Country/entity	Somalia
Region	Africa (excl MENA)
Agreement name	Cairo Declaration on Somalia
Date	22 Dec 1997
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

Somali Civil War (1991 -)

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

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

To deal with the new round of fighting, the UN-mandated AMISOM force was deployed in 2007. Since then, insecurity has fluctuated between the urban and rural areas as the al-Shabaab's territorial gains waver. Local militia leaders maintain de facto governance over communities. From 2009 to 2012, insecurity spilled over into the Gulf of Aden and the Indian Ocean when Somali pirates seized, looted and ransomed ships. In 2014, 'Operation Indian Ocean' was launched and in parallel with infighting among al-Shabaab, the organisation's position in Somalia has diminished slightly. However, as evidenced by large-scale attacks by al-Shabaab in northern Kenya throughout 2013-2015, the lack of security continues to destabilize the region. Al-Shabaab continues to launch surprise attacks with the aim of forcing out foreign military presence in Somalia. Targets include both military forces and civilians. The devastating attack in October 2017 in Mogadishu saw 587 fatalities and resulted in a renewed military offensive by the Somali government and African Union allies. Since 2017, the U.S. has increased its air strikes targeting al-Shabaab militants, and in December 2018 they announced to re-establish a permanent diplomatic mission in the country. Al-Shabaab has been characterized as a spoiler in the Somali peace process and have therefore been placed outside of any negotiations.
Close
Somali Civil War (1991 -
)

Stage Framework/substantive - partial

Conflict nature Government

Peace process	Somalia Peace Process
Parties	Hussein Mohamed Aideed, Mohamed Haji Adan, Hilowle Iman Omar, Mohamed Nur Aliyow, Mohamed Farah Abulhai, Mohamed Kanyare Afrah, Ahmed Omar Jes, Jama Mohamed Galib, Abilkarim Ahmed Ali, Abdirahman Farah Islamil, Ali Haji Mohamed Jabiri, Hassan Mohamed Nur, Mohamed Farah Jimale, Mohamed Khalif Shire, Ali Mahdi Mohamed, Abdullahi Yousef Ahmed (unsigned), Abdullahi Abdelkader Mohamed Addan, Adan Abdullahi Nur Gabyow (unsigned), Osman Hassan Ali Atto, Abdi Mouse Mayow, Mohamed Ragiq Mohamed, Abdullahi Sheikh Islamil, Omar Hagi Mohamed, Abdi Osman Farah, Abukar Abdi Osman, Mohamed Ali Hamed, Mohamed Abshir Mouse, Ali Adan Husseen.
Third parties	Egypt, Yemen, IGAD (Kenya, Ethiopia, Djibouti, Eritrea, Sudan, Uganda), UN, the Organization of African Unity, the League of Arab States, the Organization of the Islamic Conference and members of the Movement of Non-Aligned Countries
Description	Provided for a ceasefire, cessation of hostilities and disengagement of forces. Recognised need for a transitional mechanism of national authority and agreed to preserve Somalia as an independent and indivisible state. Reiterated belief in principles of democracy, equality, social justice and constitutional guarantees of individual human rights. Also provided details of arrangements for a National Reconciliation Conference on 15 February 1998 to be held to elect a Presidential Council, a Prime Minister, and to adopt a Transitional Charter. Agreed the agenda would include: a Declaration of National Commitment to the formation of a Constitutional Transitional Government guaranteeing individual freedoms and to the creation of the democratic national Government; a Declaration of Peace and Co-operation for the people of Somalia to work with the Transitional Government towards the establishment of a Constitutional Federal Government; and adoption of a Transitional Charter to serve as a framework for the National Transitional Government. Agreed that Transitional Presidential Council would consist of three members from each of the four major social groups in Somalia and one of the remaining Somali social group and that 46 seats would be allocated to each of four Somali social groups and three and two to the remaining social groups respectively in the Constituent Assembly. The existence of the Transitional Government was to be limited to a period of three years with a possible extension of an additional two years. Also made provision for a national census from which an electoral system could be implemented, and for the approval of a permanent Constitution enshrining fundamental rights through a national referendum.

Agreement document	SO_971222_CairoDeclaration.pdf (opens in new tab) | Download PDF

Groups

Children/youth	No specific mention.
Disabled persons	No specific mention.

Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender	No specific mention.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

State definition

Nature of state (general)	Page 2, untitled preamble, part 1, (paragraph 10): ... the sovereign State of Somalia; Page 3, Be it therefore resolved: (4-5) That to preserve Somalia as an independent and indivisible State within internationally recognized boundaries; and That Mogadishu is the capital of the Republic of Somalia,
State configuration	No specific mention.
Self determination	No specific mention.
Referendum	No specific mention.

