Building Peace in Puntland and Jubaland

STATUS STUDY ON PEACE BUILDING IN PUNTLAND AND JUBALAND
THE SOMALIA RIGHTS PROGRAMME – DIAKONIA SOMALIA COUNTRY PROGRAMME

diakonia
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Diakonia was established in 1966 under the name of Swedish Free Church Aid. Ever since, its focus has been on people exposed to injustice and their opportunities to change their situation. In 1984 the name of the organization was changed to Diakonia. The word “diakonia” is Greek, meaning care and service.
Introduction

Diakonia is an international development organisation whose focus is on five thematic areas: Human Rights, Democracy, Peace and Reconciliation, Gender Equality, and Social and Economic Justice— with HIV and AIDS, Gender and Environment as mainstreamed themes.

In Somalia, the agency has been implementing activities since 1994, working with civil society and the local authorities, largely in Puntland and south-central Somalia, in the areas of education, democracy and human rights.

Diakonia is in the process of designing a new programme: The Somalia Rights Programme 2015-2018 – whose overall goal is ‘Women and men of all ages in Puntland and Jubaland should be able to participate in the development of their societies in a manner in which their rights are respected, they are able to earn a living and can withstand future crises’.

An evaluation of the previous programme highlighted the areas of comparative advantage in which it could engage for its next programming phase. It identified core problem areas on which the work should be centred. In addition, in preparation for the programme design, Diakonia engaged a wide variety of stakeholders in discussions through which it was able to identify four key problem areas in which it could engage:

1. Weak and poor governance;
2. Human rights violations;
3. Limited economic opportunities;
4. Human insecurity.

In recognition of the fact that the above problems are intertwined, Diakonia decided to adopt an integrated approach.

As part of the preparatory activities, Diakonia decided to conduct a baseline study in the two administrations of focus: Puntland and the Interim Administration of Jubaland. As part of the baseline, a number of thematic studies were also commissioned in order to provide a more thorough analysis of the situation in the two administrations, with regard to the programme’s focal areas.

This study on post-conflict governance in Puntland and Jubaland is one of those.

All of the programme’s interventions will, to some degree, relate to conflicts, so that any meaningful engagement will also have to actively promote peace. Diakonia’s response to this will be an integrated approach based on two main components:

• Addressing underlying root causes of conflicts;
• Promoting good post-conflict governance, once a peace agreement has been reached.

Diakonia is in the process of designing the Somalia Rights Programme 2015-2018 – whose overall goal is ‘Women and men of all ages in Puntland and Jubaland should be able to participate in the development of their societies in a manner in which their rights are respected’.

Methodology

The study was based primarily on a desk review. In addition, a number of key informants in Nairobi were interviewed, especially those who have been working in the area of peace-building in Somalia, either through direct implementation of related projects, or through participatory action research aimed at supporting peace-building initiatives of agencies.

The study was carried out in September 2014.

Limitations

There is increasingly more information available on Somalia in relation to a variety of topics, more so those concerned with humanitarian support. However, in relation to peace-building, the information available is primarily that concerned with individual projects or specific agency activities, as opposed to research around the subject. In addition, up-to-date information on various local peace agreements and how effective they have been in maintaining peace is scanty. On the other hand, peace agreements made at national or regional levels have been better documented, possibly because international agencies are
more overtly involved at these levels, and record keeping and monitoring have been better managed.

Specific information on Jubaland is limited. As it is a new administration, this is hardly surprising. However, with regard to this study, the lack of information has been a significant constraint.

1. Background

Since the collapse of the Somali Government in 1991, there have been numerous attempts at finding durable peace, both at the national level and in the regions. However, these efforts have been hampered by competing interests: locally, by political leaders and clan leaders, militias and warlords, among others. Regionally, the interested parties are primarily the neighbouring countries: Ethiopia and Kenya being the most visible of these, and lately, so has the Intergovernmental Authority on Development (IGAD). And the international community, too, has played a part in influencing the direction of the peace and recovery efforts in the country.

Numerous peace agreements have been made at national, regional, and community levels, with varying degrees of success. One common factor in all these agreements is the precedence given to traditional governance and conflict resolution mechanisms.

