

**Agreement in the NRC-led peace initiative,
15 January 2007**

Somalia Republic

National Reconciliation Commission

Ref: _____ Date: 15/01/2007

Committee decision concerning Idale

Committees consisting of five sub-clans of the Mirifle clan and known as Sagal and Sideed met at Qansaxadhere district where Yantaar and Hubeer had been fighting for about one year. The reason for the conflict was the ownership Idale village. Each clan claims ownership of the Idale village located on the road between Baidoa and Dinsoor, crossing an area know as Dooy (meaning pastureland). The committee is composed of 37 members representing districts such as Qansaxadhere, Ufrow, Dureey, Eemid, Buurhakabe, Berdale and Tooswayne, and they selected amongst themselves three chairpersons (shirgudoon) and a secretary.

On 12 September 2005 they opened peace dialogue between Hubeer and Yantaar, with each clan represented by 20 persons. The committee listened carefully to the claims of both sides, showing great patience and tolerance. The difficulties of the case meant it was necessary to visit the location where the conflict had taken place. The committee requested the two sub-clans to accompany them and show them what had happened, which was accepted. On 13 September the committee traveled to the disputed area in a mission comprising 20 members from each sub-clan and 37 peace delegates, with one day for travel, another two days to research the facts presented by each sub-clan to the committee. The committee made great efforts to conduct further research, visiting farmlands, wells, water catchments, pastureland and other villages where farms belonging to the Hubeer and Yantaar sub clans were burnt down. The committee saw that Idale village was entirely burnt down, sparing no houses or businesses, whether owned by the rival sub-clans of Digil/ Mirifle or other clans who were also affected. Nothing survived the fire. The particular shock was that two mosques were destroyed, with the holy Koran cut and burned. The committee declared that those responsible had committed a serious violation of Islam.

On 16 September the committee completed its research and returned to Qansaxadhere. On 17 September, both the Hubeer and Yantaar sub-clans placed their confidence in the committee to take the appropriate decision on judging ownership of Idale village. The committee responsible for resolving the Hubeer and Yantaar conflict concerning Idale reached their decision and made the following points:

When the committee reviewed:

1. Both clans are part of the Mirifle clan, notably of the Sagaal and Labadhahood.
2. They are neighbours and have permanent inter-relationships.
3. Idale includes pastureland and both sub-clans have the same livelihoods in the districts they share as Digil-Mirifle clan, including districts Manas, Dharqo, Raama Aday, Safar- Nolay, Ofka-Aan and Idale.
4. The majority of houses, trade, mosques, and planted trees belong to the Yantaar.
5. The farms, wells and water catchments surrounding Idale are owned by the Yantaar.
6. The Hubeer confessed that a well in existence for 86 years was dug by the Yantaar.
7. We listened to testimony that the sub-clan burned Idale in order that it would not to be resettled again and not become pastureland.
8. After listening to the witnesses amongst the people who are members of these communities, the committee took account of the facts and visible evidence and took the following decision.

Agreed decision:

1. The offences of burning Idale village, destroying the mosques and cutting the planted trees were charged as the responsibility of the Hubeer sub-clan.
2. 33 of the 37 members of the committee agreed that the land belonged to the persons who used the land appropriately and carefully in line with Sharia and the community judged that the Yantaar own the productivity of Idale and have the right to manage the village. The rest of the sub-clan accepted the judgment.
3. The committee commanded Hubeer to accept the committee judgments and follow the committee's decision.

Request

- a. The committee requested all religious groups, Malaqyo and intellectuals of Digil and Mirifle to support the decision and implement it with good intention and act in order to stop the conflict.
- b. The committee asked that the Transitional Federal Government, particularly those members who are part of the parliament and especially the Ministers of Judiciary and Reconciliation, to give support for the implementation of the decision.

Burhakabe District

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| 1. Sheikh Mohamed Nur Sheikh Hussein | 8. Malaaq Sidow Aadan Moalin |
| 2. Haji Malaq Aadan Abdirahman | 9. Malaaq Hilowle Hussien Ali Yarow |
| 3. Malaq Aamin Abdiyow Hussein | 10. Mohamed Ali Gaab (the chairperson of security) |
| 4. Malaq Haji Mohamed Malin Ali | 11. Abdi Rashid Hassan Ali (the vice person of station) |
| 5. Malaaq Yare Ali Osman | 12. Mugwaal Nur Moalin (the chairperson of youth center) |
| 6. Malaq Abdi Salan Sheikh Ibrahim | |
| 7. Malaaq Osman Yarow Bulle | |

13. Sharif Sheikh Yerow Sheikh Abdulatif
14. Haji Abdulahi Moalin Shati
15. Abdulahi Sidow Sheikh Yerow

Berdale District

1. Sheikh Bayadir Sheikh Abdirahman

Bababey

2. Sheikh Aamin Abdi Aadan
3. Malaaq Hussein Abdi Ali
4. Hussein Hassan Moalin
5. Mohamed Mursal Aadan

Ufrow District

1. Sheikh Haji Abduladif Sheikh Ibrahim
2. Ugaas Hussein Mursal Ma'an

3. Haji Aadan Iiman Arab
4. Yusuf Moalin Abdow
5. Nurow Warsame Dheer
6. Abdow Qoore Warbuuk
7. Ugaas Isaaq Ibrahim Hassan

Durey- Eemid District

1. Ali Sheikh Mohamed Nur Sheikh
2. Hassan Mohamed Robow
3. Ibrahim Muqtar Ali

Qansaxadhere District

1. Aliyow Sagaar Mohamed
2. Mohamed Uudey Aadan
3. Mad Isaaq Uburow
4. Cah Jerbey Hassan

Somalia Republic

National Reconciliation Commission

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Subject: Clarification of reconciliation acceptance

Malaqyo, religious groups and intellectuals of Yantaar are the delegates who participated in the reconciliation of the two clans Hubeer and Yantaar as their names signed below. They confirmed that they will be guided by whatever decisions concerning the reconciliation of the two clans is reached by the National Reconciliation Commission who mediate Hubeer and Yantaar clans.