State symbols	No specific mention.
Independence/ secession	No specific mention.
Accession/ unification	No specific mention.
Border delimitation	No specific mention.
Cross-border provision	No specific mention.

Governance

Political institutions (new or reformed)	Governance→Political institutions (new or reformed)→Temporary new institutions Page 4, Be it Further Resolved: (8) That the purpose of the National Reconciliation Conference shall be to elect a Presidential Council, and a Prime Minister and to adopt a Transitional Charter Page 5, (16) That there shall be established, as provided in the Transitional Charter, a Constituent Assembly which will function as a legislative authority as stipulated in the Transitional Charter; Page 6, (25) That the Transitional Government will limit its existence, and therefore the time of completion of its responsibilities, to a period of three years, with a possible extension of two additional years as provided for in the Transitional Charter; and That the popular approval of a permanent Constitution and first election of a succeeding Constitutional Government will be held before the completion of the transitional period and by the Transitional Government; and Be it Further Resolved: That there is a need for a permanent constitution to be drafted during the transitional period, which enshrines, inter alia, the fundamental rights, liberties and duties of the Somali people; and a system of checks and balances on the power of the Government should be established and approved through a national referendum;
Elections	Page 4-5, (d) The organization of the established National Transitional Government on the basis of the Transitional Charter, shall specifically provide for the creation of: ... (iii) Election of the 13 members of the Presidential Council; and (iv) Election of a Prime Minister who shall form and be the head of the Government in Transition. Page 6, (20) That the Transitional Government shall, as provided in the Transitional Charter, conduct, as soon as possible, a national census, from which an electoral system, including electoral registration, elections and other related democratic functions can be implemented; Page (26) That the popular approval of a permanent Constitution and first election of a succeeding Constitutional Government will be held before the completion of the transitional period and by the Transitional Government
Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	No specific mention.

Traditional/ religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	Governance→Constitution→Constitutional reform/making Page 6, (26) That the popular approval of a permanent Constitution and first election of a succeeding Constitutional Government will be held before the completion of the transitional period and by the Transitional Government Page 6, (27) That there is a need for a permanent constitution to be drafted during the transitional period, which enshrines, inter alia, the fundamental rights, liberties and duties of the Somali people; and a system of checks and balances on the power of the Government should be established and approved through a national referendum;

Power sharing

Political power sharing

Power sharing→Political power sharing→Executive coalition
State level
Page 4-5, (d) The organization of the established National Transitional Government on the basis of the Transitional Charter, shall specifically provide for the creation of:
...
...
(iii) Election of the 13 members of the Presidential Council; and
(iv) Election of a Prime Minister who shall form and be the head of the Government in Transition.

Page 5, (13) That the 13 members of the Presidential Council shall be designated as follows:
(a) Three members for each of the four major social groups in Somalia (12 members);
(b) One member of the remaining Somali social group (1 member).
That the Presidential Council shall, by simple majority vote, designate one of its members as President of the Presidential Council;

...(15) That the Prime Minister of the Transitional Government, designated by the National Reconciliation Conference, shall be responsible for establishing the programmes, executive functions of the Transitional Government and public administration. The Prime Minister shall also nominate the Ministers and Vice-Ministers and such other officials as he/she shall consider necessary to conduct the affairs of the Transitional Government as authorized by the Transitional Charter;
Power sharing→Political power sharing→Other proportionality
State level
Page 4-5, (d) The organization of the established National Transitional Government on the basis of the Transitional Charter, shall specifically provide for the creation of:
(i) A Constituent Assembly with a Chairman and two Vice-Chairmen; and

Page 4, (5) That the National Reconciliation Conference will be constituted of four hundred and sixty-five (465) delegates, who shall be allocated as follows:
(a) One hundred and sixty (160) delegates shall be allocated to the two sides participating in the Cairo Somali Meeting (80 delegates each);
(b) Ninety (90) delegates to specific northern Somali communities;
(c) Fifty-eight (58) delegates of the three Somali social groups not included in paragraphs (a) and (b) above;
(d) Twenty-three (23) delegates, 10 delegates, and 8 delegates for each of the three Somali social groups not included in paragraphs (a), (b) and (c) above.