In this paper, we present an analysis of the make-up of these peace mechanisms in Somalia and, more importantly, why they work, and why some of them fail. An attempt has been made to differentiate between Jubaland and Puntland, but the data available indicated more similarities than differences in the working of the peace processes and the governance structures. Therefore, this paper presents the working of peace processes in Somalia in general, with a note on the minor differences that were identified.

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2. Drivers of conflict

In late 2013, Diakonia commissioned a Conflict Analysis of the three administrations of Somalia, so this paper will not rehash the findings made in that report in relation to conflict drivers.

As Menkhaus writes, ‘At the risk of oversimplification, one can make the case that the clan system forms the basis for most of the core social institutions and norms of Somali society, including personal identity, rights of access to local resources, customary law (xeer), blood payment groups (diya) and support systems.’ Clan-related conflict (both inter- and intra-clan) is indeed frequent and has claimed many lives.

Clan allegiances are complex but, ultimately, the strongest commitment is to the lowest clan division – the sub-clan. However, even this is rather simplistic, and it must be noted that allegiances are dynamic and keep changing according to prevailing circumstances. Nonetheless, the most common denominator of conflict in Somalia is clan identity/allegiance.

The social, cultural, economic and political aspects of Somali life are changing; however, this is being driven by an interplay of a number of factors. The frequent droughts being experienced in the region, scarce resources as a result of pressures brought about by climate change, migration, and the influence of radical Islamic movements – the most notorious being al-Shabab – and the lack of a comprehensive land tenure policy by the Somali government – all these are just some of the factors.

A recent survey carried out in Puntland by the Observatory of Conflict and Violence Prevention placed resource-based conflict as the key driver in Puntland; for example, 37% of respondents mentioned this as a major cause of disputes, followed by revenge motives. For IDPs, rape was one of the key causes of disputes.4

Competition over these dwindling resources often breaks out into conflict; the migration of people puts pressure on limited resources, which also causes conflict.

Pastoralism, the major livelihood activity of thousands for many years, is under threat, and many people are abandoning the practice altogether.5 Frequent droughts have decimated livestock herds and reduced grazing land, forcing some pastoralists to either migrate to urban areas in search of a living, to join IDP settlements, or to try their hand at farming. The frequency of these droughts, and the outbreak of conflicts, has reduced the resilience capability of pastoralists and other communities.

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3. Traditional governance and conflict resolution systems

The Somali society is organised primarily around the clan. Each clan has its own social structure, and each clan – and by extension, each group of clans inhabiting a certain geographical area – is governed by these social structures and by the rules attached to them, and overseen by selected clan elders. Conflict resolution, resource sharing and customary laws (xeer), are provided through

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2. Traditional fine imposed as payment to settle a dispute. Also known as Mag, which is blood compensation.
Through the xeer, the clan leaders provide guidance when conflicts between individuals or between groups arise: social, political or economic. The aim of these laws is to protect social cohesion and to give a semblance of order and security.

Lineage elders who led smaller sub-clan units returned to prominence in the effort to fill the vacuum left by the collapse of the government.

The codes of conduct of xeer govern all the clan groups and regulate their interaction with one another:
- Pastoral customary law (Xeer Xoolooyeer)
- Agro-pastoral customary law (Xeer Xoolo-beereed)
- Agricultural customary law (Xeer Berereed)
- Fisheries customary law (Xeer Badeed)\(^{1}\)

Coupled with customary law is Sharia law and, where they are not compatible, Sharia law takes precedence, although over the years Sharia has had an influence over the general outlook of xeer.\(^{2,3}\) With the rise in prominence of al-Shabab, the strict use of Sharia law is applied in the areas that they control, with traditional systems being put aside.

Through the xeer, the clan leaders provide guidance when conflicts between individuals or between groups arise: social, political or economic. The aim of these laws is to protect social cohesion within and between clans. Dispensation of justice is done through reaching consensus among the various clan elders.

