

**RESEARCH REPORT**

# ENABLING POPULAR PARTICIPATION IN TRANSITIONAL JUSTICE IN SOMALIA

**FARHIA MOHAMUD**



**CSV**R

Centre for the Study of  
Violence and Reconciliation

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## Acknowledgments

I would like to express my gratitude to all the research participants, including the victims, survivors, elders, women, sheikhs, youth, and other community members, who shared their stories and insights. Thanks are also extended to the officials from the Federal Ministry of Interior, Federal Affairs, and Reconciliation (MOIFAR), the Interior Ministry of Galmudug State, the Puntland state government, and the joint forces command based in the Mudug region who participated in the research.

Special thanks to the representatives of local and international nongovernmental organizations and multilateral institutions who provided an in-depth analysis and shared their approaches in the study.

I also extend my deep gratitude to my Somali Public Agenda colleagues, with special acknowledgment to Bahja Ahmed, former SPA research assistant, for her substantial support in the fieldwork and the transcription of the data, which were instrumental in the success of this research output.

Lastly, I offer heartfelt appreciation to Jasmina Brankovic and Simon Robins from the Centre for the Study of Violence and Reconciliation for their expert guidance, unwavering support, and inspiring leadership throughout the project.

For more research publications, policy briefs, and other materials on this topic, please visit the **From Partnership to Participation: Multilateral Engagements with Transitional Justice in Africa** project page.

The United States Institute of Peace supported this project through the “Reinvigorating Multilateral Conflict Prevention and Peacebuilding” grant competition. The opinions, findings and conclusions or recommendations expressed in this report are those of the author and do not necessarily reflect the views of the United States Institute of Peace.



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## Introduction

Given Somalia's increasing stability, transitional justice has become an option for addressing the violence and gross human rights violations that have marked the country's history from the colonial period to the present. Experiences in other African countries over the past three decades show that transitional justice processes are more likely to be effective if they are rooted in popular participation, particularly of victims/survivors and communities affected by violence.

This study explores emerging measures linked to transitional justice in Somalia, which are rooted in local practices and build on local resources, to provide recommendations to state authorities, civil society, and multilateral actors, including the African Union, for enabling popular participation and thereby a more contextual, inclusive, and effective transitional justice process in Somalia.

Starting under Italian and British colonial rule, gross human rights abuses became common. After Somalia gained independence in 1960, political instability, corruption, and the eventual dictatorship of Mohamed Siyad Barre led to civil unrest. The Barre regime's violent response to opposition groups escalated the conflict, resulting in the bombing of northern cities and widespread atrocities. These events contributed to the collapse of the Somali state in 1991, which plunged the country into a prolonged civil war and accompanying rights abuses, as central governance was replaced by various armed groups controlling discrete territories.

After numerous peace talks in the 2000s, the Transitional Federal Government of Somalia was established in 2004, although armed groups continued to control many areas of the country. Since the Federal Government of Somalia (FGS) was inaugurated in 2012, peace and stability have increasingly taken hold. Many parts of the country have been liberated from al-Shabaab, an Islamist armed group known for indiscriminate killings through explosions in response to government attacks and targeted killings of community leaders viewed as government supporters. Such violations continue in the parts of the country where they remain in control. In addition, the majority of Somalis are today facing the challenges of illegal land grabbing, social injustice, and clan conflict, often intensified by the impacts of climate change and weak central governance.

Despite these and other challenges, Somalia is entering a period where transitional justice is possible. While the state has not yet established any of the formal mechanisms typically associated with dealing with past abuses through transitional justice – truth commissions, prosecutions, reparations, or dedicated institutional reforms – different types of measures have emerged in the country that could be considered precursors or even themselves forms of transitional justice.

This study examines two examples of transitional justice-related processes in Somalia, one state-run or formal and the other civil society-run or non-formal. In this, the report uses the definition of transitional justice provided by the African Union Transitional Justice Policy, which includes both formal and non-formal measures:

The various (formal and traditional or non-formal) policy measures and institutional mechanisms that societies, through an inclusive consultative process, adopt in order to overcome past violations, divisions and inequalities and to create conditions for both security and democratic and socio-economic transformation.<sup>1</sup>

The report also uses a broad definition of civil society. While most think of professionalized, urban-based, human rights-focused nongovernmental organizations (NGOs) when they hear 'civil society,' the term in fact covers a

1 African Union, Transitional Justice Policy (2019), 4, [https://au.int/sites/default/files/documents/36541-doc-au\\_tj\\_policy\\_eng\\_web.pdf](https://au.int/sites/default/files/documents/36541-doc-au_tj_policy_eng_web.pdf). See also African Union, Roadmap for the Implementation of the African Union Transitional Justice Policy (2020), [https://au.int/sites/default/files/documents/41242-doc-Roadmap\\_for\\_the\\_Implementation\\_of\\_AU\\_ENGLISH\\_Sep\\_091.pdf](https://au.int/sites/default/files/documents/41242-doc-Roadmap_for_the_Implementation_of_AU_ENGLISH_Sep_091.pdf).

broad range of actors, including community-based organizations, religious and traditional authorities and groups, professional associations, women's groups, student formations, victim/survivor groups, businesspeople, collectives of ordinary citizens, and others, in addition to NGOs.

The formal measure the report examines is the National Reconciliation Framework (NRF), launched by the government in 2019. The study focuses on Dhuusamareeb, a city in Galmudug state, selected for its high profile and the prevalence of conflict in that area. The NRF represents an ambitious attempt to heal collective grievances and political differences by promoting restorative and inclusive justice for past and ongoing abuses in a manner consistent with traditional Somali cultural practices.

The non-formal measure, meanwhile, is the Peace and Development Forum (PDF), formed in 2017 in Gaalkacyo, a city in the Mudug region, with the aim of ending political and clan-driven conflicts in the area. Composed of community members and representatives from sectors such as education, business, health, and media, the PDF uses indigenous, traditional practices and elements of sharia, or Islamic law, to catalyze reconciliation. It is exemplary of the types of non-formal, grassroots initiatives in Somalia that may be part of participatory and contextually relevant transitional justice.

The study investigates to what extent groups affected by past violations, including victims/survivors, affected communities, and society at large, are involved in these processes and how their participation could be enhanced. Applying a contextual and local lens, it examines and identifies ways in which transitional justice processes in Somalia have and could enable people's agency over the goals, forms, and outcomes of processes dealing with the past.

The research is based on intensive fieldwork by Somali Public Agenda, entailing 56 interviews and eight focus group discussions (FGDs) conducted between November 2023 and April 2024 in the cities of Mogadishu, Dhuusamareeb, and Gaalkacyo. Engaging a total of 114 participants, the research focuses on grassroots, federal and state-level actors, as well as multilateral actors, supported by a literature review.

This report starts with an overview of Somalia's transitional justice context, followed by detailed case studies of the NRF and the PDF. It concludes with specific recommendations on improving participation in Somali transitional justice to the relevant stakeholders, namely state actors (the FGS and federal member states), civil society actors, and multilateral actors.

