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## SALVAGING SOMALIA'S CHANCE FOR PEACE

### I. OVERVIEW

On 27 October 2002, Somali political leaders gathered in the Kenyan town of Eldoret signed a new declaration that envisages an end to the protracted crisis in their country. After more than a decade as the only country in the world totally devoid of a functioning central government and no less than twenty unsuccessful national-level peace initiatives since 1991, the Eldoret Declaration has raised hopes that resolution of the Somali crisis may now be within reach.

The ongoing process – under the mandate of the East African regional organisation the Inter-Governmental Authority on Development (IGAD) – represents a unique opportunity to restore governing institutions and move Somalia towards peace. The framework for the dialogue that is still needed is sound and comprehensive, most major political movements (with the exception of the self-declared Republic of Somaliland in the Northwest of the country) are represented, and key members of the international community have been closely engaged at every step.

But ICG visits to Eldoret in November 2002 found that the process still faces considerable difficulties. A combination of mismanagement, regional rivalry, insufficient outside political support and financial constraints have brought the talks to the verge of collapse. Somali delegates are frustrated and disillusioned with the lack of progress that followed the Declaration. Donor representatives express deep misgivings. As one Nairobi-based diplomat dryly observed, “This process has made progress in spite of itself.” The process is in critical condition, and the mediators have not yet demonstrated that they possess the medicines necessary to keep the patient alive.

Nevertheless, Eldoret can be salvaged. Most Somali delegates seem committed to moving forward. “This process is different from all the others,” said a senior

figure in the Puntland administration (in the Northeast). “People realize that they cannot achieve what they want through force”.<sup>1</sup> However, as the conference enters its second, main phase of negotiations, a number of measures need to be taken urgently. Visible and sustained international political support for the conference – including readiness to adopt and implement targeted sanctions against recalcitrant warlords and to enforce the international arms embargo – has yet to materialise. Rivalries between regional powers need to be addressed and conference management will have to improve. And the prospects for a lasting settlement must not be compromised by the desire to meet artificial and unworkable deadlines.

If these formidable obstacles can be overcome, then the Eldoret process represents Somalia's best chance for peace in many years.

### II. SOMALIA'S SLOW EROSION AND POLARISATION

In the two years that followed the collapse of the Somali government in 1991, fighting between rival factions ravaged much of the country, giving rise to a massive humanitarian crisis and triggering the deployment of a humanitarian peace-enforcement mission led by the United States under United Nations auspices in 1992. After the withdrawal of international troops in 1995, their mission largely unaccomplished, Somalia did not lapse – as many observers had predicted – back into civil war. Instead, the country embarked on a slow but steady process of stabilisation. Regional administrations emerged to provide a degree of security and administration in several areas, notably Somaliland (the Northwest), Puntland (the Northeast) and the Bay/Bakool regions (the Southwest). A reconciliation

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<sup>1</sup> ICG interview, 10 November 2002.

conference at Arta, Djibouti, established a "Transitional National Government" (TNG) in August 2000.

The TNG failed to assert its authority beyond pockets of the capital city, Mogadishu, however, and invested greater energy in seeking international recognition and assistance than in broadening its support inside the country. At the urging of Egypt and Djibouti, the League of Arab States backed the TNG, while Ethiopia, alarmed by its links with militant Islamists, became openly hostile and backed a rival coalition of factions, the Somali Restoration and Reconciliation Council (SRRC). As the competition between these two groups intensified, Somalia experienced what ICG described in May 2002 as a "dangerous process of fragmentation".<sup>2</sup>

ICG's concerns about deepening conflict were realised in the second half of 2002. Mogadishu suffered its heaviest fighting since the early 1990s as the TNG clashed with the militia of faction leader Musa Sudi Yalahow. Tensions between rival factions in the once promising Bay/Bakool regional administration escalated to unprecedented levels of violence, and the town of Baydhowa changed hands several times with significant destruction and loss of life. In Puntland, Colonel Abdillahi Yusuf recaptured Garowe, the regional capital, and imposed an uneasy peace but reconciliation with his former adversaries remained a distant prospect. The Juba and Shabelle riverine regions also witnessed increased conflict. Only Somaliland, absorbed with preparations for elections, remained unaffected by the deteriorating situation.

Political dynamics in the South continued to be defined in terms of polarisation between the TNG and its allies on one side and the SRRC on the other. Regional powers lined up behind their respective proxies, funnelling arms and ammunition into the country in violation of a longstanding United Nations arms embargo. Ethiopia remained the driving force behind the SRRC, providing military materiel and expertise, albeit on a much smaller scale than what Arab states gave the TNG and its militia allies. Neither group achieved a decisive military or political advantage.