Conflict resolution involves either forgiveness, or restitution. The process relies on the traditional elders of the aggrieved parties and, in those cases where consensus is not possible, a third party – agreed on mutually – might be invited to mediate the process. The process is carried out publicly in order to demonstrate that fairness and justice are observed. Once a decision is reached on the restitution to be made, this becomes binding.

### 3.1 Linking traditional mechanisms with contemporary peace-building

One shortcoming of xeer is that it is not universal and only applies to the two communities/clans involved in agreeing it. This hampers efforts aimed at achieving far-reaching, and more general Somali-wide peace agreements.

In an attempt to address this, the UN and other agencies have facilitated the formation of District Peace Committees across Somalia. They comprise clan elders, religious leaders and court representatives coming together in an effort to harmonise customary law, especially across Puntland and Somalia, and to some extent in Mogadishu as well, and to adapt it to be more in line with international human rights standards.\(^{4}\)

In traditional Somali society, and in keeping with the precepts of Islam, it is not deemed proper for women to speak publicly, such as in peace committees. In the same way, youth are also left out of such structures and processes. With regard to minority clans, their involvement is peripheral, owing to the fact that their position in the hierarchy of power in the clan system is very low.

For IDPs, their movement from their places of origin means that they either lose the protection of their clan – more so the women – or that they are from one of the minority clans, which is the more common case.

It is therefore a positive move towards greater inclusivity, where, in contrast to the traditional, male-dominated conflict management mechanisms (peace committees included), forums called by District Peace Committees are more inclusive of these other excluded members of the society.

They work also closely with the local governance structures, making them ideal mechanisms through which the traditional mechanisms become more inclusive.

Just the action of getting clan elders of various clans together in discussions around peace is itself a positive step towards preventive conflict management.

### 32 Challenges to traditional governance and conflict resolution mechanisms

Due to the prolonged conflict and the emergence of powerful clan factions (usually led by clan-based warlords) and militias, the authority of these traditional structures has been eroded. During the Siyad Barre regime, the appointment of ‘traditional leaders’ was on the basis of clan support; he used a system where patronage was a tool for garnering clan loyalty.

Later, politicians continued with this approach, and the credibility of traditional leaders has therefore suffered. In addition, because of the distrust fomented by this patronage system even within clans, unlike former practice, sub-clans also began to identify their own separate traditional leaders.\(^{5}\)

Lastly, in areas under the control of al-Shabab, the group appointed elders selected according to their own (strict Sharia-based) criteria, at the expense of the more popularly selected/appointed traditional elders.

The peace processes supported by the international actors further undermined the credibility of the traditional leaders or, rather, further reinforced the position of the faction leaders. In many of the peace-related and governance oriented negotiations, the majority of the Somali ‘representatives’ to attend were warlords, and a myriad of elders lacking the mandate of the local communities.

As a result, these processes unwittingly ended up entrenching the position of these interested parties, and in sidelining the real traditional leaders who hold genuine legitimacy in the eyes of the communities.

Further, many of these negotiations were carried out outside Somalia, meaning that, even with genuine representatives or not, the agreements arrived at could not be presented to the Somali people for debate/agreement before being adopted.\(^{6}\)

According to respondents interviewed for this study, the position of elders in Jubaland can be said to have been more compromised compared to Puntland, due to the long presence of al-Shabab in those areas, as well as of powerful warlords who co-opt local clan leadership for their own agendas.

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8. ibid.
9. Unlike Sharia or secular law, xeer is not a universal law and is only applied to the clans or sub-clans involved.
11. Before this, elders were selected to represent the whole clan, and all the sub-cans would then be represented by them.
4. Conflict resolution and peace agreements over the years

In an effort to regain peace, over the years, the regions and communities have made agreements to govern the social, political and economic aspects affecting their various localities. The majority of the efforts are driven by the people themselves. The Diakonia Programme will be mainly concerned with local conflict resolution processes, so we will concentrate on this level.

We will make a brief mention of the regional and national level processes, in as much as the local processes have an effect on the decisions at these levels as well.

4.1 Local level conflict resolution

At the local level, conflicts are caused by competition over scarce resources: pasture, water, farming land, a killing or injury of a member from another clan, loss or harming of livestock, territorial disputes between clans in relation to land occupation, and so on.

