¹⁵⁸ Internal Displacement Monitoring Centre, *Somalia: A Profile of the Internal Displacement Situation* (April 2007), pp. 103-105 [on-line], accessed 10 December 2007 available at

[http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/0C4CC654CCB36FCAC12572C700287F8A/\\$file/Somalia+-April+2007.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/0C4CC654CCB36FCAC12572C700287F8A/$file/Somalia+-April+2007.pdf)

¹⁵⁹ *ibid.*

¹⁶⁰ UN Political Office for Somalia, *Human Rights in Somalia*

¹⁶¹ Bastick, Megan, Karin Grimm and Rahel Kunz, *Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector*, (Geneva: DCAF, 2007), p. 59

7.2 National Work on Gender

In December 2004 twenty women's organisations issued a Statement of Appeal to President Yusuf and then Prime Minister Gedi on behalf of women in Somalia:

The Women who have struggled for peace, appeal to the President and the Prime Minister of the transitional federal government to:

- Assign significant Ministries, as well as important coffers in the Government to responsible women so as to reflect the important positions of women in Somali society;
- Apply the article of the charter concerning the minimum representation (twelve per cent) to which the Somali Woman has a Right;
- Consult Women for everything which concerns them, not their clan, since the clans do not permit women representatives;
- Apply Women representation in the Government of not less than twenty-five per cent, in view of the fact that the minimum representation of the Women in the parliament was meant to be twelve per cent, which was reduced to only eight per cent in the end and this eight per cent now represents their respective clans;
- Allow CMC (Coordination and Monitoring Committee) Commission to include representatives of the Somali Civil Society, especially Women, because the Members of Civil Society who have been invited to Eldoret on the basis of their clans, now act as representative of their clans in the parliament.

We conclude urging the Somali transitional federal government and the international community, especially IGAD and those friends of the Somali Nation and Peoples, that one must not put aside such an important constituent part of society (approximately estimated at sixty per cent), which has, in addition demonstrated being capable to run the country's economy.¹⁶²

7.3 The TFG

Though the TFG is relatively balanced in terms of clan distribution, only one of the forty-seven ministers is a woman, and four of the forty-two deputy ministers are women.¹⁶³ The Transitional Federal Charter (TFC), which was developed along with the other TFIs at the Mbagathi peace conference in 2004, established that the Transitional Federal Parliament would have 275 members, of whom twelve per cent would be women. Unfortunately the actual rate is only eight per cent. Of the seven-member National Reconciliation Committee, only one member is a woman, and only four per cent of the Congress delegations are women, in contrast to the twenty per cent originally agreed upon.¹⁶⁴

The Somali National Reconciliation Conference took the following decisions regarding women's rights:

- women should receive their twelve per cent share of parliamentary seats;
- women should get their share in the Government and the Judiciary organs;
- women should be given a suitable share in the regional administrations;

¹⁶² Women's Space/The Margins, *Somalia: the CIA, Warlords and Women* [on-line], accessed 10 December 2007, available at <http://womensspace.wordpress.com/2006/06/09/somalia-the-cia-warlords-and-women/>

¹⁶³ European Commission, *Country Overview: Political Situation*

¹⁶⁴ OloL.us, *The Final Decisions and Suggestions of the National Reconciliation Conference Held on 15/07/2007 - 30/08/2007*, October 2007 [on-line], accessed 20 December 2007, available at <http://www.olol.us/modules.php?op=modload&name=News&file=article&sid=916&mode=thread&order=0&thold=0>

- women should be given their share in the reconciliation and peacebuilding processes at every stage i.e. national, regional and district levels;
- those women should be given the role of decision-making in the peace conference;
- women's civil society groups should be re-encouraged and improved to play a constructive role in society;
- girls' educational programmes should be promoted;
- skill training programmes for women should be provided;
- women should be provided with financial and economic support and opportunities in business;
- women should be provided or given opportunities in the government and contracts;
- health standards and conditions for the mother and child should be improved.¹⁶⁵

7.4 European Commission

The Delegation of the European Commission to Somalia responded in a questionnaire conducted through this study that it supports programmes targeting the needs of women in Somalia and that gender is considered in consultation processes as well as required in Calls for Proposals. This study has identified support to three programmes run by the Co-operation for the Development of Emerging Countries (COSPE).

7.4.1 Contribution to Civil Society Initiatives

Somali Women Enterprises Promotion

COSPE is currently running a two-year programme entitled Somali Women Enterprises Promotion, intended to 'redress gender inequalities and promote women's full participation in Somalia as a prerequisite for the construction of a democratic country.'¹⁶⁶ The programme, started in 2006, works with women and small enterprises along with international and local partners to support women entrepreneurs particularly in networking between women entrepreneurs at national and international levels, and in the creation of economic opportunity through joint ventures and investment geared towards women. Its aim is to improve the situation of women and to promote access to all types of services. The project includes five associations in Mogadishu, Beletweyn, Merka, Afgoy and Jowhar involving 1500 women entrepreneurs.¹⁶⁷

The Commission has contributed 100,000 euros through EuropeAid to the programme, about eighty-five per cent of the total cost.¹⁶⁸