The TNG's evident lack of control and cohesion undermined its claims to national leadership while

the SRRC was hampered by the perception that it is largely a coalition of warlords. By November 2002, as the TNG moved well into the final year of the three-year term that was provided by the Arta Conference, there was little to distinguish it qualitatively from the other Somali factions except its cross-clan character and its occupation of Somalia's seats in the UN, the African Union and the League of Arab States.

Increased surveillance of Somalia's airspace and maritime boundaries by the U.S. and the allies in its "war against terrorism", combined with enhanced intelligence gathering, provided an effective deterrent to the establishment of al-Qaeda bases in Somalia and persuaded local militants like *al-Itihaad al-Islami* (AIAI) to maintain a low profile. The establishment of a military regional headquarters for the Horn of Africa in Djibouti provided the U.S. a capacity to monitor and respond to potential threats in the region. However, local hopes that the counter-terror agenda might provide the impetus for renewed international leadership in the restoration of functional, responsible government in Somalia were short-lived. By mid-2002, Somalia had returned to the margins of the international agenda.<sup>3</sup>

### III. THE ELDORET PROCESS

The failure of the Arta Conference to restore functional government to Somalia<sup>4</sup> left the surrounding region scrambling for a new initiative with which to address the country's crisis. With most international attention focused elsewhere, and the United Nations reluctant to exercise leadership, responsibility was devolved almost entirely to the member states of IGAD. An IGAD summit in Khartoum in January 2002 called for a new peace conference to be convened within two months. With Ethiopia and Djibouti each backing opposing Somali factions, responsibility fell to Kenya, which had generally remained neutral in the Somali conflict.

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<sup>2</sup> See ICG Africa Report N°45, *Somalia: Combating Terrorism in a Failed State*, 23 May 2002.

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<sup>3</sup> This could change, however, as a result of recent events in the region. The U.S. and Israel were reportedly considering whether al-Itihaad had any responsibility for the terrorist attacks on Israeli targets in Mombasa, Kenya, on 28 November 2002. See, for example, "After Blast, Kenya Reviews Qaeda's Trail in East Africa", *The New York Times*, 1 December 2002.

<sup>4</sup> ICG Report, *Somalia*, op. cit.

After several false starts, President Moi announced plans for a full national reconciliation conference to be convened at Eldoret, and in September 2002 a proposed framework for the Somali National Reconciliation Process was presented to the IGAD Council of Ministers. It described a three-phase process in which 300 Somali political, military, traditional and civil society notables would agree upon desired outcomes of the peace process, determine the core issues to be addressed, and agree to a cessation of hostilities. Through these preliminary deliberations, the Somalis would "take ownership" of a process the initial impetus of which had come from the IGAD member states.

The second phase would tackle the substance of "reconciliation". Roughly 75 delegates, named by the 300-member plenary, would constitute technical working groups (called "Reconciliation Committees"), each of which would address a specific dimension of the peace process: a new constitution, demobilisation, modalities for revenue sharing, and resolution of land and property disputes. Internationally sponsored experts would provide technical support to the committees.

In the third and final phase, the proposals of the Reconciliation Committees would be submitted to the plenary for deliberation and approval. The participants would then turn to implementation, including the thorny problem of power sharing and the formation of an inclusive, broad-based government in line with the new constitution.

Management of the process was given over to a Technical Committee from the IGAD "Frontline States" (Djibouti, Ethiopia and Kenya) under Kenyan chairmanship. It seemed reasonable to assume that Ethiopia and Djibouti's partisanship would cancel one another out, leaving Kenya to provide unbiased leadership. No precise time frame was fixed for completing the three phases, but the conference planners borrowed a chapter from the Arta process in informally suggesting that the complex and comprehensive dialogue would require at least six to nine months.

The Eldoret framework was thus designed to overcome the problems of past initiatives: it offered scope for broad participation within a large plenary; it required detailed agreement on the structure of a future Somali state, as well as in-depth discussion of substantive issues of reconciliation; and it placed power-sharing last on the agenda, rather than first as

it usually, and destructively, had been. No previous peace initiative had combined these elements so advantageously. On paper at least, the framework was promising.

The Eldoret Conference was finally convened on 15 October 2002 and achieved one of its principal aims within two weeks: the signature, on 27 October, of a "Declaration on Cessation of Hostilities and the Structures and Principles of the Somali National Reconciliation Process". The Declaration committed the signatories, among other things, to:

- ❑ cessation of hostilities;
- ❑ agreement on a new federal charter or constitution;
- ❑ creation of inclusive, representative, and decentralised federal governance structures acceptable to all parties;
- ❑ implementation of the United Nations arms embargo;<sup>5</sup>
- ❑ combating terrorism;
- ❑ inviting the international community to monitor implementation of the accords;
- ❑ guaranteeing the security of humanitarian and development personnel and safe access to aid; and
- ❑ abiding by the conclusions of the process and supporting the establishment of enforcement mechanisms.