Conflict resolution efforts are usually driven by the communities themselves. Traditionally, this was the purview of the elders with specialist knowledge of customary and Sharia law, but in recent years civil society organisations and NGOs have also taken to – occasionally – facilitating such processes.

But, on the whole, these local level agreements and conflict resolution processes use traditional mechanisms of elders and xeer.

The elders have traditional jurisdiction to guide, arbitrate and monitor the processes and the outcomes. For them to do this effectively they need to command the respect of their communities, and to achieve this they have to be seen as possessing good leadership skills and high moral values.

Ensuring the success of peace negotiations

Aside from the stature of the elders involved in the process, there are a number of other elements that are key in ensuring a successful process, with the most important of all being the aggressor admitting their guilt. Without this, the dispute can take even longer to resolve, if at all.

Once admission of guilt is received, the negotiations can begin.

Some important elements that determine the success of the process are:

- Consensus. This is essential for peace to be restored. However, it can take a long time, with many parties being involved and consulted in the negotiations. But the benefit of this is that the agreed resolution has more chance of holding and having legitimacy when there is consensus among the parties.

- Another important element in the process is ensuring inclusiveness. The above mentioned preparatory committee ensures that the process engages with the requisite number of clan representatives who can negotiate on behalf of their communities. Aside from elders and other clan leaders, delegations can consist of relevant stakeholders in the form of intellectuals, businessmen, religious leaders, politicians, and so on. Representatives of communities that are not directly affected by the dispute at hand, but who have an interest, are also invited to attend. So, taking into account such large delegations, it is clear to see the reasons why consensus might take a long time to achieve.13

The third element is effective dissemination of the agreement. This will usually not happen unless consensus has been reached, and such dissemination informs the public of the agreed resolution. This gives the process great legitimacy, and in the face of limited official written recording of such proceedings – more so in earlier years – such public dissemination enables the ratification of the outcomes and the close adherence by the parties concerned.

So community participation, directly and through openly selected representatives, is key to the success of the process. However, as has already been mentioned, in south Somalia, as also in Jubaland, these mechanisms are considered to have been compromised by powerful factions and, in such cases, the question of how genuine the community participation is then arises.

CSOs and NGOs at the local level

The involvement of CSOs and NGOs in conflict resolution and peace mechanisms has been of a more supportive/complementary role than through direct negotiations with the conflicting parties, for example, by facilitating the peace and conflict resolution structures through logistical support.

Through the xeer, the clan leaders provide guidance when conflicts between individuals or between groups arise: social, political or economic. The aim of these laws is to protect social cohesion.

In peace-building efforts, there has been another consequence of CSO and NGO involvement in peace-building efforts. On the other hand, the involvement of these agencies, especially the international NGOs, is not always well received as it has been viewed in some quarters as a case of foreigners meddling in local affairs, and in many cases, results in solutions that do not adequately take into account the Somali culture.

Another criticism of international agencies in their peace-making efforts is the lack of comprehensive conflict analyses. Of the few agencies that do carry them out, for some, these analyses are either included as part of baselines studies, for a donor report, or as a needs assessment tool, without them being used as an integral part of the programming process. For example, to determine the specific location of projects and in aligning them to the conflict dynamics/motivations of various stakeholders.

In addition, analyses carried out by agencies are not widely published, so opportunities for sharing and incremental learning are lost. Carrying out such comprehensive analyses, recording the causes, actors and dynamics of a conflict, would enable agencies to design better programmes, to come up with appropriate targets and, in addition, use them as a tool to assist in influencing policy.

Participatory action research activities carried out by agencies such as the Life and Peace Institute, Pact Somalia, Interpeace, are some of the ongoing efforts aimed at supporting agencies to engage in more conflict-sensitive programming.

Coordination and collaboration of NGOs is becoming more common in Somalia through efforts such as the Peace-building Working Group, the Advocacy Working Group, the cluster mechanisms of humanitarian agencies, etc. Previous practice, which still needs more concerted efforts on the part of NGOs, is the setting up of parallel structures, or duplicating efforts, where a myriad committees at the grassroots level are formed – sometimes all dealing with similar or related issues.