That the delegates for the Conference shall be selected from all segments of Somali society. Such selection should be on a careful consideration of community balance;
... (6) That the delegates for the Conference shall be selected from all segments of Somali society. Such selection should be on a careful consideration of community balance;

Page 5, (17) That the Constituent Assembly will be composed of 189 members who shall be distributed as follows:
(a) Forty-six (46) seats are allocated to each of four Somali social groups (184 members);
(b) The remaining social groups are entitled to 3 and 2 seats respectively (5 members);
Power sharing→Political power sharing→International involvement
State level
Page 6, (21) That the Transitional Government shall act immediately to enlist the assistance of other nations in the fulfilment of all goals towards national unity and governance;

Territorial power sharing	Power sharing→Territorial power sharing→Federal or similar sub-divided government Page 2, untitled preamble, part 1, (paragraph 9): Whereas, there is a need and desire for the re-establishment of the rule of law and the institution of a federal democratic system of governance; Page 2, untitled preamble, part 1, (paragraph 11): The Transitional Government will be based on a system of federal governance and will carry out its functions and responsibilities, within the transitional period; Page 3, Be it therefore resolved: (6-7) That the Transitional Government will be bound by the rules of international laws and the objectives and principles of the United Nations and all other international and regional organizations in which Somalia is a member; and That to respect all the international and regional conventions entered into by the former Somali Governments; and
Economic power sharing	No specific mention.
Military power sharing	Power sharing→Military power sharing→Merger of forces Page 3, Be it Further Resolved: (3) That a joint security force will be established for the National Reconciliation Conference

Human rights and equality

Human rights/RoL general

Page 2, untitled preamble, (paragraph 6) Whereas, we agree to set aside our differences for the common good of our people and wish to embark on a new path towards national unity and re-establishment of the basic rights, aspirations and freedom of the Somali people

Page 2, untitled preamble, (paragraph 8): Whereas, we reiterate our firm belief in the principles of democracy, equality, social justice and the constitutional guarantees of individual human rights as provided by international conventions and declarations

Page 2, untitled preamble, (paragraph 9): Whereas, there is a need and desire for the re-establishment of the rule of law and the institution of a federal democratic system of governance;

Page 2, untitled preamble, part 1, (paragraph 10): Whereas, realizing the strong will of the Somali people to enjoy their God- given birthrights under the sovereign State of Somalia;

Page 3, Be it therefore resolved: 3. That it shall be an indication of our unfailing desire to unite our people, protect their rights and form the institutions that can and will serve basic needs

Page 3, Be it therefore resolved: (6-7) That the Transitional Government will be bound by the rules of international laws and the objectives and principles of the United Nations and all other international and regional organizations in which Somalia is a member; and That to respect all the international and regional conventions entered into by the former Somali Governments; and

Page 4, (9) (c) Adoption of a Transitional Charter, which shall serve as a framework of the branches of the established National Transitional Government for the protection of individual rights and fundamental liberties and shall be the supreme law of the land

Page 6, (24) That the Transitional Government shall immediately take such actions as are necessary to implement and sustain full civilian enforcement of the rule of law as provided in the Transitional Charter;

Bill of rights/similar No specific mention.

Treaty incorporation

[summary] Parties reiterate commitment to constitutional guarantees of individual HR as provided by intl conventions and declarations. The transitional govt will be bound by the rules of intl laws and the objectives and principles of the UN and all other intl and regional orgs I which Somalia is a member, committing to respect all intl and regional conventions entered into by the former Somali govts. Parties resolve that there is a need for a permanent constitution to be drafted during the transitional period which enshrines the fundamental rights, liberties, and duties of the Somali people.

Civil and political rights	Human rights and equality→Civil and political rights→Equality Page 2, untitled preamble, part 1,(paragraph 8): Whereas, we reiterate our firm belief in the principles of democracy, equality, social justice and the constitutional guarantees of individual human rights as provided by international conventions and declarations Human rights and equality→Civil and political rights→Freedom of movement Page 6, (23) That all checkpoints and lines of demarcation shall be withdrawn, and that the institution of such checkpoints and lines of demarcation shall be considered as a felonious act;
Socio-economic rights	No specific mention.