Names of Yantaar Delegates

1. Malaq Caliyaw Mahamed Wardhere
2. Malaq Maadey Cabdi Nur
3. Malaq Dadir Macalin
4. Malaq Cabdi Rashid Sh/ Cabdi
5. Malaq Cabdi Rashid Sh/ Mahamed
6. Malaq Husein Aftimo Bulle
7. Oday Arabaw Abdrihman
8. Ahmed Ibrahim Ali
9. Mursal Mohamed Kulan
10. Moalim Abdulahi Qalimow
11. Hashi Cali Yusuf
12. Sheikh Osman Jawarey
13. Ibradim Ali Mursal
14. Sheikh Xasan Omar
15. Haji Mohamed Abdi

Names of Hubeer Delegates

1. Ugaas Hassan Shure Mahamud
2. Malaq Aadan Salad Nur
3. Malaq Miris Husein Hassan
4. Malaq Iftin Ali Kusanow
5. Member Madey Abdi Jirow
6. Member Sharma'arke Abdi Abdirahman
7. Sh.Ibrahim Jibril Aliyow
8. Derow Aadan Mursal
9. Madey Hassan Ali Kus
10. Kalar Maney Abdulle
11. Bukay Ali Aan
12. Armiye Sheikh Abdulkdir
13. Ma'alim Musalim M. Nur
14. Sh. Husein Sh. Ibrahim
15. Ali Yarow Dahir

Abdulahi Osman Du'ale

Vice chairman of Idale and chairman of the National Reconciliation Commission

Somalia Republic

National Reconciliation Commission

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When the period of the agreed ceasefire ended, a violent conflict occurred in Idale between the Federal Government and the Islamic Courts Union, which caused devastation. The delegates were not able to come together in the assigned period and for that reason a common decision was taken to extend the period for another 10 days.

When the second period of ceasefire concluded, a conference was opened at the National Reconciliation centre with the aim of resolving the protracted conflict between the Hubeer and Yantaar (sub)-clans.

The participants were specific individuals assigned to end the disputes between the clans, including *Malaqyo* and religious groups selected from the region and delegates representing both sides, with each side comprising 15 members who selected four persons to talk on their behalf.

At the end of the presentations by both sides, the committee needed further information and it was deemed necessary to send delegates to Idale village accompanied by Malaqyo, religious groups, and police forces. They met the neighboring clans and questioned them about the fighting and visited the location where the fighting had started. Subsequently they met members of the two clans and discussed how to solve the conflict. They asked the clans to forget the past and restore their brotherly relationship and to abide by the decisions issued by the National Reconciliation Commission. Both sides welcomed this and promised to accept the decision of National Reconciliation Commission.

Abdulahi Osman Du'ale

Vice chairman of Idale and chairman of the National Reconciliation Commission

(Translated from the original Somali)

Source: Ibrahim Ali Amber 'Oker', *Community-based Peace Processes in South Central Somalia* (ed.) Mark Bradbury (Somalia: The Center for Research and Dialogue & Interpeace, 2008), p. 111-114

Final Agreement National Reconciliation Commission-led Initiative, 15 January 2007

National Reconciliation Commission

Ref: _____

Date: 15/01/2007

To: Hubeer & Yantaar clan

Cc: Prime Minister of TFG

Cc: The head of Somalia police force

Cc: Minister of National security

Cc: The head of Bay police forces

Cc: Minister National Reconciliations

Cc: The chairman of Bay region

Subject: The decision on the reconciliation

After listening to the claims of both sides; after listening to the mediators who visited the conflict area; after hearing the testimony of persons on the causes of the conflict; after interviewing the *Malaqyo* and the religious groups of Bay regions who were well-informed on Idale affairs; after conducting extensive research into the history of the community; the committee formed decisions as follows:

1. The clan who refuses the decision issued by the committee will be liable for a fine of 100,000,000 So. Shillings and if they did not pay within 15 days, they will forfeit 100 camels, and if they did not pay they will be enforced to pay.
2. Idale village was owned by God, then by Somalis, and it will be resided in by every person who is Somali and has documentation [property rights/ deeds].
3. Each person who is a resident in Idale has the right to own legal properties and no one has the authority to take it from him.
4. The person who kills will be killed, and the responsibility of capturing him will be charged to his clan in collaboration with Somali national security forces and if the killer escapes and it is clarified that his clan was involved in this, they will be fined 200 camels - 100 camels in compensation and 100 camels as a fine. If he captured over whatever period, and if it is recognised that his clan was not involved in his escape, they will pay only 100 camels as compensation and capturing the killer whenever he is seen.
5. The committee issues that Idale village chairmanship will be given to the Yantaar clan and the vice chairmanship will be given to the Hubeer clan.
6. No person is entitled to damages incurred during the clashes except those killed during the ceasefire process.

Abdulahi Osman Du'ale

The vice chairman of Idale & chairman of the National Reconciliation Commission

(Translated from the original Somali)

Source: Ibrahim Ali Amber 'Oker', *Community-based Peace Processes in South Central*

PA-X, Peace Agreement Access Tool
www.peaceagreements.org

Somalia (ed.) Mark Bradbury (Somalia: The Center for Research and Dialogue & Interpeace, 2008), p. 114