4.3 Peace mechanisms and local governance

At the regional and national levels, the same approach adopted at the local level applies as well, only on a larger scale. Examples of such regional and national processes leading to agreements include the 2013 settlement reached in Kismayo, between the regions of Gedo, Lower Juba and Middle Juba, to form one regional administration for the sake of stability. Another is the agreement arrived at during the Burao conference in 1991 that culminated in the establishment of the administration of Somaliland; and the 1993 Mudug Conference that resulted in the cessation of hostilities between the Haber Gidir and Majerteen in relation to Galkayo town.

As well as clan differences, regional conflict is mainly political in nature, and concerned with the control of local administrations, as well as key resources. At this level, the process entails a series of local clan meetings, where consensus is built before proceeding to higher level meetings with other clans, and this goes on incrementally, with the larger peace conference being the final step in the process.

4.4 Regional and national conflict resolution and peace processes

From the above, it is clear that the traditional conflict mitigation/peacebuilding structures have a lot to handle; they exert a lot of influence; and that they still play an integral part in peacebuilding activities in the Somali society. In recognition of this, in Puntland and Jubaland, (as in other parts of Somalia) the administrations have made an effort to institutionalise these traditional/local mechanisms by either including a council of elders and their functions into the government, or by acknowledging their authority. In Jubaland, the Interim Charter recognises a Council of Elders in the government structure. This Council is made up of 30 elders representing the clans residing in the region.

In Puntland, the authority of elders is recognised in the Constitution also in relation to conflict resolution and mediation. Any decisions taken by a council of elders is recognised as having equal weight to that of formal courts, as long as these judgements do not run contrary to the Constitution. In both cases, then, the role of the elders is to deal with religious and cultural affairs, and the arbitration of communal disputes.

The role of elders then permeates both national and local levels. The diagram below is an illustration of the local governance structure. There are slight variations between the regions, but in all the importance of the role played by elders is clear.

Traditionally, women did not participate – openly – in these processes, but their role in peace promotion has been recognised, and not only through women’s groups and women-oriented NGOs.

In addition, regardless of the role they play in conflict mediation and in the social life of communities, they also play a highly influential role in the general politics of Somalia; overtly in Jubaland, and more behind the scenes in Puntland. The elders are, therefore, key stakeholders in all aspects of Somali life. Any meaningful peace-building efforts need to recognise this fact, while, on the other hand, also remaining aware that in certain areas of the country, some elders have been co-opted and could actually act as instigators of clan-related antagonism, depending on the motives of the power holders.

4.4 Sustainability of peace agreements

However, even with the importance given to this institution of elders, peace agreements have been known to fail with disturbing frequency. In a peace-mapping study conducted by Interpeace, a number of reasons were given by respondents regarding why peace agreements fail:

- Lack of good leadership.
- Continuing cycles of revenge killings. This happens in cases where either the aggressor refuses to acknowledge responsibility, or where a community decides not to abide by an agreement made.
- Perceived lack of impartiality of the mediators.
- Lack of full community participation and awareness raising.
- Lack of inclusion of the local or regional authority.
- Failure to accommodate competing interests.
- Failure to understand or fully investigate the underlying causes of the dispute.
- Breach in the agreement or failure to monitor its implementation.

On the other hand, for those agreements that succeed, respondents mentioned a number of reasons why they do so:

- The use of traditional governance systems.
- Confidence of the communities in judgments issued by their traditional elders.
- Commitment and impartiality of the mediators.
- Acknowledgement by communities of the impact of the conflict.
- Commitment of the parties in conflict to reach a solution.
- Presence of a recognised authority (formal government).
- Absence of international interventions. (Although international actors have been involved successfully in a number of such agreements where they have funded the costs of the proceedings, but have not been involved directly in the mediation process.)
- Implementation of appropriate and reasonable compensation for losses.
- Effective dissemination of the peace process and follow-up.
- Social punishment of the individuals or groups who refuse to abide by the agreement.
- Immediate payment of compensation for losses.