Somali Women's FGM Eradication Plan

About ninety-eight per cent of women in Somalia undergo female genital mutilation (FGM)¹⁶⁹, the vast majority of which is infibulation, the most severe and dangerous type.¹⁷⁰ To address this the European Commission is co-financing a COSPE project with NGOs. The project on FGM will run from 2007 through 2010 and has a budget of 1 million euros. It is intended to '[promote] Somali women's rights through the elimination of harmful practices'¹⁷¹ by raising awareness in communities on the health and social effects of FGM on women and girls, as well as by building the

¹⁶⁵ Council on Foreign Relations, *Somali National Reconciliation Conference Decisions*

¹⁶⁶ COSPE, *Project Matrix Data Collection Form - 2007* [on-line], accessed 10 December 2007 available at <http://www.somaliangoconsortium.org/docs/COSPE.doc>

¹⁶⁷ <http://www.cospe.it/italiano/schedaProgetto.php?i=ai&p=1076>

¹⁶⁸ Delegation of the European Commission to Somalia, *Grants awarded under Call for Proposals*

¹⁶⁹ AFROL Gender Profiles, *Somalia* [on-line], accessed 10 December 2007, available at http://www.afrol.com/Categories/Women/profiles/somalia_women.htm

¹⁷⁰ World Health Organisation, *FGM Defined* [on-line], accessed 10 December 2007, available at <http://www.circumstitions.com/FGM-defined.html>

¹⁷¹ Delegation of the European Union to Somalia, *Grants awarded under Call for Proposals*

capacity of community-based organisations, religious leaders and regional administrations to develop strategies for educating communities.¹⁷² To do so the project will:

- establish a platform for the eradication of FMG;
- set up resource centres through the above-mentioned platform;
- build capacity.¹⁷³

PACE SETTERS - Somali Women taking up their Destiny!

COSPE has also been awarded 100,000 euros by the EU to implement a project promoting women's participation in decision-making and governance,

to contribute to peace, reconciliation and reconstruction...focus[ing] on women's rights for participation and representation at different governance levels...[including] economic, social, cultural and political aspects of development. The project is intended to document the experiences of Somali women in both reconstruction, and peacebuilding and reconciliation processes while at the same time providing the space to have dialogue on the peace and security issues in Somalia.¹⁷⁴

7.5 UN

7.5.1 The UNDP ROLS Programme

The UNDP ROLS programme lists 'strengthen[ing] capacity of human rights and gender organisations, promot[ing] gender equity in public institutions, rais[ing] awareness and promot[ing] the [exercise] of human rights' as one of the seven components of the programme. It defines the activities of the programme as:

- reforming the justice system including a gender perspective by providing training to female judiciary officials and support to female law students;
- strengthening the capacity of human rights local organisations by providing training on the rights of women and children and providing equipment;
- increasing women's participation in issues related to women and children's access to justice increased by the setting up of desks at police stations to address their specific issues;
- translation and dissemination of international human rights treaties and manuals;
- training provided to journalists and civil society on media and human rights monitoring.

Under its achievements, only 'workshops held on violence against women' and 'training of police officers on Human Rights and Women and Children's Desks' are listed regarding women.¹⁷⁵

7.5.2 The United Nations Development Fund for Women

The United Nations Development Fund for Women (UNIFEM) is planning on organising an expert group meeting of Somali women with the aim of developing 'a coherent national women's agenda for peace and development.'¹⁷⁶ The expert group presented a set of declarations to the ministerial meetings on gender and women's affairs. These declarations were later adopted by the Heads of State and Government at the IGAD Summit in March 2006.¹⁷⁷

¹⁷² Delegation of the European Commission to Somalia, *Co-financing with Non-Governmental Organisations (NGOs)* [on-line], accessed 10 December 2007 available at <http://www.delken.ec.europa.eu/en/information.asp?MenuID=3&SubMenuID=14&ThirdmenuID=13#euro>

¹⁷³ COSPE, Project Matrix Data Collection Form

¹⁷⁴ *ibid.*

¹⁷⁵ UNDP, *Human Rights and Gender* [on-line], accessed 13 December 2007, available at <http://mirror.undp.org/somalia/Themes/ROLS/Rights.htm>

¹⁷⁶ UNIFEM, *News: Women at the Centre of Somalia's Post-Conflict Joint Needs Assessment*

¹⁷⁷ Fagertun Stenhammer, Anne Margareth, Norway's Former State Secretary for International Development, *The Role of Somali Women in the Implementation of UNSCR 1325* (Speech at the Italian Ministry of Foreign Affairs, Rome, 13 June 2007), accessed 29 September 2008, available at <http://www.regjeringen.no>

8 Natural Resources

The economy in Somalia depends on the state of its natural resources, which makes the management of natural resources and the environment of paramount importance.¹⁷⁸ Natural resources are one of the principal drivers of conflict in Somalia. This results both from competition over control of resources and lucrative assets in relatively resource-rich south central Somalia, as well as that for basic survival in the more barren regions of northern Somalia. Lowered rainfall in recent years has increased the number of clashes over natural resources and land-use rights.¹⁷⁹

Somalia is extremely prone to drought because of a combination of low annual rainfall and high evaporation potential - 250 mm and 2000 mm per year, respectively. Because such a high proportion of Somalis depend on farming or livestock for their livelihoods, this puts the rural population in particular at high risk of starvation. This tendency towards drought is coupled with the risk of flooding from the Juba and Shabelle rivers, which regularly overflow their banks in southern Somalia and flood drought-stricken areas.¹⁸⁰ Somalia has experienced significant famine over the years, with a particularly low crop yield in 1992-1993 because of a series of extreme droughts, resulting in serious food shortages.¹⁸¹

Only thirteen per cent of the land in Somalia is arable, though a large portion of this requires investment in irrigation and roads for it to be usable,¹⁸² and just one million hectares of land is regularly farmed. Though sixty per cent of Somalia is covered with savannah woodlands, the majority of the country is either desert or semi-desert. The Somali coastline provides rich fishing grounds.