Doubts that the Eldoret Declaration would prove any more durable than countless broken peace accords of the past decade seemed justified when, in the following days, fighting broke out in parts of Mogadishu, the south-western border region of Gedo and the village of Bu'ale in the Juba Valley. On 29 October, however, under pressure from the IGAD Technical Committee and other concerned governments, faction leaders from the Somali National Front (SNF) resolved to respect the Eldoret Declaration and instructed their commanders in the Gedo region to comply with the ceasefire. The clashes in Mogadishu and Bu'ale also subsided.

The signatories to the Eldoret Declaration, reconstituted as a "Leaders' Committee",<sup>6</sup> were

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<sup>5</sup> United Nations Security Council Resolution 733 (1992).

<sup>6</sup> The Leaders' Committee, which comprises 22 individuals selected by the Technical Committee, is neither comprehensive, nor fully representative. Notable absentees

invited to approve the rules of procedure for the conference and the formation of a "Somali Advisory Group" (a sort of steering committee to be composed of eminent persons). In the words of one Western diplomat, this was akin to "throwing meat to the lions".<sup>7</sup> Predictably, the Leaders Committee rejected the proposed Somali Advisory Group, which would have become an alternative source of political and moral authority within the process.<sup>8</sup> By the end of the first phase, the Leaders' Committee had emerged by default, rather than by design, as the supreme Somali decision-making body at the conference, and it is no longer apparent what purpose the remaining conference delegates actually serve. Most seem to congregate aimlessly in the lobbies and gardens of Eldoret's hotels, exchanging commentary and conjecture. Although the continued presence of a reduced number could provide a degree of accountability for the Leaders' Committee and the other committees if they are formed, departure of the vast majority of delegates would save money and introduce debate about conference issues back into Somalia itself.

#### **IV. PARTICIPATION: PREREQUISITE FOR PROGRESS**

The rapid progress made in the first phase should have augured well but by early November it was apparent that the second, technical phase of the talks was in trouble. Announcements by Conference Chairman Elijah Mwangale that the process was "on course"<sup>9</sup> were intended to offer reassurance to distant observers but were patently at odds with the situation on the ground.

Ostensibly, disputes over the distribution of seats were the reason for the impasse. The earlier failure of the Technical Committee to establish clear criteria for delegates and to stick to them came back to haunt the organisers. Political leaders had simply been advised of the number of the delegates they were permitted to bring to Eldoret. Upon arrival, however,

it transpired that the number of delegates in the invitation letters did not correspond with the records of the secretariat.<sup>10</sup> Many had entourage far in excess of their quotas, while Somalis not affiliated with political movements protested at having been excluded from the process and demanded a share.

Instead of the 300 delegates envisioned by the framework document, over 1,000 Somalis had turned up in Eldoret and chaos ensued as would-be delegates traded, bartered, sold and forged conference badges. By the time the dust settled, more than 800 delegates had been admitted to the conference and were costing organisers roughly U.S.\$80,000 daily to feed and house.

The entire month of November was lost in trying to find an acceptable formula by which to reduce the delegates to a manageable number. Disputes between Ethiopia and Djibouti over allocations for their respective Somali clients led to roughly a dozen revisions of the list during the first week of November alone. Hagglng between Technical Committee members became so intense that calculations of proportional representation had to be worked out to two decimal places.

The crux of the problem hinged on whether to allocate seats by faction or by clan. The formula for factional representation, which (after multiple revisions) proposed 262 seats to be distributed between sixteen factions, with 100 additional seats reserved for "civil society", was complex and in many respects incoherent. The sixteen factions did not correspond with the original signatories of the Eldoret Declaration (or even with the members of the Leaders' Committee). Some original signatories were excluded while new groups were added in a seemingly arbitrary manner. It also appeared to award certain clans disproportionate representation: approximately 140 for the Hawiye, 90 for the Darod, 60 for the Digil-Mirifle and twenty for the Dir.

Even more problematically, the allocation appeared to favour the Ethiopian-backed SRRC and its allies, spurring formation of a new, anti-Ethiopian coalition

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include Jama Ali Jama of Puntland and the Aden Madoobe wing of the Rahanweyne Resistance Army (RRA).

<sup>7</sup> ICG interview, 8 November 2002.

<sup>8</sup> The Leaders' Committee eventually agreed in principle to the formation of the Somali Advisory Group but it has so far failed to materialise. ICG interviews in Eldoret.

<sup>9</sup> "Peace talks 'on course' says Kenyan envoy", IRIN, Nairobi: 13 November 2002.

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<sup>10</sup> Puntland's former "President", Jama Ali Jama, for example, was invited to bring a delegation of ten persons, but was told upon arrival that he had only been assigned two seats. His subsequent ejection from the Leaders' Committee at Abdillahi Yusuf's request compounded his humiliation. ICG interviews, November 2002.

