

Country/entity	Somalia
Region	Africa (excl MENA)
Agreement name	Final Communiqué of the 2nd Round of Talks between the Transitional Federal Government and the Islamic Courts
Date	4 Sep 2006
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

Somali Civil War (1991 -)

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

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

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

Close

Somali Civil War (1991 -)

Stage Pre-negotiation/process

Conflict nature Government

Peace process	Somalia Peace Process
Parties	Transitional Federal Government, signed for by Dr Abdullahi Sheikh Ismail; Islamic Courts Union, signed for by Dr Ibrahim Hassan Adow
Third parties	Witnesses: Dr Lam Akol Ajawin, Sudan Foreign Minister and Amb. Dr Salah Abdirisak Halima, Adviser of the SG of the Arab League Present: UN, OIC, IGAD
Description	Agreement incorporates non-state factions into the police and national army to involve; parties also agree on a agenda for third round of talks and the agreement goes on to provide for an implementation mechanism with heavy international involvement.

Agreement document	SO_060904_Final Communiqué of the 2nd Round of Talks between the TFG and the Islamic Courts.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 1, Art. 5, The two sides should honour the unity and the nationhood of the Somali people

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	Page 1, Art 6, The two sides should honour the will of the Somali people wherever they are.
Traditional/religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing	<p>Power sharing→Political power sharing→General State level</p> <p>Page 1, The Two sides agreed the following:</p> <p>...</p> <p>Article 7, The remaining aspects of this agreement including discussions on political, power-sharing and security issues would be deliberated on the 3rd round of the talks.</p> <p>Power sharing→Political power sharing→International involvement State level</p> <p>Page 1, Art. 9, The two sides agree on the formation of a technical committee consisting of the Arab League Presidency — Sudan, Arab League General Secretariat, Arab League Committee on Somalia and others from the Transitional Federal Government and Union of the Islamic Courts.</p>
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	<p>Power sharing→Military power sharing→Merger of forces</p> <p>Page 1, Art 2. To reconstitute the Somali National army and the national police force and work towards reintegration of the forces of the Islamic Courts, the TFG and other armed militias in the country. This will be realised through an agreed framework that will be in place during the agreement on the political programme.</p>

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 1, ... To ascertain the aspirations of the Somali people in attaining peace, stability and reconstruction, the talks has been conducted in a mutual and brotherly atmosphere...

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

Security Guarantees No specific mention.

Ceasefire No specific mention.

Police Page 1, Art 2. To reconstitute the Somali National army and the national police force and work towards reintegration of the forces of the Islamic Courts, the TFG and other armed militias in the country. This will be realised through an agreed framework that will be in place during the agreement on the political programme.

Armed forces No specific mention.

DDR No specific mention.

Intelligence services No specific mention.

Parastatal/rebel and opposition group forces Page 1, Art. 4, The two sides should refrain from helping, rearming and encouraging warlords
~

Page 1, Art 2. To reconstitute the Somali National army and me national police force and work towards reintegration of the forces of the Islamic Courts, the TFG and other armed militias in the country. This will be realised through an agreed framework that will be in place during the agreement on the political programme.

...Art. 4, The two sides should refrain from helping, rearming and encouraging warlords

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 1, Art. 3. The two sides agreed to practise the principles of good neighbourlihood and peaceful co-existence between Somalia and its neighbouring countries as well as non-interference of each others affairs so as to create conducive atmosphere to build understanding and confidence.

Implementation

UN signatory UN present at meeting

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

**Enforcement
mechanism**

Page 1, Art. 7. parties agree that political, power-sharing and security issues would be deliberated in 3rd round of talks. 8. parties agree to institute a joint committee that would follow-up the agreement and at the same time exchange visits to build confidence and mutual collaboration. 9. The two sides agreed formation of a technical committee consisting of the Arab League Presidency- Sudan, AL General Secretariat, AL Committee on Somalia and other from both parties. 10. Two sides agree to meeting for third phase of talks on Oct 30, 2006.

Related cases

No specific mention.

Source

UN Peacemaker - <http://peacemaker.un.org/>; http://peacemaker.un.org/sites/peacemaker.un.org/files/SO_060904_Final%20Communiqu%C3%A9%20of%20the%202nd%20Round%20of%20Talks%20between