As wood is frequently used for fuel, the threat of desertification and deforestation is severe, contributed to by the cutting of trees to make charcoal for sale and wood for energy.¹⁸³ Charcoal is produced primarily in rural southern Somalia and sold in the cities for export.¹⁸⁴

Areas which were traditionally highly arable have been abandoned because of conflict, thereby further reducing food security in Somalia.¹⁸⁵ The banks of the Juba and Shabelle rivers used to be highly irrigated for the production of lucrative fruits such as bananas, but the conflict drove off the production companies and producers, leaving the irrigation systems to decay. Recently there has been some interest expressed in taking up irrigation in these areas again. The EU will contribute to the compiling of data on irrigation systems and need in Somalia.¹⁸⁶

¹⁷⁸ IUCN Eastern Africa Programme, *Somali Natural Resources Management Programme: Towards Environmentally Sound Water Projects in Somalia* (May 2000), p. 4 [on-line], accessed 10 December 2007 available at <http://www.iucn.org/places/earo/pubs/drylands/somaliawater.pdf>

¹⁷⁹ World Bank, *Conflict in Somalia: Drivers and Dynamics*, p. 28

¹⁸⁰ Elmi Mohamed, Abdullahi, *Somalia's Degrading Environment: Legal and Moral Perspectives of Deforestation and Hazardous Waste Dumping in Somalia* (June 2001), p. 3 [on-line], accessed 10 December 2007 available at <http://www.somwat.com/Essay.html>

¹⁸¹ World Bank, *Conflict in Somalia: Drivers and Dynamics*, p. 28

¹⁸² US Library of Congress, *Somalia: Natural Resources* [on-line], accessed 10 December 2007 available at <http://countrystudies.us/somalia/62.htm>

¹⁸³ Institute for Security Studies, *Somalia: Natural Resources and the Environment* (March 2005) [on-line], accessed 10 December 2007 available at <http://www.iss.co.za/Af/profiles/Somalia/NatRes.html>

¹⁸⁴ Elmi Mohamed, *Somalia's Degrading Environment*, p. 5

¹⁸⁵ FAO Africover, *Irrigation Information System of Somalia based on the application of Africover database*, p. 1 [on-line], accessed 10 December 2007 available at <http://www.africover.org/download/documents/SOM-IRRIGATION.pdf>

¹⁸⁶ FAO Africover, *Irrigation Information System of Somalia*, pp. 2-5

Somalia is additionally faced with several man-made environmental hazards. These include deforestation and the resulting soil erosion; toxic waste dumping off the coast; and overfishing by foreign poachers.¹⁸⁷

Somalia has uranium and unexploited reserves of iron, tin, gypsum, bauxite, copper and salt.¹⁸⁸

8.1 Natural Gas and Oil Reserves

Somalia has some 6 billion cubic metres of confirmed natural gas reserves. Even though it has no proven oil reserves, it has been estimated that the region could have five to ten billion barrels of oil, and on this basis, the Chinese National Offshore Oil Corporation signed a deal on 13 July 2007 with President Abdullahi Yusuf to begin exploration in Puntland for oil. The Somali government will receive fifty-one per cent of the oil revenues.¹⁸⁹

In addition to natural gas and possible oil reserves, Somalia has potential hydropower that could be harnessed to produce energy, highly lacking in Somalia. Political, financial and institutional problems prohibit Somalia from developing these resources.¹⁹⁰

8.2 Water

A major concern is the availability of safe drinking water. From 1988 to 1991 under Siad Barre nearly all water pumping systems in municipal areas that were controlled by the Somali National Movement (in the north) were destroyed or rendered unusable. In rural areas the Barre regime contaminated water supplies by depositing animal carcasses or engine blocks leaking battery acid into wells. The situation was slightly better in the south of the country, and people living near either the Jubba or Shabeelle rivers could get water from the river.¹⁹¹

A further concern regarding water in Somalia are upstream dams being built by Ethiopia on the Shabelle River. These could decrease water flow to Somalia and have the potential to increase tensions between the two countries.¹⁹²

Although there were three preliminary proposals submitted to the ACP-EU Water Facility Call for Proposals of September 2005, none was invited to submit a detailed proposal.¹⁹³

8.3 Desertification

Certain rangelands that in the past were only used during specific seasons are now used outside of those times to provide grazing lands, inhibiting the regular regrowth of vegetation, which in turn contributes to desertification.¹⁹⁴

In 1975 the Barre government passed the Land Law which nationalised much of Somali land and required mandatory land registration, which was resisted by traditional landholders. When the

