

Country/entity	Somalia
Region	Africa (excl MENA)
Agreement name	Agreement between the Transitional Federal Government of Somalia and Ahlu Sunna Waljama'a
Date	15 Mar 2010
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 Framework/substantive - partial

Conflict nature Government

Peace process	Somalia Peace Process
Parties	<ol style="list-style-type: none"> 1. Transitional Federal Government of Somalia (TFG), signed by Sharif Hassen Sheikh Aden 2. Ahlu Sunna Waljama'a (ASWJ), signed by Shiek Mahamoud Yussus Heefaw.
Third parties	<p>This agreement has been signed in the presence of IGAD African Union, UNPOS, League of Arab States and IGAD Partners Forum Representatives.</p> <p>H.E. Seyoum Mesfin, Minister of firegn Affairs of the FDRE and Chairperson of the IGAD Council of Ministers;</p> <p>H.E. Dr. Jean Ping, Chairperson of the AU Commission;</p> <p>H.E. Amb. Ahmedou Oul-dAbdallah, SRSG of the UN for Somalia;</p> <p>H.E. Stefano A. Dejak, Amb. of Italy to Somalia for IGAD Partners forum;</p> <p>H.E. Amb. Salim Alkussaibi, Sepcial Envoy of the League of Arab States to Somalia.</p>
Description	Agreement to integrate ASWJ into the structures of Government, and re-committing to the Transitional Federal Charter and the Djibouti Agreement, with a view to consolidating the peace process in an inclusive manner.

Agreement document	SO_100315_Agreement between Ahlu Sunna - TFG.pdf (opens in new tab) Download PDF
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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	<p>Groups→Religious groups→Substantive</p> <p>Page 3, article 1, 4. The TFG and ASWJ shall jointly combat extremist ideologies that are alien to Somali values, culture and traditional Islamic practice through, inter alia, the establishment of a National Advisory Council of Ulemas.</p>
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) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed)	<p>Governance→Political institutions (new or reformed)→General references</p> <p>Page 3, Article 1, 1 The TFG has agreed to integrate ASWJ into the structures of the Government; ASWJ, as well, has agreed to join the Government. On the basis of Transitional Federal Charter, both sides agreed to work in unison to make the TFIs effective both at the regional and national levels.</p> <p>Page 3, article 1, 4. The TFG and ASWJ shall jointly combat extremist ideologies that are alien to Somali values, culture and traditional Islamic practice through, inter alia, the establishment of a National Advisory Council of Ulemas.</p> <p>Page 5, Article 4 Implementation Committee: The TFG and AS\W shall, immediately upon the signing of this Agreement, establish a Joint Committee, which shall implement the provisions of this Agreement within one (1) month, with the support of IGAD, the African Union, UNPOS and other partners.</p>
Elections	No specific mention.
Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/religious leaders	Page 3, article 1, 4. The TFG and ASWJ shall jointly combat extremist ideologies that are alien to Somali values, culture and traditional Islamic practice through, inter alia, the establishment of a National Advisory Council of Ulemas [Islamic Scholars].
Public administration	<p>Page 3, article 1, 5. The TFG and ASWJ shall, on the basis of the Transitional Federal Charter and the Djibouti Peace process, integrate their administration and security forces without any further delay.</p> <p>See Political Power Sharing (State-level) for method of integration.</p> <p>Page 4, Article 3 Integration of ASWJ into TFG</p> <p>The TFG shall recognize and support administrations established or being established by ASWJ in areas under its control. These administrations shall be part and parcel of the TFG.</p>
Constitution	No specific mention.

Power sharing

Political power sharing

Power sharing→Political power sharing→General
State level
Sub-state level

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Page 4, Article 3
Integration of ASWJ into TFG

The TFG shall recognize and support administrations established or being established by ASWJ in areas under its control. These administrations shall be part and parcel of the TFG.

ASWJ shall, in areas under its administration, establish local police and militia with the support of the TFG with a view to stabilizing these areas.

Power sharing→Political power sharing→Executive coalition

State level

Sub-state level

Page 4, Article 2

Allocation of Government Positions to ASWJ

ASWJ shall be integrated into the TFG. The TFG shall allocate to the ASWJ government positions as follows:

1. Five (5) Ministers of categories A,B,C;
2. One (1) Minister of State;
3. Five (5) Assistant Ministers of categories A, B, C;
4. Five (5) Directors-General of categories A, B, C;
5. Five (5) Directors of Departments of categories A, B, C;
6. Three (3) Deputy Commanders of the National Armed, Police and Security Forces;
7. Three (3) Ambassadors;
8. Three (3) Consular Officers;
9. Three (3) Commercial Attaches; 10. Three (3) Military Attaches;
- and 11. Three (3) Cultural Attaches.

Power sharing→Political power sharing→International involvement

State level

Sub-state level

Page 5, Article 4 Implementation Committee: The TFG and AS(V) shall, immediately upon the signing of this Agreement, establish a Joint Committee, which shall implement the provisions of this Agreement within one (1) month, with the support of IGAD, the African Union, UNPOS and other partners.

Territorial power sharing

No specific mention.

Economic power sharing

No specific mention.