Rights related issues

Citizenship	No specific mention.
Democracy	Page 2, untitled preamble, part 1, (paragraph 8): Whereas, we reiterate our firm belief in the principles of democracy, equality, social justice and the constitutional guarantees of individual human rights as provided by international conventions and declarations Page 4, That the delegates for the Conference shall be selected from all segments of Somali society. Such selection should be on a careful consideration of community balance; ... (9) (a) A Declaration of National Commitment that the Somali people desire the formation of a Constitutional Transitional Government guaranteeing individual freedoms and the creation of the democratic national Government; and
Detention procedures	No specific mention.
Media and communication	Rights related issues→Media and communication→Other Page 4, (7) That invitations to attend the National Reconciliation Conference shall be extended to Governments, regional and international organizations as well as local and international mass media for the purpose of observing the deliberations and decisions of the Conference;
Mobility/access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law	Justice sector reform→Criminal justice and emergency law→Reform to specific laws Page 6, (23) That all checkpoints and lines of demarcation shall be withdrawn, and that the institution of such checkpoints and lines of demarcation shall be considered as a felonious act;
State of emergency provisions	No specific mention.
Judiciary and courts	Page 4-5, (d) The organization of the established National Transitional Government on the basis of the Transitional Charter, shall specifically provide for the creation of: ... (ii) Establishment of an independent judiciary, and prohibition of special courts; and Page 5, (17) That there shall be established, as provided in the Transitional Charter, an independent judiciary system with no special courts
Prisons and detention	No specific mention.
Traditional Laws	No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction	Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development Page 6, (23) That ... the necessary actions to reopen the port and the airport of Mogadishu [shall be taken] as soon as possible; and
National economic plan	No specific mention.
Natural resources	No specific mention.

International funds	Page 7, (30) That we need the help of, and appeal to, the nations of the world to assist us at this critical time of our history, and further appeal to the international community to recognize and support the Transitional Government of National Unity of Somalia upon its formation;
Business	No specific mention.
Taxation	No specific mention.
Banks	No specific mention.

Land, property and environment

Land reform/rights	No specific mention.
Pastoralist/ nomadism rights	No specific mention.
Cultural heritage	No specific mention.
Environment	No specific mention.
Water or riparian rights or access	No specific mention.

Security sector

Security Guarantees	No specific mention.
Ceasefire	Security sector→Ceasefire→Ceasefire provision Page 2, untitled preamble, part 1, (paragraph 7): Whereas, we declare our rejection of violence, threat and use of force as means to achieve political and social goals, and therefore, we have decided unanimously to cease fire, [and on a] cessation of all hostilities and disengagement of opposing forces; and
Police	Page 3, Be it Further Resolved: (3) That a joint security force will be established for the National Reconciliation Conference
Armed forces	No specific mention.
DDR	No specific mention.

Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	Page 3, Be it Further Resolved: (2) That all militias shall be encamped in pre-arranged sites in all conflict areas; Page 6, (22) That the Prime Minister, acting on behalf of the Transitional Government, shall immediately take all steps necessary and continue to monitor the withdrawal of all confronting militias and the undersigned agree to offer any and all assistance and cooperation as may be required to permanently complete such disengagement;
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.

Reparations No specific mention.

Reconciliation Page 2, untitled preamble, part 1, (paragraph 4) Whereas, we have jointly and with the spirit of brotherhood and common responsibility discussed all relevant issues consistent with national reconciliation, restoration of unity, and social harmony in Somalia.

Page 6, (29) untitled preamble, part 1, That we, the undersigned, call upon all the Somali people to forget the painful differences of the past and to magnanimously work together for common forgiveness, reconciliation and the end of hatred and mistrust forever.

Page 3, Be it Further Resolved: (1) That the undersigned agree to convene a National Reconciliation Conference in Baidoa, the capital of Bay region, on the date of 15 February 1998;
...
(4) That the undersigned shall establish a national coordination committee to prepare, organize and hold the National Reconciliation Conference; and

Page 4, Be it Further Resolved: (5) That the National Reconciliation Conference will be constituted of four hundred and sixty-five (465) delegates, who shall be allocated as follows: (cross reference to power sharing)

Page 4, Be it Further Resolved: (6) That the delegates for the Conference shall be selected from all segments of Somali society. Such selection should be on a careful consideration of community balance; and
(7) That invitations to attend the National Reconciliation Conference shall be extended to Governments, regional and international organizations as well as local and international mass media for the purpose of observing the deliberations and decisions of the Conference;
(8) That the purpose of the National Reconciliation Conference shall be to elect a Presidential Council, and a Prime Minister and to adopt a Transitional Charter;

Page 4, Be it Further Resolved: (9) That the agenda for the National Reconciliation Conference shall expressly include (list of four goals, referenced elsewhere for clarity)

Implementation

UN signatory	No specific mention.
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.
International mission/force/ similar	No specific mention.
Enforcement mechanism	A joint security force will be established for the National Reconcilation Conference (i.e. peace talks). The parties will establish a national coordination committee to prepare, organize and hold the National Reconciliation Conference