¹⁸⁷ IUCN, *Country Environmental Profile for Somalia* (2006), p. 7 [on-line], accessed 12 December 2007, available at <http://www.delken.ec.europa.eu/en/publications/Somalia%20CEP%20Annexes%20.pdf>

¹⁸⁸ CIA World Factbook, *Somalia Natural resources* (April 2007) [on-line], accessed 10 December 2007, available at http://www.indexmundi.com/somalia/natural_resources.html

¹⁸⁹ Power and Interest News Report, *China Invests in Somalia Despite Instability* (23 July 2007) [on-line], accessed 10 December 2007, available at http://www.pinr.com/report.php?ac=view_report&report_id=667

¹⁹⁰ Elmi Mohamed, *Somalia's Degrading Environment*, p. 5

¹⁹¹ US Library of Congress, *Somalia: Natural Resources*

¹⁹² World Bank, *Conflict in Somalia: Drivers and Dynamics*, p. 28

¹⁹³ ACP-EU Water Facility, *Progress Report, From the First Phase to the Second*

¹⁹⁴ IUCN Eastern Africa Programme, *Towards Environmentally Sound Water Projects in Somalia*, p. 4

government fell apart in 1991, all of this nationalised land became no man's land, with no ownership, greatly contributing to deforestation and abuse of the land.¹⁹⁵ Deforestation consequentially leads to loss in biodiversity in addition to desertification, with disastrous costs for pastoralist and agro-pastoralist peoples, contributing to conflicts over ownership and use of land.¹⁹⁶

8.4 Toxic Waste

There has also been an issue of illegal dumping of hazardous waste in Somalia and just off the coast in Somali waters. This is problematic because developing countries are generally the least able to deal with toxic waste, while imports can contribute importantly to revenue. During the 1990s there were reports of European firms making deals with Somali warlords to dump waste in Somalia. Somalia is an appealing target for those involved because of the lack of institutions to protect against it, as well as the difficulty of guarding the long coastline.¹⁹⁷ The UNEP launched investigations into this practice and confirmed the involvement of European countries in the practice. The report (published in 2000) identified an increase in people with cancer as well as several deaths linked to the dumping of toxic waste in Somalia.¹⁹⁸

8.5 The European Commission's Contribution to Resource Management

8.5.1 Biodiversity

A coastal biodiversity survey was undertaken from 4 to 11 March 1999 as part of the World Conservation Union's (IUCN) Somali Natural Resources Management Programme, to assess the situation of biodiversity on the northern Somali coast and to provide recommendations for sustainable use and conservation of marine resources. It was funded by the European Commission under their Rehabilitation Programme for Somalia as part of ameliorating the socio-economic well-being of the Somali people by helping to make their natural resources use more sustainable.¹⁹⁹

8.5.2 Drought

The Commission's drought-related assistance to the IGAD member states has been ninety-two million euros since 2005, of which thirty-one million euros have been earmarked for humanitarian assistance.²⁰⁰ In Somalia specifically, four million euros in humanitarian aid and 36 million euros in longer-term aid have been allocated for drought-related assistance.²⁰¹

8.5.3 Food Insecurity

On 1 August 2007, the EU granted 10 million euros in humanitarian aid for Somalia under the EU Comprehensive Plan of Action for Somalia, to help populations dealing with the past sixteen years of conflict and worsening climatic conditions. The sum will finance projects intended to address

¹⁹⁵ Elmi Mohamed, *Somalia's Degrading Environment*, p. 6

¹⁹⁶ *ibid.*, pp. 8-9

¹⁹⁷ Intute: Science, Engineering and Technology, *Somalia, Country Profile* [on-line], accessed 21 December 2007, available at <http://www.intute.ac.uk/sciences/worldguide/html/1021.html>

¹⁹⁸ Elmi Mohamed, *Somalia's Degrading Environment*, pp. 8-9

¹⁹⁹ IUCN Eastern Africa Programme, *Somali Natural Resources Management Programme, Biodiversity Assessment of the Northern Somali Coast East of Berbera* (IUCN Contract No. EARO/75561/417 March 1999) [on-line], accessed 10 December 2007, available at www.iprt.org/SOMALIILAND%20BIODIVERSITY%20BERBERA.pdf

²⁰⁰ European Union @ United Nations, *EU Commission provides €2m in humanitarian aid for Somali refugees in Kenya* (Brussels: 21 December 2006) [on-line], accessed 10 December 2007, available at http://www.europa-eu-un.org/articles/en/article_6645_en.htm

²⁰¹ European Union @ United Nations, *Horn of Africa: European Commission earmarks further €10 million to improve drought preparedness* (Brussels, Nairobi: 13 June 2006) [on-line], accessed 10 December 2007, available at http://www.europa-eu-un.org/articles/en/article_6032_en.htm

Somali needs in areas such as health, food security, and water sanitation.²⁰² This is in addition to 70 million euros allocated by the Commission in May 2006 under the 9th EDF for a Somalia Recovery Programme (SRP), to make social services available and to reduce food insecurity.²⁰³

Ongoing projects addressing natural resource management supported by the European Commission include the Sool Plateau Livelihood and Food Security Project (implemented by the German Agro Action) and the Sool Plateau Pastoral Food Security (implemented by VETAID).²⁰⁴