## Transitional justice in Somalia

An extensive literature exists on transitional justice in multiple contexts emerging from conflict and authoritarianism, but little addresses Somalia. Unlike many states that have seen significant transitional justice processes, Somalia's state collapse and prolonged civil war have hindered a comprehensive process.<sup>2</sup> One of the challenges has been how to pursue justice while bringing conflicting parties to the negotiating table,<sup>3</sup> and this has ensured that any such process emphasizes restorative elements.

Efforts at addressing past human rights abuses in cases of weak central governance and where perpetrators retain influence will always be daunting.<sup>4</sup> Since Somalia is currently recovering from internal armed conflict, which is ongoing, envisioning the country's future necessitates an approach capable of establishing an emancipatory post-conflict

2 Abdulkadir, F., and R. Abdulkadir, "Transitional Justice Mechanisms for Somalia." *Northeast African Studies* 14 (2014): 1–6. <https://doi.org/10.14321/NORTAFRISTUD.14.2.0001>.

3 Muhammed, M., "Future Possibilities for Transitional Justice in Somalia." *Üniversitepark Bülten* (2018). <https://doi.org/10.22521/unibulletin.2018.72.3>.

4 Khayre, A., "Politics of Justice, Human Rights and Reconciliation in the Collapsed State of Somalia." *ALF* 8 (2016): 3–27. <https://doi.org/10.37974/ALF.279>.

order.<sup>5</sup> Even limited criminal accountability, despite objections from those accused, is seen by some as promoting peace and healing and closing a painful chapter in the nation's history.<sup>6</sup>

Local traditional justice systems such as *Xeer* practices are indigenous methods that embody restorative justice principles. The *Xeer* practices, characterized by negotiation, mediation, and arbitration, are voluntary and depend on clan consensus. They frequently integrate Islamic legal principles and norms.<sup>7</sup> In other instances, certain elements of Islamic jurisprudence are used to address instances of mass violence.<sup>8</sup> Some literature suggests that Somalis might prefer to forgive and move on, without detailed investigations into past wrongs and potentially long trials.<sup>9</sup>

In recent years, Somalia has made several attempts at peacebuilding and reconciliation, including engagements with past violence that can be characterized as transitional justice. Those efforts include formal processes led by the FGS and non-formal processes led by non-state actors. Below is a summary of selected cases, which, in addition to the NRF and the PDF, give an overview of Somalia's transitional justice landscape.

### ***Somali National Peace Conference***

Held in Arta, Djibouti, in 2000, the Somali National Peace Conference was a formal process that involved clan elders, politicians, civil society organizations, youth, and women. International actors facilitated it, and delegates came up with the 4.5 power-sharing formula that assured the great clan families of representation. The process succeeded in achieving broad consensus. Key constraints included ongoing political grievances and the need for further localized reconciliation. The inclusiveness of the conference expanded avenues for participation. This reconciliation process also gave birth to the Transitional Federal Government after a decade of chaos and lawlessness.

### ***Islamic courts***

After the collapse of the central government in 1991, grievances were settled and culprits brought to justice by Islamic courts instituted especially in the early 2000s through the collaboration of sheikhs, clan elders, and intellectuals. Operating under the principles of sharia, Islamic courts were a respected alternative to the absent state judiciary operating only in Mogadishu. Fairness and access to the courts, as perceived by the populace, provided avenues for justice and community trust when formal state support was lacking. These Islamic courts eventually gave rise to the Islamic Courts Union, an armed actor that beat the warlords in Mogadishu and controlled the capital and most of southern and central Somalia for six months before its defeat at the hands of the Transitional Federal Government and Ethiopian troops that invaded Somalia in late 2006.

### ***Disarmament, demobilization, and reintegration process***

Driven by the FGS and the international community, this process offers amnesty to combatants who leave al-Shabaab. Centers were opened in Mogadishu, Kismayo, and Baidoa as part of facilitating the reintegration of those defecting, in cooperation with clan elders and the security apparatus. The main constraints involve the threat al-Shabaab still poses and claims of impunity and corruption. The process has proven to be problematic in terms of transparency, but it offers combatants the opportunity of reintegration into a peaceful life and future stability.

5 Jeng, A., "Transitional Justice and Postconflict Reconstruction in Somalia: The Role of the African Union and Pointers Provided by It." *Northeast African Studies* 14 (2014): 45–76. <https://doi.org/10.14321/NORTAFRISTUD.14.2.0045>.

6 Abdullahi, M., "Can Somalis Make Peace without Justice?" *Somaliland Peace and Development Journal* (2011). <https://doi.org/10.55569/spdj.24592>.

7 Heritage Institute for Policy Studies, *Transitional Justice Report* (2024).

8 Abdulkadir, R., and C. Ackley, "The Role of Shari'a-Based Restorative Justice in the Transition from Armed Conflict to Peacebuilding: Do Somalis Hold the View That the Restorative Justice Aspects within Qisas Offer a Solution?" *Northeast African Studies* 14 (2014): 111–131. <https://doi.org/10.14321/NORTAFRISTUD.14.2.0111>.

9 Adam Smith International, *Transitional Justice in Somalia* (November 2021).

***Somali Women's Development Center***

The center was founded in 2000 to empower women through social and economic independence, legal advice, and mediation services. Its grassroots-level engagement, focus on women's empowerment, and awareness-raising of sexual and gender-based violence are a critical contribution to community development and peace. The center is supported by multilateral actors and yet faces societal barriers.

***Burco Agreement***

The Burco Agreement of 1991 brought together representatives from many clans, including the Isaaq, Gadabursi, Dhulbahante, Warsangeli, and Issa. The pact aimed to end hostilities, create peaceful cohabitation, and enable the actors to secede from Somalia. Traditional clan elders were instrumental in settling conflicts, guaranteeing clan collaboration, and supporting the establishment of Somaliland's transitional administration. These initiatives helped stabilize the northern regions and led to the creation of an inclusive government framework based on both formal political and traditional reconciliation norms.

***Adadda Joint Peace Committee***

The committee was established in Adadda, which falls between Zone 5 of Ethiopia and Somalia, notably between the Sool and Nugaal regions. The area is a long-term source of conflict and is inhabited by nomadic livestock herders. Established in 2018, the committee resolves conflicts between sub-clans in the Adadda area through mediation and awareness programs. Composed of elders and community leaders, including women, the committee employs trust-building and early warning mechanisms. Ongoing clan rivalries and resource limitations are a lasting constraint.<sup>10</sup>

***Adalle Declaration***

Facilitated by elders of the Muddulood clan and supported by the federal and Hirshabelle state governments in 2023, the Adalle Declaration aims to resolve clan conflicts in the Middle Shabelle region. The process involves direct participation by clan members, and responsibility is emphasized through the traditional mechanisms. Among its weaknesses are issues of enforcement and prevention of revenge killings. The declaration nonetheless provides immense opportunities for conflict resolution and coordination between traditional elders and the government on issues of peace and harmony.

***Al-Shabaab court system***

This is a unique form of transitional justice in Somalia that works directly under the control of the militant group. Al-Shabaab courts are responsible for taking up judicial cases in areas where the group has strong control. They have been known to make quick rulings, with many people perceiving them as non-procedural modes of justice, unlike the formal judiciary of the state. This judicial system has become part of the local justice landscape, affecting the lives of many Somalis under its jurisdiction.