The above mapping exercise also recorded other reasons for the failure of peace agreements:

Discrepancies in the provision of various xeer was one reason given. As mentioned above, different occupational groups have their own codes: pastoralist, agro-pastoralist, etc. In some cases, one group’s xeer can have negative consequences for the other group, and reaching agreement in such instances can be difficult.

Imbalance in power. For example, in Jubaland, there are militarily strong groups living alongside more minority clans who are not as well armed. In a world where ‘might is right’, as has been recorded in various conflicts in Somalia, stronger groups might prevail in a dispute – and not because of the fairness of the judgement. In such cases, disputes are bound to flare up frequently as consensus hard is hard to reach.

Inability of traditional elders to enforce decisions. This means that, without a relatively strong government structure to enforce the decisions made, it can prove difficult – especially in those areas where elder credibility has been compromised – to arrive at sustainable peace agreements. This is especially the case where powerful local individuals undermine such processes to their benefit.

For the elders, a key challenge noted over the years has been the lack of capacity to document and monitor agreements. Traditionally, there was no need to document such proceedings, but in the contemporary Somali setting, where movement – for economic purposes or through displacement – is commonplace, documenting and keeping such records is essential if they are to be used as a point of reference in subsequent disputes.

Agreements at the national and regional levels

Taking the above into account, at the national and regional levels, vested interests have invariably been mentioned as the main cause of the failure of peace agreements. Some have blamed it on the economic incentives gained by some parties as a result of the conflict: war-lords and business people primarily.

For the war-lords, they retain power specifically within their clan, and wealth accrues as a result of this. For business people, on the other hand, they fear a strong state that could introduce taxation and some form of centralised control over their activities.

However, the majority of business people interviewed for a number of studies refute this assertion. In fact, for them the restoration of peace and stability is seen as having a mainly positive impact on the business environment.

The unwavering support that business people gave to the Islamic Courts Union is testament to this need for stability for greater economic growth.

Another argument explaining the failure of peace agreements is the fear of the Somali people that a strong central government could become
agreements have a better track record with regard to the agreements holding. This could be because they are made primarily between two or three parties only, and reaching consensus and adhering to the terms of the agreement are better managed. The elders have oversight over the implementation of such agreements. In addition, because the issues at stake (access to water, grazing land, killing of livestock, etc.) are those that affect all the community at one time or another at the local level, when there is consensus there is greater interest to adhering to the terms for the sake of harmony in everyday activities.

45 Challenges to traditional peace mechanisms

As has been shown in this paper, although grassroots conflict mediation mechanisms do, for the most part, yield positive results, their effectiveness in not consistent, especially in relation to mediating higher level conflict. Although grassroots conflict mediation mechanisms do, for the most part, yield positive results, their effectiveness in not consistent, especially in relation to mediating higher level conflict. Due to the increasing number of disputes and the diminishing levels of resilience of local communities, and diminishing resources, elders are also finding it harder to facilitate meetings. For example, to be involved in negotiations the community representatives might have to travel to different locations; to investigate claims, the elders or mediators might have to do more travelling.

So mediation does require funding. The community usually raises the funds needed to facilitate the activities of peace committees but, as mentioned earlier, the resilience levels have also been much eroded across Somalia, and the ability of communities to fund such activities is diminishing. In addition, the ambiguity, especially in urban areas in relation to land tenure, challenges the sustainability of related peace agreements. In rural areas, land ownership – though it is now also becoming problematic – is easier to track due to the nature of the land (commonly, there are less to fewer land ownership boundaries).

In relation to the consideration of the issues specific to women, due to the male bias of these traditional structures, women’s voices are not overly represented in these negotiations. However, with the rise of women’s groups and vocal women advocating for women’s human rights, there is an increasing recognition of the need to involve women, in some way, in these negotiations.

5. The way forward for agencies in Somalia

For local and international agencies working on peace-building in Somalia, there are still many opportunities to engage meaningfully with local initiatives.

The performance system only deals with immediate restitution (or pay-back) for offences committed, but it does not deal with the deeper underlying causes of disputes; for example, with natural resource depletion where the result is a more limited supply of pasture and water, leading to conflict.