The Commission has also provided 100,000 euros to the Danish Refugee Council for their 'community-based environment protection and conservation project'.²⁰⁵ Additionally, through decentralised cooperation they have funded the Heinrich Boell Foundation for a project 'promoting environmental sustainability in Somaliland' and the Adventist Development and Relief Agency (ADRA) for their Facilitating Somaliland Energy Policy Dialogue' (SEPD) which ran during 2006.²⁰⁶ The Commission gave roughly 100,000 euros for the implementation of this project which aims to improve access to energy services for households and businesses to improve livelihoods.²⁰⁷

8.5.4 JNA

As part of the JNA, which is supported by the European Commission, a Country Environmental Profile for Somalia was produced by the World Conservation Union (IUCN) in 2006.²⁰⁸ The report argues for greater focus on environmental issues in the next Country Strategy Paper, because of the integral role environmental goods play in Somalia's stability and development.²⁰⁹ The Country Strategy Paper was due at the end of 2007, but has not been finalised at the time of writing (September 2008).

8.6 Regional Initiatives

In 2000 IGAD commissioned the IUCN to develop a regional, community-based natural resource management project. The motivations for the project were the need for more innovative approaches to natural resource management and for greater government involvement in enabling greater community and private sector involvement for sustainable natural resource management. The overarching goal was to enhance people's livelihoods and food security through the sustainable management of natural resources.²¹⁰

²⁰² Africa news, *EU grants 10M euros of aid to Somalia*

²⁰³ EU@UN, *EU Commission provides €2m in humanitarian aid*

²⁰⁴ Both projects are particularly relevant because the Sool region is contested between Somaliland and Puntland.

²⁰⁵ Delegation of the European Commission to Somalia, *Grants awarded under Call for Proposals*.

²⁰⁶ Delegation response to QCEA questionnaire

²⁰⁷ ADRA, *ADRA Launches New Energy Policy Project in Somalia* [on-line], accessed 21 December 2007, available at http://www.adra.org/site/News2?news_iv_ctrl=1141&page=NewsArticle&id=6405

²⁰⁸ Delegation of the European Commission to Somalia, *Governance and Peacebuilding*

²⁰⁹ IUCN, *Country Environmental Profile for Somalia*, p. 8

²¹⁰ IUCN, *Community-Based Natural Resources Management for the IGAD Region* [on-line], accessed 10 December 2007, available at <http://www.iucn.org/places/euro/program/links/projects/igad.htm>

9 Transitional Justice

There are four types of justice systems that can be identified in Somalia: *Shari'a* courts (especially in urban areas); traditional clan-based justice (*xeer*); formal, secular judiciary systems at regional and central levels created by international peace conferences; and civil society and private sector initiatives, as well as some developed by militias.²¹¹ These systems exist simultaneously and can produce conflicting results.

A recent report by the Centre for Humanitarian Dialogue urges 'the establishment of a stable political environment for justice to evolve should be promoted with the establishment of a plan of action to address priority transitional justice issues [...] including:

- means of addressing past human rights abuses;
- settlement of land and property disputes;
- legal basis for addressing national security issues.²¹²

In Somalia there is a need for truth and forgiveness instead of punishment, as many people have committed crimes against one another. Traditionally, a revenge system was used, or paying a fixed price. Clan elders would mediate conflicts, and the clan would assume the burden of the crime, not the individual.²¹³

9.1 Somali National Reconciliation Congress

Somalia's President, Abdullahi Yusuf Ahmed, decided to hold a National Reconciliation Congress in July and August 2007. It was open for all clans to participate, which included the four main clans, as well as what is known as the 'fifth clan', composed of several different minority groups. The Congress is a top-down approach, beginning at the national level, and moving down through to local and regional levels, and to the grassroots. The purpose was to discuss how Somalis can forgive each other after the atrocities committed on Somali soil by Somalis. It was in many ways a bid by the government to reconcile with clans who feel they have been excluded from the political processes up to this point, in the hopes that the violence will stop.²¹⁴

Most of the delegates in the Congress spoke on the topic of conflict resolution among the Somali clans... All five major clans, Darod, Dir, Digil and Mirifle, Hawiye and the Fifth Clan discussed and pointed out who committed crimes including death, rape, robbery against them and who forced them to be displaced and become refugees. Each of the clans named to have caused suffering has admitted what it has done to others in front of the national congress and sorrowfully asked for forgiveness. As result of acceptance of responsibilities and the sincere admission of guilt, there was deep satisfaction. The delegates embraced each other. Taking into account the Somali proverb: *Tagto Xusuustaa timaado ka ma talin karo*, which means 'he who sticks to the past cannot manage what is coming'. The delegates in the congress unanimously pledged to look forward and to safeguard their unity and live in peace and tranquillity.²¹⁵

²¹¹ Sage, Andre le, *Stateless Justice in Somalia, Formal and Informal Rule of Law Initiatives* (Centre for Humanitarian Dialogue: July 2005), p. 7 [on-line], accessed 15 December 2007, available at <http://www.hdcentre.org/datastore/Justice/Somalia%20final.pdf>