Along with the NRF and the PDF, these eight diverse formal and non-formal processes suggest there is a rich landscape for transitional justice in Somalia, which already provides networks and resources to build on for enabling better participation.

10 Rift Valley Institute, *The Effectiveness of Local Peace Structures in Managing Inter-clan Conflicts in Puntland State, Somalia* (2024).

## National Reconciliation Framework

The nature of the conflict in Somalia, characterized by both political and social (clan) conflicts, has influenced reconciliation initiatives. Recent efforts have included social reconciliation as part of stabilization initiatives in areas newly liberated from al-Shabaab, district council formations, and addressing conflicts over resources such as water and pastureland. The unique context of Somalia, with its reliance on traditional and religious systems of justice over formal governmental systems, presents additional challenges. The NRF aims to bridge these gaps by integrating traditional methods with formal processes and ensuring the inclusion of various societal segments.

The NRF emerged from a 2017 national consultation conference on a reconciliation framework in Mogadishu. This led to a proposal for a Somali-led reconciliation process focused on addressing past crimes and transitioning to a stable future. Supported by Finn Church Aid, the NRF developed between 2018 and 2019, involving federal member states, the Banadir Regional Administration, and a consultation with over 1,000 participants, including civil society, universities, and researchers. Comparative insights from countries like Afghanistan, Iraq, and South Africa informed the framework.

The Somali cabinet approved the NRF in February 2019, and efforts have been made to implement it at the federal and district levels. The NRF consists of seven pillars:

1. Reimagining a national *heshiis bulsho* (social contract) by developing a shared vision of an interdependent, fair, and secure society;
2. Acknowledging and dealing with the past;
3. Restoring and transforming community relationships;
4. Building trust in government institutions and structures;
5. Supporting economic and social recovery activities;
6. Resolving and preventing conflicts; and
7. Developing and enhancing knowledge of peace, reconciliation, and conflict resolution.

These pillars are applicable at various levels, including village, district, regional, and national. The NRF incorporates traditional Somali justice mechanisms, such as compensation for loss of life, and leverages the influence of religious leaders, who play a significant role in mediating conflicts. It also highlights the need for a national identity that transcends clan affiliations. The NRF's emphasis on inclusion sets the stage for exploring the impact of broad participation in the reconciliation process.

### ***Participation and its impact***

The NRF addresses grievances from different historical periods and includes marginalized groups.<sup>11</sup> In the consultation and validation meetings, four federal member states – Jubaland, Southwest, Galmudug, and Hirshabelle – and the Banadir Regional Administration were visited for two days each. On the first day, 50 people from civil society, traditional leaders, women, youth, and marginalized groups were consulted.<sup>12</sup> On the second day, another 50 representatives

11 Interview, Ministry of Interior, Federal Affairs, and Reconciliation (MOIFAR) official, online, 9 December 2023.

12 Interview, Finn Church Aid representative, online, 11 April 2024.

from member states and state-level ministries of justice, local police, and local courts were included.<sup>13</sup> However, the selection process for participants faced criticism for lacking careful consideration and inclusiveness, as described by a peace activist, who observed that many participants were invited randomly without considering their potential contributions.<sup>14</sup> The hastiness of the process resulted in the absence of religious leaders in the NRF's consultations. Despite this, the level of representation from different segments of society was significant.<sup>15</sup>

The lack of thought given to the consultations had adverse consequences on the level of participation. This could be attributed to the consultations being viewed as project-based events and not as an ongoing process.<sup>16</sup> Participants doubted that their contributions and views would be reflected in the NRF's final report and recommendations,<sup>17</sup> suggesting that validation workshops at the grassroots level after the report is finished might create trust if their feedback is reflected by the NRF.<sup>18</sup>

As an impact of participation, those who engaged demonstrated hope and a sense of positivity arising from their participation. For some youth, it gave a feeling of accomplishment, that they were part of a bigger change.<sup>19</sup> They also gained expertise from taking part in meetings and emphasized how crucial this is to Somali youth.<sup>20</sup> In contrast, a young person in Dhuusamareeb pointed out that ongoing conflict in Galmudug state has already equipped them with conflict resolution and reconciliation skills.<sup>21</sup> Another young person from the minority clans in the city indicated that the NRF was the first meeting he attended and that he was invited to more consultations on various government projects afterwards.<sup>22</sup> The NRF meetings had value for women who work in conflict resolution, as they gained insights into reconciliation processes.<sup>23</sup> Overall, participating in the workshops contributed to the establishment of a national framework, which was created based on people's views and contributions.<sup>24</sup> It also modelled what active citizenship looks like.

The effectiveness of participation may be constrained by local understandings of transitional justice, demanding an examination of how it is perceived and defined by Somalis.

### ***Definitions of transitional justice and participation***

Respondents who had participated in the NRF defined transitional justice as addressing past grievances, highlighting reconciliation or forgiveness as its goal and often using these terms interchangeably with transitional justice. This appears to be because transitional justice has not been defined by the state and reconciliation efforts are often led by non-formal actors like elders, albeit with facilitation from the state.

A religious leader in Dhuusamareeb echoed this sentiment, stating that people often opt for forgiveness or reconciliation because it seems that this is the only viable option.<sup>25</sup> Then he defined transitional justice as considering public opinions regarding resource sharing and security. Others had specific expectations based on the term 'transitional' in transitional justice, explaining that it is a gradual and step-by-step method that requires following the norms and traditions of the target community.<sup>26</sup>

13 Interview, peace activist, Dhuusamareeb, 10 January 2024.

14 Ibid.

15 Interview, youth-minority, Dhuusamareeb, 9 January 2024.

16 Interview, former Galmudug State official, Dhuusamareeb, 11 January 2024.

17 The data collection for this study was finalized before the launch of the NRF final report.

18 Interview, clan elder, Dhuusamareeb, 6 January 2024.

19 Interview, Somalia Non-State Actors (SONSA) representative, Mogadishu, 14 November 2023.

20 Interview, youth, Dhuusamareeb, 9 January 2024.

21 Interview, youth, Dhuusamareeb, 12 January 2024.

22 Interview, youth-minority, Dhuusamareeb, 9 January 2024.

23 Interview, women, Mogadishu, 11 January 2024.

24 Interview, victim, Dhuusamareeb, 9 January 2024.

25 Interview, clan elder, Dhuusamareeb, 7 January 2024.

26 Interview, youth-minority, Dhuusamareeb, 11 January 2024.

In addition to this, transitional justice was defined in nuanced ways, reflecting personal experiences and contexts. One participant put it as follows: “Transitional justice is more than reconciliation and includes ensuring access to justice.”<sup>27</sup> Transitional justice was also envisioned as linked to truth telling. If a perpetrator comes forward and seeks forgiveness, he or she is more likely to be forgiven. This was believed to not only help end cycles of killing but also set a good example to the community.<sup>28</sup> It was reflected in another participant’s personal story: “My father was killed, and I know the man who did it. Though I see him walking free, I don’t seek revenge. My grandfather forgave him, which is why he’s still alive today.”<sup>29</sup>