– the “Group of Eight”<sup>11</sup> led by Mohamed Qanyare Afrah. Some “G8” leaders threatened to pull out and bring the talks to a halt. At one point the G8, its tactical alliance with the TNG gaining ground, threatened military action against an SRRC warlord.<sup>12</sup> Strong-arm tactics by the Technical Committee, which dispatched security men to intimidate the dissidents and threaten arrest, failed to resolve the deadlock.<sup>13</sup>

The proposed formula for clan representation (known as the ‘4.5 formula’) envisions 400 seats divided evenly between the four major clan groups, and minority groups collectively receiving half as many seats as a major clan (i.e. 84 seats for each major clan, 42 seats for minorities and 22 additional seats to be allocated at the discretion of the Technical Committee). The appeal of the clan formula derives mainly from the principle that no major clan is inherently superior to any other, and that it distributes decision-making power more evenly among delegates. It promotes authentic leaders and weeds out those whose factions consist of little more than a few hired cronies and a briefcase full of letterhead. Furthermore, as one Ethiopian diplomat conceded, “The power of the Technical Committee is reduced if participation is determined by clan”.

The Technical Committee’s decision to apply factional representation from the outset was a tactical error. It legitimised self-styled faction leaders, some of whom had long since become irrelevant. It also assigned decision-making power in the conference to the Leaders’ Committee, leaving other participants

no meaningful role. One of the few civil society representatives on the Leaders’ Committee lamented: “We are struggling to maintain a profile at this meeting. The political leaders want us sidelined.”<sup>14</sup> More importantly, it diverted attention from substantive issues of reconciliation and nation-building towards the perennial problem of power sharing – something the original framework for the conference had sought to avoid. Most major political groups accepted the clan-based formula, but both the SRRC and TNG, concerned that they would effectively be dissolved under such an arrangement, expressed reservations.<sup>15</sup> Furthermore, since the clan-based formula threatened to reduce Hawiye seats by as many as 56 (from 140 to 84), some lesser Hawiye leaders resisted.

In pressing initially for the faction-based formula, Djibouti and Ethiopia sought to maximise their influence by ensuring that their proxies were disproportionately represented. The gambit failed not only because it offered an inferior model but also (and primarily) because of squabbling among faction leaders who were insatiable in their quest for additional seats or for denying seats to others. “By failing to agree on the basis of this formula, the faction leaders let their patrons down,” observed a diplomat who followed the process closely.<sup>16</sup>

The stalemate over participation reflected the perception among delegates that the distribution of seats during the second phase would predetermine the final power-sharing arrangements. “People think the total number of delegates will elect the new President”, explained a representative of a Mogadishu-based NGO. “The Technical Committee hasn’t been clear about this so the confusion persists”.<sup>17</sup>

The stalemate over participation was finally resolved, at least temporarily, in favour of the “4.5 formula”, at the end of November, and the second phase of the conference officially got underway on 3 December. There remains a possibility, however, that disputes over participation will re-emerge in the third and final phase of the conference, when power-sharing and the formation of a new government will be on the agenda.

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<sup>11</sup> The “Group of Eight” includes Abdirizak Isaaq Bihi of the Somali National Front (SNF), Barre Aden Shire of the Juba Valley Alliance (JVA), Jama Ali Jama (Puntland), Mohamed Qanyare Afrah of the United Somali Congress (USC), Mowlid Ma’ane Mohamud of the Somali Africans Muki Organization/Somali Reconstruction and Restoration Council/Nakuru (SAMO/SRRC Nakuru), Omar Mohamud Mohamed ‘Finish’ of the United Somali Congress/Somali Salvation Alliance (USC/SSA), Osman Hassan Ali “Ato” of the United Somali Congress/Somali National Alliance/Somali Reconstruction and Restoration Council/Nakuru (USC/SNA/SRRC Nakuru), and Sheikh Aden Madoobe (RRA).

<sup>12</sup> “There is a definite military dynamic flowing out of the conference”, said one diplomat. ICG interview, November 2002. Both conference delegates and diplomats from regional states have taken part in these bully tactics, which must be resisted and condemned by the Technical Committee and other international community representatives if the conference is not to generate new tensions inside Somalia.

<sup>13</sup> IRIN, “Faction leaders threatened with arrest”, 11 November 2002.

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<sup>14</sup> ICG interview, November 2002.

<sup>15</sup> ICG interviews, November 2002.

<sup>16</sup> ICG interview, November 2002.

<sup>17</sup> ICG interview, November 2002.