²¹² *ibid.*, p. 10

²¹³ Notes from EPLO meeting 1 March 2007

²¹⁴ Walker, *Somalia reconciliation congress in weeks-President*

²¹⁵ Olol.us, *Somali National Reconciliation Congress*, [on-line], accessed 20 December 2007, available at <http://www.olol.us/modules.php?op=modload&name=News&file=article&sid=916&mode=thread&order=0&thold=0>

Even though the conflict continues, the Congress took the following decision on working towards justice and reconciliation:

- To recognise 1st August 2007 as the termination date of the Somali civil war that continued during 1978 up to 2007 and that the entire Somali clans declared reciprocal forgiveness to each other.
- Congress remains seized with the matter of national reconciliation. Congress authorises the Chairman and the National Governance and Reconciliation Committee to call Congress into session when deemed necessary to monitor implementation and to continue the process of national reconciliation.
- The TFG should implement and continue the process of the reconciliation programme genuinely and effectively, while dividing this process into:
 - i. The government should open a peace dialogue and conclude an accord with the existing regional governments, organisations, factions, and opposing personalities and with any other persons declining to resolve disagreement by the use of force, terrorist strategy, religious extremism, and armed violence.
 - ii. The government should extend the reconciliation to all regions, districts and villages of the country permitting them simultaneously to select their respective administrative authorities.²¹⁶

As part of the reconciliation process the clan traditional leaders also declared that ‘all the possessed properties i.e. buildings whether commercial, residential or for other purposes like land, farmland, factories...garages, workshops, water-wells, reservoirs, living animals or any other materials having economic values like scripts, books etc whether public or private should be returned to its rightful owners without conditions.’²¹⁷

9.2 Civil Society

The Delegation of the European Commission to Somalia listed the Heinrich Boell Foundation’s programme on ‘promoting peace and reconciliation in south central Somalia’ as an example of a project funded under the area of decentralised cooperation.²¹⁸

²¹⁶ Council on Foreign Relations, *Somali National Reconciliation Conference Decisions*

²¹⁷ *ibid.*

²¹⁸ Delegation response to QCEA questionnaire

10 Results from Questionnaires

Part of the methodology for this QCEA project involved sending questionnaires to the European Commission's Delegation to Somalia and to various civil society organisations operating there. The questionnaires were divided into nine units. This section is similarly divided.

10.1 Organisation Information

The information below represents the views of nine civil society organisations who responded to our questionnaire, out of forty-seven sent out. The groups represented work in south central, namely Bay, Bakol, Middle Shabelle, Lower Shabelle, the Hiran region, and Mogadishu. Their main areas of activity are:

- arms transfer controls;
- conflict prevention and peacebuilding;
- conflict-sensitive development;
- security and justice sector development;
- small arms and light weapons;
- justice;
- community-based policing;
- good governance;
- elections
- gender;
- DDR;
- resource management;
- youth;
- social movement and anti-poverty campaigns;
- service provision;
- capacity building;
- advocacy and lobbying;
- research and development;
- food security;
- health and nutrition;
- water and sanitation;
- human rights and child protection;
- education;
- democratic development;
- HIV/AIDS;
- awareness-raising;
- internally displaced persons.

All are members of one NGO network - if not several - such as the European Peacebuilding Liaison Office (EPLO), the Somali Support Secretariat or Somalia Civil Society in Action. Eight out of nine respondents are aware of a civil society forum, under the auspices of either the Delegation of the European Commission or civil society. In general, respondents were divided evenly on whether participation in these fora is useful or not and one organisation mentioned that engagement in the latter was unproductive since the Commission does not engage with it.

The Delegation mentioned an unofficial European Commission-supported civil society forum. They elaborated that the forum is unofficial because of the political situation in Somalia, but that it was established after a long consultation process.

Because of the current situation in Somalia, the Commission's Delegation to Somalia is located in Nairobi, Kenya. It is in daily communication with the European Commission in Brussels (DG Development, EuropeAid and the Cabinet) and with the Council of the European Union. It described this communication via email, cryptofax, diplomatic pouch and telephone as good, but mentioned occasional delayed delivery as an issue.

10.2 National Authorising Officer

For the most part civil society respondents have a positive impression of the European Commission as a National Authorising Officer (NAO), stating that the Delegation has been very supportive and willing to work with civil society, recognising that without it no progress would have been achieved. Others feel that the funding flow is maintained since the Commission is the NAO, but that Somalis are concerned about the utilisation, management, priorities and distribution of the funds in Somalia. One organisation went further to say that 'currently neither the private sector, voluntary sector or public sector can access these funds without an international partner, which increases project costs', and another called it 'poor' for the same reason. One respondent cited the Commission's contribution as 'compromised' because of its continued support to the TFG, which has been accused for war crimes. Some respondents feel that the Delegation's close relationship with civil society indicates that it has been 'acting on behalf of the Somali people' as stated on the Delegation website. Yet others took a more cautious approach, reporting that with the humanitarian envelope, the Commission has done very well, but that in trade, development and the private sector, it has made very little progress. They went on to say that the Commission has failed to support the productive sector (meaning little or no increase in employment, the private sector not receiving any technical funding or support) and has not helped with the certification or standardisation of exports. Some feel that the Delegation's location in Nairobi significantly reduced its accessibility for civil society.