While transitional justice is often defined as reconciliation or forgiveness, many participants in this study emphasized the need for strict retributive justice mechanisms. Participants referred to the ‘eye for an eye’ principle of sharia, which is central to Islamic jurisprudence and mandates equivalent punishment for the perpetrator. They discussed the death penalty, highlighting sharia’s three-tier approach to dealing with severe crimes, such as killings: forgiveness, blood compensation, and the death penalty. In pursuit of this, some sub-clans like Reer Aadan of Majeerteen and Ceyr of Habargidir are using death penalty agreements in their reconciliation mechanisms. This also has an impact on peace as it very practically reduces killings by ending cycles of violence. This, therefore, shows that attitudes about transitional justice in the community reflect a mixture of traditional practices and sharia-driven approaches.<sup>30</sup>

Another condition that was suggested as important for effective transitional justice has to do with the extent of participation. Interviewees noted that genuine participation has to do with ownership of, and solid dedication to, the process of reconciliation – driven by the Somalis themselves. There were indications from interviewees that the NRF should be Somali-led and not reliant on external agents. The effective involvement of the NRF could be in addressing the drivers of the conflict, including competition for natural resources and clan-based disputes.<sup>31</sup>

The interviews indicate that citizens lack the individual right to access justice. And although it is different from conventional transitional justice, they have a yearning for it. This is evident when people define transitional justice as social integration, resource mobilization, and a ceasefire. It is not just the past; communities are currently dealing with injustices.

Interviewees emphasized the importance of integrating sharia compensation practices into accountability measures led by the state.<sup>32</sup> They suggested that the offender should serve a prison sentence as they violated the law and contributed to instability. This would both limit elders’ complete control over the blood compensation process and ensure that the victim receives full compensation. Additionally, they said that the application of sharia, as proposed, provides a more satisfactory sense of justice compared to state laws.<sup>33</sup> Although elements from traditional practices, sharia, and state judiciary systems are viewed as promoting cultural relevance and local legitimacy, they collectively offer a strong example of legal pluralism in Somalia’s transitional justice system.

While effective participation in transitional justice is crucial, it is also significantly influenced by external factors that can hinder or improve the process.

27 Interview, human rights activist, Dhuusamareeb, 9 January 2024.

28 Interview, victim, Dhuusamareeb, 9 January 2024.

29 Interview, youth, Dhuusamareeb, 12 January 2024.

30 Interview, religious leader, Dhuusamareeb, 12 January 2024.

31 Interview, peace activist, Dhuusamareeb, 9 January 2024.

32 Ibid.

33 Interview, human rights activist, Dhuusamareeb, 9 January 2024.

## ***Factors affecting participation***

Participation in the NRF from 2018 to 2022 was hindered by poor FGS relations with Puntland and Jubaland states.<sup>34</sup> Finn Church Aid and other multilateral actors suspended financial support after election disputes and political uncertainty, delaying the process.<sup>35</sup>

The constant reshuffling of government bodies, which continues to date, has been crippling. Ministries, directors general, and other district officials who are important for state-level engagement are constantly being dismissed. Even clan elders are replaced. This poses a direct challenge to the process itself, demanding that it constantly be restarted.<sup>36</sup>

Participants found the NRF sessions they took part in stimulating and engaging, but youth participation has been hindered by widespread despair and disinterest, as young people tend to see these efforts as mere projects with little prospect of lasting impact.<sup>37</sup> Late invitations often result in participants being those it is convenient to invite rather than the most relevant ones.<sup>38</sup> A woman participant noted financial constraints and selective invitations as barriers to broader youth involvement.<sup>39</sup> Another interviewee highlighted that ministries often limit participation to their own circles, excluding the wider population, which results in a feeling of exclusion in the process, and likely creates an echo chamber for existing understandings among officials.<sup>40</sup>

Young mothers face logistical and childcare challenges that hinder their participation in reconciliation meetings, unlike older women. Gender norms and stereotypes further limit women's involvement, with some being barred from attending workshops by male guardians.<sup>41</sup> Even skilled women are often sidelined, relegated to tasks like making tea or lunch, while men exclude them from discussions, citing perceived emotionality.<sup>42</sup>

The cultural nature of reconciliation and conflict resolution is also highly male-dominated.<sup>43</sup> Despite a clan elder from Galmudug stating that women are equal to men in every aspect, even when it involves going to the frontline to fight against al-Shabaab, he said that they face financial constraints.<sup>44</sup> This is because clan loyalty and financial support tend towards the male elders, hence limiting the female peacebuilders. The major challenge highlighted by participants was the non-enforcement of agreements and verdicts, leading to distrust and fatigue regarding reconciliation. Despite these setbacks, many types of actors and citizens have played an active role in the NRF.

## ***Role of national actors***

The FGS Ministry of Interior, Federal Affairs, and Reconciliation (MOIFAR) has been key in developing and decentralizing the NRF, with its technical task force involved in the framework's creation, review, and validation since its inception.

Civil society played a crucial role by providing expertise, insights, and community connections. Organizations, researchers, and academics participated in consultations and workshops, ensuring the framework was informed by diverse perspectives. Civil society actors, including women, clan elders, and youth, participated in community engagement and participation, which was essential for the legitimacy and effectiveness of the NRF, in both Banadir and regional states.

34 "The National Reconciliation Framework: Implementation Challenges, Review Process, Comparative Analysis of the Two Versions, and Policy Recommendations," unpublished policy brief (April 2024).

35 Interview, MOIFAR official, online, 9 December 2023.

36 Interview, United Nations Assistance Mission in Somalia (UNSOM) official, online, 6 March 2024.

37 Interview, youth, Dhuusamareeb, 9 January 2024.

38 Ibid.

39 Interview, women, Dhuusamareeb, 11 January 2024.

40 Ibid.

41 Ibid.

42 Interview, women, Dhuusamareeb, 7 January 2024.

43 Interview, youth, Dhuusamareeb, 12 January 2024.

44 Interview, clan elder, Dhuusamareeb, 7 January 2024.

Clan elders and religious leaders continue to be active in the NRF. They mediate clan conflicts and promote peace through mosques and schools, despite financial and security challenges.<sup>45</sup> Some also travel to rural areas to raise awareness, despite financial and security challenges, as they are respected and treat people equally.<sup>46</sup> Currently, the police respond to conflict incidents while religious leaders focus on awareness and mediation due to their respected status, though they are not formally affiliated to the state.<sup>47</sup>

Minority groups, youth, and women have been involved in the NRF process, though women's participation has been limited due to logistical challenges such as balancing caretaking responsibilities. MOIFAR implemented a strict 30 percent quota for women to ensure their inclusion. Thus, their attendance in consultation meetings has been significant, although not in decision-making.