Regardless of the formula for participation, one of the losers at Eldoret is the Islamist lobby. Neither *al-Islah* nor its militant relation, *al-Itihaad*, is well represented among the delegates at Eldoret.<sup>18</sup> Leading *al-Islah* figures have been active at the margins of the conference and, according to some delegates, the organisation covered the travel costs for a large number of participants unaffiliated with the Islamist movement. Overall, however, the Eldoret Conference has denied Somalia's Islamists the kind of opportunity they enjoyed at Arta to boost their political influence. Since neither group has the muscle to challenge the process or its outcome, they are more likely to work toward placing sympathisers in key government posts and organising pressure groups within a future parliament. At the same time, both organisations – together with their allies among Somalia's Islamists – continue to pursue a long-term strategy of building public support through their sponsorship of mosques and extensive social-service networks.

## V. FURTHER OBSTACLES

The deadlock that blocked progress throughout November was also the result of serious deficiencies in organisation and management of the conference. The Technical Committee, comprising representatives of the three "Frontline States", is paralysed by squabbling between Ethiopia and Djibouti and seems incapable of standing by its own decisions. Its meetings have been notable mainly for petty procedural disputes, walkouts and ad hoc decision-making. Proceedings are routinely leaked in colourful terms to conference delegates, fuelling speculation and rumour. A Western diplomat's description of the Technical Committee as "dysfunctional" was echoed by Somali leaders. "Whenever we solve one problem, the Technical Committee creates a new one", complained a senior TNG figure.<sup>19</sup>

The lack of capable conference leadership poses the single greatest threat to the success of the process. Indecision, arbitrariness and lack of diplomatic

finesse routinely transform minor hitches into unmanageable crises. Such shortcomings are magnified by weaknesses in the conference secretariat. Somali delegates allege that some conference staffers were involved in selling delegates badges. Failure to inform delegates about scheduled meetings has led to accusations of bias and sabotage. Conference documents are rarely available for circulation in a timely manner, persuading many delegates that they have been marginalized. On several occasions multiple versions have been handed out, generating unnecessary confusion and tension. One delegation alleged that it received no less than seventeen different letters from the conference chairman setting out participation formulas, "each one cancelling out the other".<sup>20</sup> Logistical problems, such as the refusal of hotels to provide food for the delegates because of delays in payment, have further contributed to the air of disorganisation that has pervaded the conference.

Perhaps the most damaging consequence of the leadership vacuum is that unconstrained regional rivalries are wreaking havoc on the process. "The IGAD states are divided", said TNG Prime Minister Hassan Abshir. "If they cannot reconcile themselves, they will not be able to reconcile others".<sup>21</sup> Ethiopia, Djibouti and Egypt (the last not a member of either IGAD or the Technical Committee but nevertheless sporadically operating behind the scenes at the conference) are working at cross-purposes, backing their respective proxies rather than seeking a way forward. Western diplomats at Eldoret allege that both Ethiopia and Egypt have intimated that they are prepared for renewed fighting if the talks fail.<sup>22</sup>

The dominant perception among delegates and observers at Eldoret is that the process has come to be dominated by Ethiopia at an early stage. "This conference is being manipulated by external interests", asserted former Somali Prime Minister Abdirizak Haji Hussein. "The general feeling is that this conference is almost completely dominated by Ethiopia".<sup>23</sup> The unexpected signature of a joint declaration on 2 December by Mogadishu faction leaders, including the TNG, to cease hostilities and join forces in restoring security to the capital had the

<sup>18</sup> Neither *al-Islah* nor *al-Itihaad* has officially attended any previous conference, although both were well-represented among the participants at the Arta Conference in 2000. For detailed discussion of these groups, see ICG Report, *Somalia*, op. cit.

<sup>19</sup> ICG interviews, November 2002.

<sup>20</sup> ICG interview, November 2002.

<sup>21</sup> ICG interview, November 2002.

<sup>22</sup> ICG interviews, November 2002. Ethiopian and Egyptian representatives denied this in November interviews with ICG.

<sup>23</sup> ICG interview, November 2002.

hallmarks of a new, anti-Ethiopian coalition rather than a genuine peace accord.<sup>24</sup>

Another major problem is the imposition of unrealistic external deadlines. The Kenyan government is placing the conference under pressure to adjourn before its elections, scheduled for 27 December. Most delegates and observers, however, concerned that an adjournment could mean a fatal loss of momentum, are arguing instead for relocation of the conference to Nairobi or – if Kenya refuses this option – to another country altogether.

Kenyan elections notwithstanding, Somali participants and Western diplomats are anxious to wrap up proceedings as soon as possible – preferably within a month or two. But a Western constitutional expert at Eldoret believes that a minimum of three to four months will be required to hammer out the details of a new federal constitution. Several other critical issues, such as determining the number of states or provinces in the new Somalia, their boundaries, and the sharing of powers and wealth between state and federal governments, are likely to prove equally complex and time-consuming.