While the Delegation claims that the absence of a National Government has not affected their areas of work in Somalia, it has impacted their level of activity, their relationship with civil society, their funding decisions and the visibility of the EU.

10.3 Civil Society Consultation

Six out of nine civil society respondents reported having contact with the Delegation, five of whom had been in contact within the last two months previous to their response. Contact was mostly described as irregular, with one group specifying that this was only through an international partner, though another organisation described frequency of contact as often. When civil society approached the Delegation it tended to be to raise concerns, advocacy, to empower local Somali organisations, for funding or in response to an open consultation. One organisation replied that the Delegation had approached them for 'consultation and the position of civil society or explanations of some standing issues in Somalia.' Seven of the respondents reported having enough dialogue with the Delegation (though they did not correspond entirely with the six respondents above), and those same organisations felt that their input was listened to. Despite that, respondents seemed unsure whether the dialogue they engaged in with the Delegation was productive - one third said they feel it is productive, one citing an example of urging the EU to put more focus on IDPs in February 2007, and already seeing an effort on the part of the EU to do so. Others are still waiting to see whether the input of the Non-State Actor Forum will be incorporated into the coming Country Strategy Paper.

Several organisations reported that no local or indigenous NGOs are able to access EU funds without an international partner. This conclusion corresponded with those found in the final report of the Partners in Conflict Prevention and Crisis Management: Role of Civil Society (RoCS II) project. While they commended the Commission for 'either fully fund[ing], mainly fund[ing] or co-fund[ing] and participat[ing] in a number of coordinating bodies at different levels, with the aim of enhancing cooperation between INGOs and international donors in Somalia and improving the

coordination of their actions... However, it was also pointed out that EU-NGO dialogue in Somalia stayed focused on a narrow base of actors... While European NGOs based in Nairobi generally reported that there was very good communication between them and the Delegation's Somali Unit, Somali NGOs did not feel the same level of partnership.' To be legally able to access EU funds Somali NGOs must either be registered in the EU, or in an ACP country, which Somali NGOs cannot fulfil because Somalia has not been able to ratify the Cotonou Agreement.²¹⁹

The Delegation reports contact with civil society every four weeks or less, with both sides approaching the other. They stated that they seek contact with civil society for consultation, while civil society comes to them primarily for funding, but also advocacy, to raise concerns, in response to an open consultation and information sharing on the current situation. The Delegation feels there is enough dialogue between them and civil society and they described themselves as 'open and eager to meetings with Somali non-state actors.' They outlined what they called a 'comprehensive' non-state actor support programme funded by the European Commission, which was started in 2002 with the preparation of a mapping study on civil society. They are trying to deal with the issue of being based in Nairobi through field officers in Somalia. The Delegation also acknowledged that they tend to have contact with the same civil society groups repeatedly, and are trying to widen the range through funding dialogue sessions amongst civil society, intended to enhance feedback mechanisms.

10.4 Calls for Proposals

Calls for Proposals are heard about online through email circulations or the Delegation's website, word of mouth, international NGOs and through the Delegation itself. Just over half of respondents said that they have, at some point, responded to a Call for Proposal, while one who had not, said that this is because 'the EU does not fund the national civil societies'. They went on to say that this has been a problem for a long time, and despite Somalia civil society efforts to receive direct funding from the EU, the EU will not directly finance Somali institutions and there is therefore no Somali participation in EU Calls for Proposals.

The Delegation concurred that Calls for Proposals are released through the Delegation itself, online via the Delegation website (www.delken.ec.europa.eu), as well as through the Somalia Support Secretariat.

10.5 African Union

Four organisations reported having a relationship with the AU, one through the African Civil Society Forum and the AU civil society council, another under the Gender, Health and Development Programme sector, and another through discussions on Mogadishu stability or informal briefings. The only areas of involvement of the AU jointly with civil society and the EU of which civil society respondents are aware seem to be conflict resolution, and the Somali reconciliation conferences held in Nairobi in 2002 as well as the recent Somali National Reconciliation Congress held in Mogadishu in 15 July 2007. Five of the respondents are aware of the African Peace Facility (APF).

The Delegation reported having a relationship with the AU through the AU Mission to Somalia (AMISOM), as well as through the African Peace Facility and the EU Instrument for Stability.

²¹⁹ Partners in Conflict Prevention and Crisis Management: EU and NGO Cooperation, *Final Report* (August 2007), p. 15 [on-line], accessed 13 December 2007, available at [http://www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/KKAA-78Z7FX-Full_Report.pdf/\\$File/Full_Report.pdf](http://www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/KKAA-78Z7FX-Full_Report.pdf/$File/Full_Report.pdf)

10.6 Conflict Prevention, Management and Resolution Programmes

Six respondents are aware of EU-funded projects on conflict prevention, and six of the nine respondents described the EU approach to conflict prevention as helpful while the others did not have an opinion. Some noteworthy examples cited were the Somali Reconciliation Conference in Nairobi which contributed to the formation of the TFG; the Employment for Peace Project, which created jobs for residents of Mogadishu in exchange for cleaning the city; the demobilisation of the militia in Somalia; peace talks between rival clans in the Hiran region; and workshops on conflict prevention, management and resolution programmes held for clan elders, traditional leaders, youth, women groups as well as local authorities led by local Somali NGOs and networks. Civil society respondents were unsure as to whether the EU was financing the training of militia on human rights and literacy programmes or the Social Reconciliation and Development of Social Contract of Somali People programmes.