One of the notable contributions of women was the introduction of cultural symbols that resonated deeply with the community. A Somali woman provided a compelling analogy using a *haan* (traditional communal milk container) to describe reconciliation, which became a symbol for the NRF. This analogy illustrates the interdependence of different parts, akin to the various segments of Somali society, needing each other for a cohesive and functioning nation.<sup>48</sup>

The phrase *dhab-u-heshiisiin* (genuine reconciliation), introduced by an ordinary woman in Mogadishu, became a nationally embraced term, showcasing the influence of ordinary citizens in the reconciliation process.<sup>49</sup> According to a MOIFAR official: "Women wave white clothes as symbols of peace to stop hostilities. They step in due to their maternal image and recognized neutrality."<sup>50</sup>

Ordinary youth also have had an important role, particularly because of their skills. A young interviewee in Dhuusamareeb stated that he leverages his background in computer science and contributes to peace and reconciliation through graphic design and creating banners for peace messages. These messages include the famous words of the late renowned Somali peace activist Elman Ali Ahmed: *Qoriga dhig, qalinka qaado* (drop the gun, pick up the pen).<sup>51</sup>

One substantial achievement of youth was preventing the clan recruitment of children to militias through education.<sup>52</sup> Other youth have formed basic education facilities as well as maternal and child health facilities, for example the Gargaar<sup>53</sup> organization.<sup>54</sup> Youth have also spread the word about the NRF on Facebook and other social media platforms.<sup>55</sup>

### ***Role of multilateral actors***

The NRF's development has been supported by various multilateral actors. For example, Finn Church Aid played a significant role in supporting MOIFAR to implement and disseminate the NRF across federal member states. Finn Church Aid's support included training MOIFAR staff, enhancing departmental capacities, conducting conflict mapping, and developing national reconciliation training modules. Its support also involved political and financial backing for the reconciliation initiatives.

45 Interview, SONSA representative, Mogadishu, 14 November 2023.

46 Interview, religious leader, Dhuusamareeb, 12 January 2024.

47 Interview, religious leader, Dhuusamareeb, 8 January 2024.

48 Interview, Finn Church Aid representative, online, 11 April 2024.

49 Interview, MOIFAR official, online, 9 December 2024.

50 Ibid.

51 Interview, youth-minority, Dhuusamareeb, 9 January 2024.

52 Interview, peace activist, Dhuusamareeb, 11 January 2024.

53 Established in early 2020 by local youth, it focuses on education, basic health services to nomads, and peace awareness.

54 Interview, women, Dhuusamareeb, 11 January 2024.

55 Interview, youth-minority, Dhuusamareeb, 11 January 2024.

Other key multilateral actors include the United Nations Mission in Somalia (UNSOM) and the United Nations Development Programme (UNDP). These organizations provided various forms of support, including financial assistance, technical expertise, and capacity-building training. For example, UNSOM and embassies such as that of Sweden supported MOIFAR in the NRF process, while the United Kingdom’s embassy was generally attributed to have supported reconciliation processes in Galmudug state.<sup>56</sup>

The Nordic International Support (NIS) Foundation provided financial support for the salary of the supporting advisor to MOIFAR and assisted with the NRF’s outreach program. It also contributed to developing comprehensive communication strategies, conducting training of trainers, and facilitating civic education initiatives.<sup>57</sup>

The role of the African Union, meanwhile, has been limited to moral support and seeking assistance for Somalia rather than being instrumental in reconciliation efforts.<sup>58</sup> Additionally, the African Union’s role in Somalia’s transitional justice efforts has declined over time, with no concrete explanations given.<sup>59</sup>

Many interviewees view the support of multilateral actors positively, recognizing their crucial role in peacebuilding efforts. The financial and logistical support provided by these actors is seen as essential, especially given the limited resources and institutional capacity of the Somali government.<sup>60</sup> For instance, interviewees appreciate the funding made available for reconciliation and peace initiatives like the NRF, which are crucial given the government’s ongoing challenges, including fighting al-Shabaab.<sup>61</sup>

A strong thread in the interviews is that multilateral actors often act in their own interests, which can undermine local autonomy and political control. For this reason, participants acknowledged the necessity of international support while maintaining local control and ensuring that external influence does not overshadow local priorities.<sup>62</sup> Many called for discreet collaboration with the Somali government or regional authorities to avoid public skepticism and enhance trust in reconciliation efforts.<sup>63</sup>

### ***Enhancing participation nationally***

Participants emphasized the need for grassroots involvement and recommended tackling the resource scarcity that causes conflict.<sup>64</sup> Others signaled that the NRF’s effectiveness, as for other processes of reconciliation, would have to be shaped by and adapted to local experiences. In cities, for instance, the crimes under consideration would be ongoing and property-related, rather than linked to active conflict. Competition over resources, such as land and water, and livestock theft would be the main concerns in rural areas.<sup>65</sup>

Interviewees stated that MOIFAR and state-level ministries of interior should prioritize inviting participants with competence and experience in peace processes.<sup>66</sup> They also stated that regular evaluations and modifications – since

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56 Interview, peace activist, Dhuusamareeb, 11 January 2024.

57 Interview, NIS Foundation representative, Mogadishu, 3 March 2024.

58 Interview, MOIFAR official, online, 9 December 2023.

59 Interview, SONSA representative, Mogadishu, 14 November 2023.

60 Interview, MOIFAR official, online, 9 December 2023; interview, women, Dhuusamareeb, 7 January 2024; interview, Galmudug state official, Dhuusamareeb, 10 January 2024.

61 Interview, MOIFAR official, online, 9 December 2023.

62 Interview, victim, Dhuusamareeb, 9 January 2024; interview, clan elder, Dhuusamareeb, 7 January 2024.

63 Interview, victim, Dhuusamareeb, 9 January 2024.

64 Interview, clan elder, Dhuusamareeb, 7 January 2024.

65 Interview, SONSA representative, Mogadishu, 14 November 2024.

66 Interview, victim, Dhuusamareeb, 9 January 2024.

feedback is usually always forthcoming – can create a sharper focus and determination of efforts.<sup>67</sup> Organizing reconciliation meetings directly in conflict-affected areas was proposed as important as it can enable relevant stakeholders to participate.<sup>68</sup>

Where rules that have been set are not enforced, reconciliation efforts become less effective, with fewer people taking part in them. For instance, where crimes have been committed and the criminals walk free, even though clan elders have come to some agreement, this discourages members of the community and also lowers the credibility of the reconciliation process.<sup>69</sup>

Thus, most importantly, perpetrators must be held accountable to restore credibility to the NRF.<sup>70</sup> Impartial district authorities, the judicial system, and the police could enhance the enforcement of reconciliation laws and agreements.

### ***Improving multilateral support***

According to interviewees, multilateral actors can better financially support NRF meetings, workshops, and logistical arrangements.<sup>71</sup> Allocating enough funds is viewed as key to improving reconciliation processes.<sup>72</sup>

Many interviewees expressed suspicion of the management of external funds that perpetuates corruption among their leaders, calling for the creation of monitoring teams and the production of annual progress reports in order to maintain transparency and accountability within the NRF and the funds allocated to the NRF.

Interviewees also called upon multilateral actors to advance the process of decentralization to the grassroots, such as through inclusion of youth, women, and elders. They highlighted capacity building and training needs. Specifically, they recommended that facilitators receive training focused on enhancing youth, women, and elder participation in reconciliation efforts, ensuring their contributions are recognized and integrated throughout the conflict resolution process.<sup>73</sup> This approach aims to enable the inclusive and meaningful participation essential for achieving sustainable peace.

Interviewees advocated for multilateral actors to opt for more comprehensive and systemic efforts, including policy reform, decentralization of reconciliation efforts, and long-term conflict resolution strategies. They also highlighted the importance of addressing all parties' grievances, while preventing conflict by addressing instigators and enforcing laws.