One outstanding issue that cannot be resolved at the Eldoret Conference is the status of Somaliland. Having declared its independence in 1991, the Somaliland government has consistently stayed away from Somali peace conferences on the grounds that it represents a separate country. Somaliland's leaders have at times offered to enter into dialogue with a new Somali government when one is formed but would have to overcome intense domestic resistance were they to contemplate reunification.

Were a new government to emerge at Eldoret, it would undoubtedly claim jurisdiction over all of Somalia, including Somaliland. This would create a dangerously volatile situation, in which the polemic on both sides could preclude a negotiated settlement to the dispute. The formation of a government at Eldoret, without having first clarified Somaliland's status, would thus fail to bring a comprehensive peace; it would instead displace the Somali conflict from south to north, opening a new and potentially bitter phase in the civil war.

## VI. OPPORTUNITIES

Despite the significant obstacles outlined above, Eldoret nevertheless retains an important mix of variables that – if built upon – could provide just enough momentum to bring the process to a more successful conclusion than its many predecessors. First, more major Somali actors are present than at any other peace conference since 1993. Militia leaders, civil society representatives and clan elders remain ready to engage in negotiations. Secondly, the conference is well-attended by the international community, with representatives present or visiting from the Arab League, African Union, United Nations, World Bank, European Union and United States. Though all could enhance the level of their support with occasional visits or calls from higher-level officials, their collective presence is not insignificant and contrasts with past conferences and processes.

Thirdly, the process is structured in a way that puts resolution of the issues and creation of structures of government before debate over power sharing. This also contrasts sharply with previous initiatives that have uniformly degenerated into cake-cutting exercises before any of the divisive issues have been addressed. Fourthly, this is also the first time that these contentious issues will be addressed with external resource providers in a structured, deliberate and sustained manner.

Fifthly, the conference offers a more united international community an opportunity to address the competition among Somalia's neighbours. For example, were the Arab League and U.S. diplomats to co-ordinate efforts in order to minimise radical Islamist representation in any future government, they could reduce Ethiopian anxieties and encourage a more constructive role from Addis Ababa. Similarly, public and sustained recognition of what Djibouti has contributed so far by framing the structures of governance in the 2000 Arta Conference could also lead to a more cooperative attitude from its diplomats.<sup>25</sup>

Finally and most importantly, there is near unanimous Somali political will in support of peaceful accommodation. This is a matter of

<sup>24</sup> The declaration was signed by TNG Prime Minister Hassan Abshir Farah, Transitional National Assembly Speaker Abdulle Derow Isaaq, Hussein Aydiid, Mohamed Qanyare Afrah, Muse Sudi Yalahow, Osman 'Ato' and Omar Finish.

<sup>25</sup> "We need help in asking Ethiopia and Djibouti to give Somalis a chance", appealed one diplomat. ICG interview, November 2002.

fundamental self-interest, and represents a slow evolution in the calculations of key Somali leaders who until recently perceived that they had more to gain from the lack of a central government and continued low-intensity conflict.<sup>26</sup> The slowly degenerating status quo has become increasingly unsatisfactory to most warlords. As their opportunities for making money decline, most are reduced to taxing poor people, begging for weapons from neighbouring countries, or relying on slowly decreasing remittances from Somalis abroad. The TNG mandate expires in mid-2003 with no prospect for enhanced legitimacy or popular support for extension. Therefore, despite enormous historical baggage, serious divisions over issues, and mismanagement of the conference, Eldoret represents a real chance for peace in Somalia.

## VII. THE WAY AHEAD

According to a revised version of the original framework document, the second phase of the Eldoret conference envisions the establishment of six Reconciliation Committees to address the following topics:<sup>27</sup>

- ❑ constitution and federal government;
- ❑ land and property;
- ❑ disarmament, demobilisation and reintegration of fighters;
- ❑ local/regional conflict resolution;
- ❑ economic recovery; and
- ❑ regional and international issues.<sup>28</sup>

Surprisingly, no committee has been proposed to address the problem of gross human rights violations war crimes – a key demand of certain Somali groups. An open letter from Amnesty International urged conference participants at Eldoret to consider

the most appropriate method for dealing with this problem and warned that it would be “unacceptable for those responsible for such crimes to be included in any new government”.<sup>29</sup> The Constitution Committee should take this issue into consideration during its deliberations.<sup>30</sup>

Each Reconciliation Committee is planned to comprise 23 members, involving a total of 138 delegates. These Committees – if implemented and facilitated properly – could provide a forum for extended, issue and clan-based negotiation, a first in the eleven years since central authority collapsed in Somalia. The role of the remaining participants during the second phase is unclear, although it seems likely that they will remain *in situ*. As noted above, a wiser alternative might be to return some surplus delegates to Somalia where they could inform their constituents of the conference proceedings and engage public opinion in support of the process. This would have the added advantage of reducing conference costs and encouraging donors to maintain funding.