Conflict and political economy assessments: Given the dynamic situation of disputes and the actors involved, to ensure more relevant programming, agencies should invest in carrying out comprehensive political economy assessments in the areas of intervention. Aside from the more general conflict assessments covering whole administration, these political economy assessments would provide a more localised view on potential conflict flash points, actors, incentives, and possible entry points.

For Diakonia, for example, in seeking to engage in Jubaland, and following on from the conflict assessment carried out late in 2013, such an assessment would be able to pinpoint more thoroughly ways in which it can engage there, which locations to target, and which actors to engage with.

For Diakonia, then, some questions that could form part of this analysis would include:

• Where is the project located? Examine the chief conflicts prevalent in the area of the project. This will provide the socio-political context and highlight the potential tensions that might arise.
• Who are the main beneficiaries or target groups of the project? Take special care to understand the clan basis of the groups.
• What are the relationships among the main target groups? Here it may be useful to examine current relationships, as well as a brief history of the relationships.
• Who are the main stakeholder groups in the area? What is their relationship with

28. For example, in the Jubaland region where the stronger (which are also the major clans) are armed while the minority clans are not, meaning that when offences are committed against the minority clans, out of fear, they do at times accept what they perceive to be an unjust resolution.
29. Adapted from: Land, Property, and Housing in Somalia: NRC, UN Habitat, UNHCR.

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Predatory as happened under Siyad Barre. Still others blame clan-based politics, as they are seen as divisive and clan relations/alliances as too fluid to guarantee a holding together of any alliances for any period of time. In addition to these internal challenges, there is the additional complication of vested interests of regional and international players – with Ethiopia and Kenya being the most prominent in the region – as well as the interest of western countries and international organisations. From the perspective of foreign states, their engagement with Somalia has been primarily in relation to their own security interests.

Grassroots peace agreements

Unlike at the higher levels, however, grassroots level peace agreements have a better track record with regard to the agreements holding. This could be because they are made primarily between two or three parties only, and reaching consensus and adhering to the terms of the agreement are better managed. The elders have oversight over the implementation of such agreements.

In addition, because the issues at stake (access to water, grazing land, killing of livestock, etc.) are those that affect all the community at one time or another at the local level, when there is consensus there is greater interest to adhering to the terms for the sake of harmony in everyday activities.
the target groups of the project? In what ways, if any, would the project create or increase differential access to opportunities within and between target and stakeholder groups?

- What are perceived as wins and losses arising from the project? Is it perceived as a zero-sum outcome by certain groups? Will it create competition within target groups and between target groups and others?
- How will the project affect traditional power structures? How will it affect traditional authority and decision making? How does it threaten the vested interests of certain groups who are not the beneficiaries of the project?
- Does the project contribute to collaboration among groups? How will it serve as a bridge between groups? How will it lead to cooperation and reduction of tensions?
- How can local conflict management institutions and processes serve as constructive influences?
- If the project creates unnecessary tensions, what kind of contingency plans have been designed?
- What kind of explicit mechanisms have been put in place to address the conflict dimensions that might arise during project implementation?
- How are the staff members (of Diakonia and of its partners) represented in the project? Are they representative of the groups affected by the project?

**Capacity development of grass-roots actors involved in peace-building activities:** As has been indicated above, even though they maintain male-dominated decision-making, and can also reinforce clan rivalries, the traditional conflict resolution mechanisms are the most prominent peace-building avenues in Somalia.

However, the structures lack capacity in terms of follow-up capability, enforcement of decisions made by the elders, recording of such decisions, and even in the logistical capacity to engage in such processes, taking into account the diminishing community resilience in the face of multiple shocks. As has already been happening, Diakonia and like-minded agencies could support these structures to increase their capacity and effectiveness.

However, the injection of resources into local initiatives has the potential to create predatory or illegitimate structures, that can take on the role of ‘gatekeepers’, thereby preventing agencies from reaching the real/legitimate representatives they are aiming for.

Care then should be taken to work with credible national Somalis who can assist in identifying the legitimately selected/appointed community representatives.