Multilateral actors were urged to collaborate with different stakeholders, including the government and local leaders. This would result in awareness campaigns to educate people on the benefits of peace and reconciliation. Involving religious leaders and intellectuals was seen as crucial for spreading these messages.<sup>74</sup>

Finally, although the interviewees requested multilateral actors' assistance in many phases, they heavily advocated for local ownership and leadership, supporting Somali-led initiatives for sustainability and cultural relevance.<sup>75</sup> One way to do this is to build more bridges to non-formal processes such as the PDF.

67 Interview, youth, Mogadishu, 15 November 2023.

68 Interview, peace activist, Dhuusamareeb, 11 January 2024.

69 Interview, clan elder, Dhuusamareeb, 7 January 2024.

70 Interview, victim, Dhuusamareeb, 9 January 2024.

71 Interview, Galmudug State official, Dhuusamareeb, 10 January 2024.

72 Interview, MOIFAR official, online, 9 December 2023.

73 Ibid.

74 FGD, clan elders, South Gaalkacyo, 17 January 2024.

75 Interview, MOIFAR official, online, 9 December 2023.

## Peace and Development Forum

Formerly the Mudug Youth Peace and Integration Forum, the PDF was formed in 2017 with the goal of seeking an end to political and clan-driven conflicts in the Mudug region, specifically around Gaalkacyo. The conflict had severely interrupted education and business and generally degraded life in the city. The PDF was announced on 28 April 2017 after months of informal meetings and grassroots mobilization from the end of 2016.<sup>76</sup>

The PDF's main goals involve the promotion of peace and integration in the Mudug region, while its wider objective is to realize peace throughout Somalia. Its mission addresses the root causes of the Gaalkacyo conflict and encourages social integration among clans and communities. The PDF is composed of members from diverse sectors, including education, business, health, and media, who use their networks to advance peacebuilding and justice initiatives.<sup>77</sup> Inspired by the Somali Youth League,<sup>78</sup> the PDF aims at acting as a catalyst for national reconciliation through the organization of peace weeks, mediation in clan disputes, and awareness campaigns that would ultimately bring people together in peace and unity.<sup>79</sup>

During events like Eid, the PDF gives gifts and clothes to orphaned children, assisting 249 children in 2023, and has done so for the past five years. While giving aid to these children and their caretakers, either mothers, sisters, brothers, or another relative, they take the opportunity to pass on messages regarding the avoidance of further conflict.<sup>80</sup>

For nearly a decade, the PDF has gone to great lengths to realize peace and social reconciliation in Gaalkacyo and beyond. It has played a crucial role in removing the imaginary *qadka cagaaran* (green line) that separated Gaalkacyo's communities into south and north, thereby promoting social integration.<sup>81</sup> One of its notable achievements is the successful organization of Gaalkacyo Peace Week with the support of Interpeace and its local partner Puntland Development and Research Center. Peace Week is an annual event that helps nurture community cohesiveness.

### *Participation and its impact*

A commitment to participation began at the time of the establishment of the PDF, when there were extensive consultations and active involvement from different segments of communities like elders, women, youth, religious groups, and businesspeople. The Forum first targeted students in schools and effectively spread the message of peace through the youth to their respective families.<sup>82</sup> Religious leaders, respected for their moral authority and deep understanding of community interests, were instrumental in the initial phase of its establishment, lending credibility and support.<sup>83</sup>

The PDF's reconciliation efforts are seen as transparent and inclusive, with financial and moral support from the community, including contributions from women, religious leaders, and students.<sup>84</sup> The ordinary population plays a significant role, providing financial support and making sacrifices for peace.

Interviewees commented that people in rural areas were good at hospitality; they would give camel meat and milk when the process was going on. They remained hospitable even amid conflict, highlighting their crucial role in maintaining peace.<sup>85</sup> Victims/survivors of conflict were also engaged in PDF processes, bringing their experience and

76 Interview, PDF member, Gaalkacyo, 15 January 2024.

77 Interview, PDF member, Gaalkacyo, 18 January 2024.

78 Founded by 13 Somali youth, it was the first political party that fought for Somalia's independence from the 1940s to the 1960s.

79 Interview, PDF member, Gaalkacyo, 15 January 2024.

80 Ibid.

81 Ibid.

82 Ibid.

83 FGD, religious leaders, South Gaalkacyo, 19 January 2024.

84 Interview, women, South Gaalkacyo, 22 January 2024.

85 Interview, joint forces official, Gaalkacyo, 20 January 2024.

perspectives to the table, which helped shape the Forum's activities. In general, those efforts helped create a sense of unity and promoted a shared understanding of the community's history and challenges.<sup>86</sup>

Participation had a positive impact on interviewees. Since the process is led by the community, their contribution means investment in their daily lives and those of their children. This was demonstrated by the level of personal commitment to peacebuilding and transitional justice of Gaalkacyo's population.<sup>87</sup>

### ***Definitions of transitional justice and participation***

In Gaalkacyo, transitional justice is largely understood as restorative justice, emphasizing forgiveness rather than retribution. This concept is encapsulated by the local phrase *xalay dhalay* (last night-born), symbolizing complete forgiveness and the release of past grievances, much like a newborn without grudges. Given the extensive violence, displacement, and loss caused by clan conflicts, the community favors forgiveness, as reparation or traditional blood compensation is deemed unattainable. While some perpetrators are known, seeking accountability, like the death penalty, could perpetuate cycles of retaliation and hostility.

However, it is important to note that *xalay dhalay* is only applied to incidents that happened before the 2017 peace agreement, which was facilitated by the federal government. A local religious leader gave the following reason:

No one can do justice to what happened in 1991 and afterwards. People killed each other, and everyone ran for refuge. There was robbery, looting, and rape, in the name of a clan. To those alive today, justice is to make forgiveness.<sup>88</sup>

Nonetheless, forgiveness is at times seen as imposed rather than voluntarily granted by victims/survivors. One interviewee described the pre-2017 agreements as *gar iyo mag la'*, a metaphor meaning that there is a long list of unresolved issues on both sides. Many interviewees and interlocutors in FGDs criticized the current blood compensation mechanism, usually overseen by clan elders, which is often perceived as inequitable. They noted that this system can lead to further violence because victims are not properly engaged and compensation is inadequate, sometimes less than the traditional payment of 100 camels per death.

Some community members believe that only a strong central government can bring about meaningful transitional justice. According to a youth FGD participant, a robust government could enforce retributive justice for past crimes and prevent future ones.<sup>89</sup> In contrast, the current lack of effective government leadership allows reconciliation and blood compensation to perpetuate conflict.<sup>90</sup>

Additionally, sharia was described as efficient, non-corrupt, and just, making it a preferred alternative to 'foreign' practices, as some perceive transitional justice to be. This view aligns with findings around the NRF, where many participants preferred stricter retributive processes, such as the sharia-mandated death penalty, over forgiveness.

It is important to emphasize that respondents prefer sharia due to their trust in religious leaders over government courts and procedures. Implementing the death penalty would be more feasible if disputes were at a personal level but a clan-level killing would claim many lives as a result. The easiest way to handle this could be incorporating sheikhs into court personnel for sharia preaching while ensuring the transparency of procedures and verdicts.