Given the complexity and, in some cases, novelty of the issues to be addressed during the second phase, the conference framework envisions the secondment of technical experts to facilitate the work of the Committees. This is a major improvement over past peace initiatives and could go some way towards compensating for the weakness of the overall conference leadership. The EU (the Commission) has pledged funding for this purpose.

All this will require more than just donor funds and experts. Rivalries between regional states will have to be addressed, and conference management will have to improve. On the latter issue, it is instructive to examine how IGAD has been handling the Sudan peace process, which for years lagged with poor leadership and little engagement from capitals. Since the beginning of 2002, however, it has been making unprecedented progress under new leadership and with more serious engagement from capitals,

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<sup>26</sup> Puntland President Abdillahi Yusuf elaborated: “The difference in Eldoret is that everyone realises that war can’t solve the issues. It is the end of the road. We cannot achieve national goals through conflict”. ICG interview, November 2002.

<sup>27</sup> The substance of the work of the six committees will be the focus of ICG’s next Somalia report early in 2003.

<sup>28</sup> The purpose of this committee is not entirely clear but it appears that it may combine deliberations on regional security issues with a forum for regional powers to narrow their differences and adopt a common position vis-à-vis the conference outcome.

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<sup>29</sup> Amnesty International, “Somalia: No Lasting Peace Without Human Rights”, Eldoret, 7 November 2002.

<sup>30</sup> The Constitution Committee was only formed in the first week of December. The issue is not on its agenda but it is too early to know what the ultimate disposition will be.

including a deeper partnership with the broader international community.<sup>31</sup>

Eldoret requires a similar degree of international political will that has yet to materialise. For example, rather than the usual anodyne resolutions in support of peace in Somalia, the UN Security Council could threaten sanctions – such as freezing personal assets, restricting travel and expelling family members living abroad - that target warlords or politicians who undermine the peace process.<sup>32</sup> Sustained engagement from regional and donor capitals will be required to strengthen the leadership of the process, support mediation and shuttle diplomacy, resolve funding problems, and address regional rivalries. Political support will also be essential to ensure that the prospects for a lasting settlement are not compromised by the desire to meet artificial deadlines.

The EU, which has underwritten the process so far, could take the lead in making clear to the parties the kind of realistic peace dividend that could follow if they establish a lean, functional government with authority over at least most of the country. To accommodate nearly universal Somali sentiments for a stronger U.S. role in the process, Washington should consider matching the European commitment by buttressing its diplomatic presence in the form of higher-level visits to Eldoret, greater visibility in the Security Council on this issue and secondment of expert personnel to the Committees, such as a State Department lawyer for the Constitutional Committee and a Pentagon advisor for the Disarmament Committee. The U.S. and the EU should consider forming a partnership to conduct robust public diplomacy in support of the process, to neutralise regional rivalries, and to target recalcitrant warlords with sanctions.

The Eldoret Conference represents the best chance in many years for peace in Somalia. If it fails, it should be because of genuine and legitimate differences between the parties to the conflict – not because external actors managed the process poorly or were looking for a quick fix.