This is not so easily done, but by engaging with a variety of actors in the identification process, it is possible to reach as close to this ideal as it is possible for an ‘outsider’ to do.

As mentioned earlier on, the involvement of CSOs and NGOs has been an advantage in terms of more meaningful engagement of women, youth and marginalised peoples in local peace-building initiatives.

Capacity development activities, then, could be in the areas of:

- Facilitating the engagement of a wide cross-section of relevant actors in such peace processes. This could be through funding of logistical arrangements, for example, for transport, dissemination activities, hire of venues, and so on. However, with regard to payment of incentives/per diem of participants to such events, this is likely to distort both the kind of participation, as well as the motivation of participants. Should this be required, it is essential that the communities concerned take on the responsibility.
- Supporting the recording and wide dissemination of the proceedings, essentially adhering to the tried and tested local mechanisms of doing this, but also exploring jointly with peace committees, on how this could be improved or supported in order to have greater effect.
- Supporting the monitoring of adherence to peace agreements, as well as the monitoring of potential conflict flash points for early action. Preventive conflict management is one area where the traditional structures have a challenge, in as much as they are not able to prevent conflicts from happening. By working closely with agencies (employing local experts who understand the local context and dynamics), these structures could be supported to monitor and work on potential conflict flashpoints, and thereby play the role of a conflict early warning system at the grassroots level.
- Encouraging the strickeries to identify and deal more effectively with the underlying causes of conflict as a preventive measure.

In addition, linking such monitoring of agreements with and early detection, and working closely with local governance structures – and District Peace Committees where they exist – could strengthen the conflict management function of both the traditional structures and of the local governments. This has the potential of preventing disputes before they flare up.

**Keeping appropriate distance:** While supporting these peace mechanisms and initiatives, agencies should also strive to maintain an appropriate distance from the proceedings. This not only has the advantage of assuring the communities about the intentions for supporting these initiatives, it also ensures that any ensuing agreements/resolutions are fully ‘owned’ by the communities. Only with such ownership can any agreements hope to have legitimacy with the parties involved.

However, the process and resolutions arrived at can then be discussed with the parties involved in order to assess how well the peace committees, for example, could engage in policy influencing.

**Greater coordination:** Much has been said in previous reports and assessments about the need for greater coordination of efforts and collaboration between agencies engaged in peace-building activities. The UN agencies, for example, through the Joint Programme on Local Governance and Decentralised Service Delivery, have supported the formation of a number of community-based committees at the grassroots level. Other agencies have done the same, resulting in an overwhelming number of committees with overlapping mandates.

Aside from skewing the motivations of people who get engaged in such committees due to the resource injection that inevitably follows the installation of these structures, this also overwhelms communities, and results in competitive, haphazard and ineffective implementation.

During the programme design phase, and ideally during the political economy assessments, agencies should carry out a mapping of local and international agencies working in the targeted area in order to find ways in which they can complement each other in their peace-building aims, either in programmatic focus or in geographical positioning.

**Strategic multi-level peace-building:** In as much as Diakonia and other agencies lay emphasis on working at the grassroots level, sustainable peace-building needs to be holistic and multi-level. So taking the point on collaboration and coordination further, such a multi-level focus requires engagement with a variety of agencies so that local initiatives can be taken up and built upon at higher and higher levels.

In this way, both short-term and long-term peace-building needs can be better addressed and at all levels. Policy influencing, advocacy and capacity building of all levels, would then follow organically from such an approach.

30. From the study carried out by the Life and Peace Institute, this was an important finding of the shortcomings of peace building activities in the Horn. Civil Society and Regional Peace-building in the Horn of Africa: A Review of Present Engagement and Future Opportunities. Sarah Cussen, Lidet Tadesse Shiferaw, et al. Life and Peace Institute, 2014.
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Diakonia was established in 1966 under the name of Swedish Free Church Aid. Ever since, its focus has been on people exposed to injustice and their opportunities to change their situation. In 1984 the name of the organization was changed to Diakonia. The word “diakonia” is Greek, meaning care and service.