The Delegation reported on EU-funded projects dealing with DDR; SSR through the Support of the ROLS programme; SALW; good governance through several programmes on decentralised cooperation; elections; justice; management of natural resources; gender; political dialogue; and civil society participation.

The Delegation also reported that gender is a cross-cutting issue which is especially considered in the consultation process and in Calls for Proposals, as well as in the funding of specific programmes on women's issues. The Delegation ensures a regional perspective in their work through the participation of IGAD and the League of Arab States in political and security coordination fora. They described the EU's conflict prevention as adequate and improving.

10.7 Mainstreaming

One respondent reported having noticed increased conflict sensitivity in EU programming due to mainstreaming or otherwise and this was in areas such as water management and education. Another organisation had noticed more EU-financed conflict prevention since 2001. The respondents were divided on whether mainstreaming has led to more conflict sensitivity in EU programming or not. Similarly, the respondents were divided as to whether there was a risk of conflict prevention becoming a forgotten issue because of mainstreaming. Some felt that it does because mainstreaming does not cover all of the areas necessary for conflict resolution and that this must be a priority in Somalia's case, while others felt that the potential benefits of mainstreaming could be balanced against the need for specific conflict prevention projects in Somalia.

The Delegation reported that they ensure the mainstreaming of conflict prevention in non-conflict specific programming by including some conflict prevention aspect in all Calls for Proposals. They mentioned the current development in conjunction with Saferworld and Interpeace of a mechanism to ensure the mainstreaming of conflict prevention into EU-financed programmes, to form a part of the Country Strategy Paper for Somalia. The Delegation has not seen a decrease in specific conflict prevention programmes while they have observed an increase in conflict prevention within EU activity since 2000. Even though they do not think mainstreaming has made conflict prevention a forgotten issue, they did refer to a need for practical examples in other development sectors as well.

11 Conclusions and Recommendations

Civil society recommends that the EU could do the following to improve their approach to conflict prevention:

- enhance the capacity of the people and to empower the local NGOs and recognised traditional leaders;
- police should work more with youth groups, intervening at a younger age to stop them getting into the militias;
- adopt a more conflict sensitive approach in consultations;
- increase the mainstreaming of conflict prevention at each stage of programming and in each project;
- strengthen and deepen dialogue with the governments and NSAs to assure a sustained consultation and community input to peacebuilding;
- enhance the cultural and traditional mechanisms of conflict prevention in Somalia;
- enhance National Political Reconciliations;
- reduce the external dimensions of the Somali conflict through diplomatic channels and structured dialogue;
- fund local NGOs so that they can implement conflict resolution projects and programmes;
- provide training for local NGOs in conflict resolution;
- build, assist and train community structured groups in every area;
- build the capacity of all sections of Somali TFG including parliament, local authorities, regions and districts;
- form traditional, religious, intellectual committees from the whole of the Somali community for conflict prevention;
- directly consult contractors, instead of relying on European NGOs, UN agencies or other international NGOs as intermediaries;
- promote inclusive reconciliation processes including consensus among external actors;
- comprehensive long-term conflict prevention programmes at national and regional levels;
- focus on inclusive participation;
- train unskilled Somali traditional leaders.

The Delegation believes that conflict prevention could be improved by including conflict prevention in the Country Strategy Paper for Somalia and supporting specific interventions as well as supporting civil society.

The EU could use the Governance Initiative as a tool for dealing with governance issues in the short-term, but other tools need to be used for a long-term approach. The European Parliament feels that the EU should ‘first and foremost’ seek African solutions through instruments like those of the AU and IGAD, so strengthening them could be a priority. There also needs to be a focus on confidence-building amongst actors, and here the link needs to be common interests and problems.²²⁰

The idea of a regional partnership as the only solution needs to be avoided, however. The regional dynamics are certainly important, but it is also necessary to deal with the individual conflicts separately. Instead of looking at territorial or ethnic issues, regional cooperation should be formed around common issues like water, food security, and environmental degradation.

Somalia is where all of the different interests of the Horn of Africa countries clash, and it is the focal crisis for the time being. The European Parliament still feels, however, that the Commission’s efforts in Somalia are far from comprehensive. The Thematic Strategy Papers, under the Development Cooperation Instrument, specifically need to be revised.²²¹ As mentioned above,

²²⁰ European Parliament, *Working Document on the Horn of Africa*

²²¹ *ibid.*

the Commission should also make sure that conflict prevention is sufficiently included in the Country Strategy Paper for Somalia.

The European Commission should increasingly fund local NGOs, and make it easier for them to receive support without an international partner. Avoiding local NGOs could contribute to the increasing radicalisation of Islam in Somalia, because Islamic organisations do fund local NGOs, therefore gaining credibility with the local people, as well as being the only option.²²² Having said this, the Commission does fund a lot of civil society initiatives without it being widely known, however. We therefore recommend it increases its visibility on the ground.

Further recommendations are presented in the main report of this project, which can be found at: www.quaker.org/qcea

²²² Notes from EPLO meeting 1 March 2007

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