**Nairobi/Brussels, 9 December 2002**

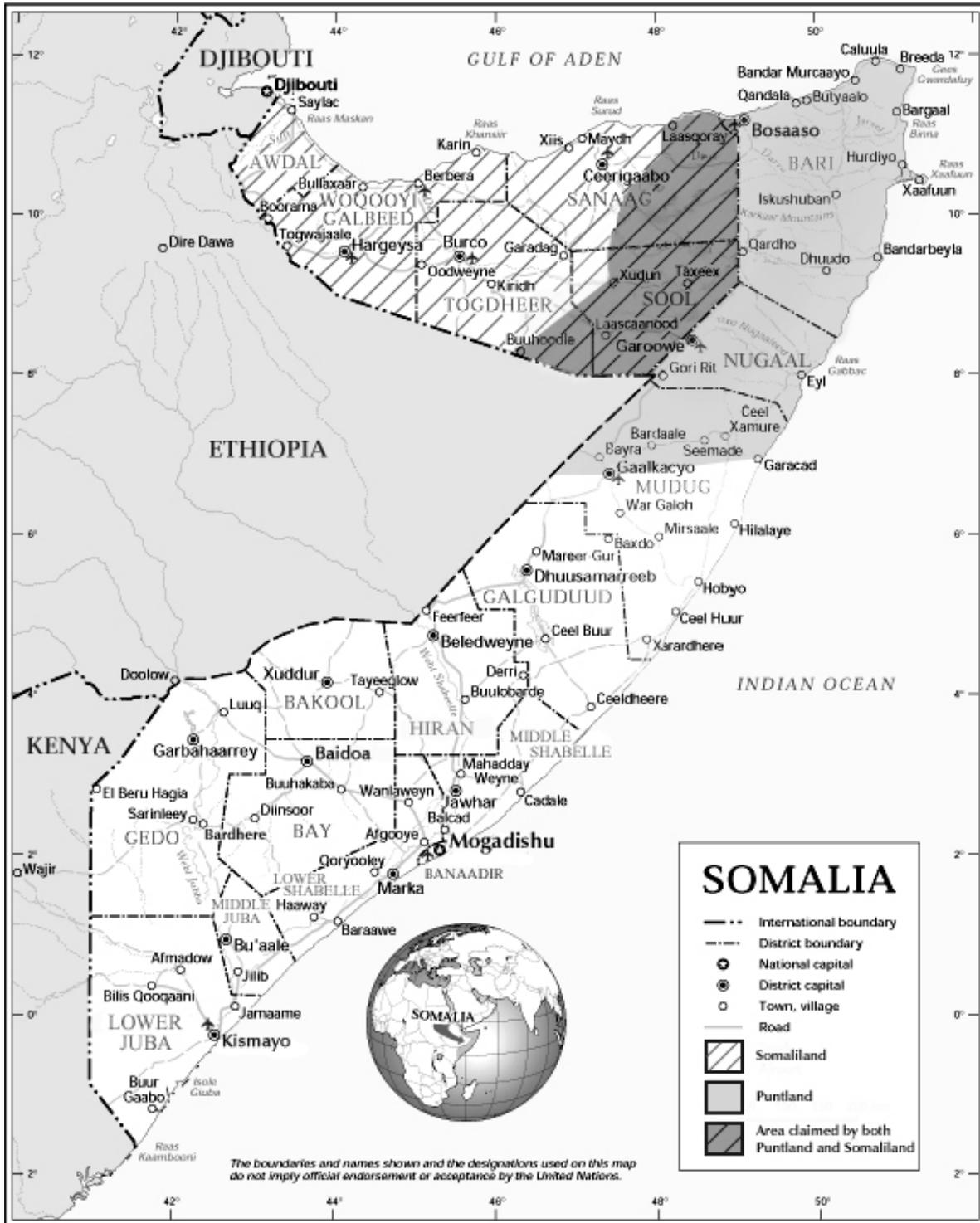
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<sup>31</sup> See ICG Africa Report N°39, *God, Oil and Country: Changing the Logic of War in Sudan*, 28 January 2002, and subsequent reports; most recently, ICG Africa Report N°54, *Ending Starvation as a Weapon of War in Sudan*, 14 November 2002.

<sup>32</sup> As called for in ICG Report, *Somalia*, op. cit.

## APPENDIX A

### MAP OF SOMALIA



Sources: United Nations, ICG interviews, February 2002.

## APPENDIX B

### ABOUT THE INTERNATIONAL CRISIS GROUP

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The International Crisis Group (ICG) is an independent, non-profit, multinational organisation, with over 80 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

ICG's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, ICG produces regular analytical reports containing practical recommendations targeted at key international decision-takers.

ICG's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made generally available at the same time via the organisation's Internet site, [www.crisisweb.org](http://www.crisisweb.org). ICG works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The ICG Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring ICG reports and recommendations to the attention of senior policy-makers around the world. ICG is chaired by former Finnish President Martti Ahtisaari; and its President and Chief Executive since January 2000 has been former Australian Foreign Minister Gareth Evans.

ICG's international headquarters are in Brussels, with advocacy offices in Washington DC, New York and Paris and a media liaison office in London. The organisation currently operates eleven

field offices (in Amman, Belgrade, Bogotá, Islamabad, Jakarta, Nairobi, Osh, Pristina, Sarajevo, Sierra Leone and Skopje) with analysts working in over 30 crisis-affected countries and territories across four continents.

In *Africa*, those countries include Burundi, Rwanda, the Democratic Republic of Congo, Sierra Leone-Liberia-Guinea, Somalia, Sudan and Zimbabwe; in *Asia*, Indonesia, Myanmar, Kyrgyzstan, Tajikistan, Uzbekistan, Pakistan, Afghanistan and Kashmir; in *Europe*, Albania, Bosnia, Kosovo, Macedonia, Montenegro and Serbia; in the *Middle East*, the whole region from North Africa to Iran; and in *Latin America*, Colombia.

ICG raises funds from governments, charitable foundations, companies and individual donors. The following governments currently provide funding: Australia, Austria, Canada, Denmark, Finland, France, Germany, Ireland, Luxembourg, The Netherlands, Norway, Sweden, Switzerland, the Republic of China (Taiwan), Turkey, the United Kingdom and the United States.

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**December 2002**



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