86 Interview, youth, Mogadishu, 15 November 2023.

87 FGD, clan elders, South Gaalkacyo, 17 January 2024.

88 FGD, religious leaders, North Gaalkacyo, 22 January 2024.

89 FGD, youth, South Gaalkacyo, 16 January 2024.

90 Interview, PDF member, Gaalkacyo, 18 January 2024.

One FGD participant emphasized the importance of truth telling for healing in the *xalay dhalay* context.<sup>91</sup> Some recent examples even include people voluntarily returning camels that were kept for 30 years.<sup>92</sup> Despite these practices, interviewees defined their understanding of transitional justice similarly to one member of a FGD of businesspeople in Gaalkacyo: “A process aimed at restoring harmony and justice within communities undergoing transition or post-conflict era.”<sup>93</sup>

For some, particularly women, transitional justice also involves the establishment of truth commissions and criminal proceedings. However, these criminal proceedings seemed impossible to realize for one female interviewee, as the list of victims on both sides of Gaalkacyo clans remains unknown, which would in itself seem to be a driver of truth telling as a priority. Nevertheless, she views transitional justice as crucial for prosecuting crimes against women.<sup>94</sup> Another female interviewee defined transitional justice as the end of conflict, peaceful sharing of resources, and social integration, as evidenced by intermarriage between conflictual clans.<sup>95</sup>

An FGD participant in Gaalkacyo described transitional justice as encompassing institutional reform and economic development, particularly through improvements in education and employment.<sup>96</sup> A youth forum member added that transitional justice could only be fully realized if a single authority governed Gaalkacyo, as the city is currently divided between the Puntland administration in the north and the Galmudug administration in the south.<sup>97</sup>

### ***Factors affecting participation***

The PDF initially faced community mistrust, as locals doubted students’ and young people’s ability to resolve conflict and viewed their coming together with suspicion. Despite these challenges, the residents of Gaalkacyo have now become eager to participate in the PDF and its activities.

As an initiative by locals in Gaalkacyo, the PDF faces significant financial challenges. The PDF works by going out to the rural areas where conflicts occur. Activities are only minimally funded, which limits their scale, such as training of local leaders, women, and youth, as well as designing more comprehensive interventions. While significant clan resources have been spent on fueling conflict, reconciliation attracts far less interest. It needs the government or a donor to finance it instead of relying on the community’s meagre investment. In addition, the non-availability of a guarantor or an enforcer to ensure agreements are kept means frequent breaches occur since there is no authority to enforce this.

According to one official from the Puntland administration, one of the biggest challenges on their side is the illegitimacy of the government in the eyes of the people. This may be due, in part, to general feelings that the government is corrupt. However, there have been recent improvements, such as the apprehension of criminals, which indicate that the state government is making progress.<sup>98</sup>

Women in Gaalkacyo have played a crucial role in peace processes, historically intervening in ceasefires by courageously standing between warring clans. Unlike male elders, many of whom receive financial support and are officially registered with the ministries to carry out reconciliation efforts as part of the PDF, women often do not

91 FGD, youth, South Gaalkacyo, 16 January 2024.

92 Interview, PDF member, Gaalkacyo, 18 January 2024.

93 FGD, businesspeople, South Gaalkacyo, 16 January 2024.

94 Interview, women, North Gaalkacyo, 5 February 2024.

95 Interview, women, South Gaalkacyo, 17 January 2024.

96 FGD, religious leaders, South Gaalkacyo, 19 January 2024.

97 Interview, PDF member, Gaalkacyo, 15 January 2024.

98 Interview, Puntland state official, North Gaalkacyo, 23 January 2024.

have access to things like vehicles to get out into the conflict areas.<sup>99</sup> Moreover, male elders often exclude women from continuous peace activities, which makes their participation even less.<sup>100</sup>

Despite these challenges, even without decision-making contributions, women in Gaalkacyo still take part in reconciliations in large numbers.<sup>101</sup> A Gaalkacyo clan elder reiterated what an elder in Dhuusamareeb had said: “There is no given barrier to prevent girls or women from being involved in peace processes.”<sup>102</sup> The real issue is that women have limited time and resources to fully engage in these efforts.<sup>103</sup> And, because women and religious leaders are often neutral and not strongly tied to specific clans, they are thus excluded from key reconciliation decisions and activities.<sup>104</sup>

### ***Role of national actors***

The conflicts in Gaalkacyo and its surroundings occur in the federal member states of Puntland and Galmudug. State politicians with personal agendas played a significant role in the 2016 war, which was spurred by federal parliamentary elections.<sup>105</sup> Yet, the collaboration of both state governments in peace and in supporting the PDF has been in place since 2017.<sup>106</sup>

The role of the federal government has been extremely important. For instance, then federal President Mohamed Abdullahi Mohamed (known as Farmajo) intervened in the war in Gaalkacyo, formed the joint task force, and forged an agreement with the leadership of the federal military General Abdiweli Jama Hussein (known as Gorod), who happens to be from Gaalkacyo. The former federal government also facilitated blood compensation payments in Xeraale and Huurshe districts in Galmudug state in 2018.<sup>107</sup> Clan elders in Gaalkacyo requested that the current federal government and multilateral actors cover the blood compensation of about 15 individuals from different sides. This action aims to formally conclude the 2017 agreement, which requires not looking for reparations if crimes happened before that year.<sup>108</sup>

In this study, the role of clan elders is highly emphasized. But unlike in Dhuusamareeb, clan elders in Gaalkacyo perform under a distinct structure where they are united to represent the two dominant clans in the north and south of the city, namely Omar Mohamud of Majeerteen and Sacad of Habargedir, respectively. There are 62 members, with 31 from each side of the city, and they are fundamental to reconciliation efforts. They are heavily supported by the PDF through community mobilization and advocacy, the women’s committee, religious leaders, and other community members.<sup>109</sup> As one clan elder noted:

The roles of elders and youth are separate. Elders address complex issues like war and dissolving militias, while youth promote peace through integration and social gatherings.<sup>110</sup>

In addition, this research highlights the critical and highly respected role of religious leaders in Gaalkacyo. They are even credited for their non-clan affiliation, as recalled by a religious leader who travelled to a region where his clan was in active conflict with the local residents. When his car was stopped at a checkpoint, the clan militia immediately

99 Interview, women, North Gaalkacyo, 23 January 2024.

100 Interview, Interpeace representative, online, 3 March 2024.

101 Interview, clan elder, South Gaalkacyo, 17 January 2024.

102 FGD, clan elders, South Gaalkacyo, 17 January 2024.

103 Interview, religious leader, South Gaalkacyo, 17 January 2024.

104 Interview, clan elder, North Gaalkacyo, 17 January 2024.

105 Interview, clan elder, South Gaalkacyo, 20 January 2024.

106 Interview, joint forces official, Gaalkacyo, 20 January 2024.

107 Interview, clan elder, South Gaalkacyo, 20 January 2024.

108 FGD, clan elders, North Gaalkacyo, 21 January 2024.

109 FGD, clan elders, South Gaalkacyo, 17 January 2024.

110 FGD, clan elders, North Gaalkacyo, 21 January 2024.

recognized the sheikh by his attire and apologized for daring to stop him.<sup>111</sup> This indicates the influence and standing religious actors hold among locals. Another participant attributed the fall of the military government to the execution of 10 religious leaders in broad daylight in Mogadishu in January 1975.<sup>112</sup>