Military power sharing

Power sharing→Military power sharing→Merger of forces

Page 3, article 1, 5. The TFG and ASWJ shall, on the basis of the Transitional Federal Charter and the Djibouti Peace process, integrate their administration and security forces without any further delay.

Page 4, Article 3 Integration of ASWJ into TFG: ASWJ forces shall be an integral part of the TFG forces and be deployed by the central command of the TFG in areas where they can effectively combat extremist and terrorist groups.

Power sharing→Military power sharing→Joint command structures

Page 5, Article 4 Implementation Committee: The TFG and AS(V) shall, immediately upon the signing of this Agreement, establish a Joint Committee, which shall implement the provisions of this Agreement within one (1) month, with the support of IGAD, the African Union, UNPOS and other partners.

Power sharing→Military power sharing→Proportionality

Page 3, article 1, 4. The TFG and ASWJ shall jointly combat extremist ideologies that are alien to Somali values, culture and traditional Islamic practice through, inter alia, the establishment of a National Advisory Council of Ulemas.

Page 4, Article 3

Integration of ASWJ into TFG

...

ASWJ shall, in areas under its administration, establish local police and militia with the support of the TFG with a view to stabilizing these areas.

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 Human rights and equality→Civil and political rights→Equality
Page 3, Article 1, 2. The TFG and ASWJ commit themselves to reach out to all Somali forces that renounce violence and support the Djibouti peace process, and to work tirelessly to make the TFG more inclusive.
Human rights and equality→Civil and political rights→Thought, opinion, conscience and religion
Page 1, untitled preamble, AWARE of the need for the preservation and promotion of traditional Islamic practice and shared traditional values of the people of Somalia in order to combat foreign extremist and terrorist ideologies and to bring lasting peace and security in the country;

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 Page 1, untitled preamble, AWARE of the need for the preservation and promotion of traditional Islamic practice and shared traditional values of the people of Somalia in order to combat foreign extremist and terrorist ideologies and to bring lasting peace and security in the country;

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 1, untitled preamble, COGNIZANT of the need to fully integrate into the TFG, the forces and the administrations established or being established by ASWJ;

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 Land, property and environment→Cultural heritage→Promotion
Page 3, article 1, 4. The TFG and ASWJ shall jointly combat extremist ideologies that are alien to Somali values, culture and traditional Islamic practice through, inter alia, the establishment of a National Advisory Council of Ulemas.

Environment No specific mention.

Water or riparian rights or access No specific mention.

Security Guarantees	<p>Page 2, untitled preamble: DETERMINED to pool together all their resources, both human and material, with a view to eradicate the scourge of extremism and terrorism imposed on the people of Somalia by internal and external extremists/terrorist elements and to establish lasting peace and security in the country;</p> <p>Page 3, article 1, 5. The TFG and ASWJ shall, on the basis of the Transitional Federal Charter and the Djibouti Peace process, integrate their administration and security forces without any further delay.</p>
Ceasefire	No specific mention.
Police	Page 4, Article 3 Integration of ASWJ into TFG: ASWJ shall, in areas under its administration, establish local police and militia with the support of the TFG with a view to stabilizing these areas.
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	Page 1, untitled preamble, RECOGNIZING that ASWJ has demonstrated, in practice, its strong commitment and reliability as a grass roots movement of the Somalia people and a force for peace that stands against the extremist and terrorist groups and makes huge sacrifices;
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.

Drugs	No specific mention.
Terrorism	<p>[Summary] Agreement has several provisions on fighting terrorism and religious ideological extremism.</p> <p>Page 1, untitled preamble, RECOGNIZING that ASWJ has demonstrated, in practice, its strong commitment and reliability as a grass roots movement of the Somalia people and a force for peace that stands against the extremist and terrorist groups and makes huge sacrifices;</p> <p>Page 1, untitled preamble, AWARE of the need for the preservation and promotion of traditional Islamic practice and shared traditional values of the people of Somalia in order to combat foreign extremist and terrorist ideologies and to bring lasting peace and security in the country;</p> <p>Page 2, untitled preamble: DETERMINED to pool together all their resources, both human and material, with a view to eradicate the scourge of extremism and terrorism imposed on the people of Somalia by internal and external extremists/terrorist elements and to establish lasting peace and security in the country;</p> <p>Page 1, Article 1, Objectives ... 3. The TFG and ASWJ pledge their resolve to mobilize the Somali people, both in the country and in the Diaspora, to support the Djibouti peace process and the TFIs and the fight against terrorism and extremism and for the reconstitution of the Somali nation.</p> <p>Page 4, Article 3 Integration of ASWJ into TFG: ASWJ forces shall be an integral part of the TFG forces and be deployed by the central command of the TFG in areas where they can effectively combat extremist and terrorist groups.</p>

Transitional justice

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

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory [Summary] This agreement has been signed in the presence of IGAD African Union, UNPOS, League of Arab States and IGAD Partners Forum Representatives.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source UN - <http://unpos.unmissions.org/Portals/UNPOS/Repository%20UNPOS/100315%20-%20Agreement%20bet%20TFG%20&%20ASWJ.pdf>