According to interviewees, religious leaders view reconciliation and “cleansing the hearts of the people” as a primary duty and responsibility.<sup>113</sup> As a result, many take an active role in transitional justice. There is a committee of religious leaders known as the *Ulema*, who take cases relating to Puntland and Galmudug residents, including land disputes, and coordinate between the courts of the two states to ensure satisfactory resolutions for both sides.<sup>114</sup> The sheikhs also preach the message of forgiveness, non-violence, and fear of Allah.<sup>115</sup> On other occasions, when there is conflict, they wave their headdresses to disperse militiamen.<sup>116</sup>

Interviewees noted that fighting disrupts business activity and causes the loss or destruction of property. Because of these challenges, businesspeople have made financial contributions to the PDF and other peace efforts, covering reconciliation expenses.<sup>117</sup> They have also invested in infrastructure and business security to promote stability.<sup>118</sup> While there are allegations that businesspeople secretly finance clan militias, there is no concrete evidence of such activities. Overall, businesspeople are viewed as contributors to peace and justice and not as perpetrators of conflict since they usually contribute to stability rather than to exacerbating tensions.<sup>119</sup>

Interviewees reported that the media have been used in Gaalkacyo to perpetuate this conflict. Some of the clan elders have heavily utilized media to perpetuate conflict, and even hate crimes were committed. Because of that, clan militias have kept warring, people were displaced, and mistrust was heightened. Since the PDF interventions, media outlets decided not to air hate speech or conflict-oriented content and to disseminate peace messages.<sup>120</sup>

Al-Shabaab has also played a role in perpetuating conflict in Gaalkacyo. Its members have been accused of organizing killings in the north of the city and making it look like it was the people from the south side, and vice versa, to keep the cycles of revenge killings and unrest going.<sup>121</sup>

Finally, interviewees noted that thieves and people with substance use disorder present another layer of complexity for the PDF. Their actions are often driven by personal needs, like food and khat (a plant stimulant), which they receive in the course of clan conflict. Some contribute to conflict by compromising peace agreements through road killings and robberies.<sup>122</sup>

### ***Role of multilateral actors***

Although the PDF is a locally driven initiative, Interpeace collaborates with local partners to facilitate PDF activities such as Peace Week and other transitional justice initiatives. Capacity-building trainings were provided to youth through projects like MIISAAN,<sup>123</sup> particularly in meditation and negotiation. Moreover, Interpeace has helped in organizing

111 FGD, religious leaders, North Gaalkacyo, 22 January 2024.

112 Interview, religious leader, South Gaalkacyo, 17 January 2024.

113 FGD, religious leaders, South Gaalkacyo, 19 January 2024.

114 Interview, joint forces official, Gaalkacyo, 20 January 2024.

115 Interview, religious leader, South Gaalkacyo, 17 January 2024.

116 FGD, religious leaders, North Gaalkacyo, 22 January 2024.

117 Interview, businesspeople, North Gaalkacyo, 23 January 2024.

118 FGD, businesspeople, South Gaalkacyo, 16 January 2024.

119 Interview, businesspeople, North Gaalkacyo, 23 January 2024.

120 Interview, media, North Gaalkacyo, 18 January 2024.

121 Interview, clan elder, South Gaalkacyo, 17 January 2024.

122 Interview, women, South Gaalkacyo, 22 January 2024.

123 MIISAAN (social cohesion and legitimate governance through transitional justice), a four-year program (2021–2025) funded by the Netherlands.

and implementing peace initiatives and been active for many years in efforts to combat conflicts in the Mudug region. Interpeace also includes mental health and psychosocial support as part of its transitional justice work.<sup>124</sup>

UNSOM also funds events such as Peace Week and provides technical assistance during peacebuilding activities. It organizes training programs for children and promotes popular participation. In addition, UNSOM publicizes successes locally via articles and social media to increase the visibility of community-level impacts.<sup>125</sup> UNDP, meanwhile, helps in gathering resources needed for peacebuilding efforts and provides capacity-building trainings and technical assistance through local civil society organizations.<sup>126</sup> In addition, the African Union has provided capacity building on peacebuilding and leadership to youth, including PDF members, through the African Union Transition Mission in Somalia.<sup>127</sup>

In general, however, interviewees stated that multilateral actors have made many promises that they have not kept.<sup>128</sup> They welcome multilateral actors' support for Somalia's transitional justice and peacebuilding processes, while bringing a critical perspective on the extent of multilateral actors' contributions, as with the NRF. Furthermore, the PDF needs financial support, but concerns have surfaced about the initiative losing local legitimacy if funded externally.<sup>129</sup> Participants suggested that an intermediary organization could channel international assistance instead, such as through a subgranting approach, balancing advantages from external assistance with keeping control local so as not to sacrifice local needs.<sup>130</sup>

### ***Enhancing participation nationally***

Interviewees emphasized that government institutions must take the lead by formulating inclusive policies, involving various stakeholders, and devoting funding to transitional justice efforts so as to limit donor dependency. Creating multi-stakeholder forums at the national and regional levels will encourage collaboration among peacemakers and ordinary citizens including victims.<sup>131</sup>

The government can also inject peace messages early on in elementary school and support the establishment of peace clubs to involve students and young people in dialogue. Collaborations with NGOs and community groups can help to train teachers and promote peace education programs.

The PDF and other non-formal initiatives play an important role in community involvement by hosting forums that solicit feedback from victims/survivors, campaigning for transparency, and educating local leaders to adopt culturally appropriate reconciliation procedures.<sup>132</sup> As interviewees noted, to achieve meaningful participation, victims/survivors must be active in reconciliation platforms and conventional judicial systems, as well as have access to safe spaces and mental health and psychosocial support. Their insights are critical for addressing the underlying issues and promoting peace.

According to interviewees, religious and clan elders can foster trust by encouraging forgiveness and integrating justice systems into local norms. Their influence helps to rally support and resources for peace projects. The media, meanwhile, is critical in spreading awareness through educational programs and responsible journalism that focuses on peace. Social media can engage young people and spread peace messages. And the private sector may help by incorporating projects into corporate social responsibility, providing funds for community activities, and creating job opportunities to address conflict causes.

124 Interview, Interpeace representative, online, 3 March 2024.

125 Interview, PDF member, Gaalkacyo, 18 January 2024.

126 Interview, women, North Gaalkacyo, 5 February 2024.

127 Interview, PDF member, Gaalkacyo, 15 January 2024.

128 Interview, women, South Gaalkacyo, 23 January 2024.

129 FGD, religious leaders, South Gaalkacyo, 19 January 2024.

130 FGD, youth, South Gaalkacyo, 16 January 2024.

131 Interview, Interpeace representative, online, 3 March 2024.

132 Interview, PDF member, Gaalkacyo, 18 January 2024.

By connecting efforts across these national actors, transitional justice becomes more inclusive and sustainable, ensuring that reconciliation aligns with both state priorities and local realities. Reconciliation efforts will succeed only when they are integrated into local customs and norms, as interviewees noted.<sup>133</sup>

### ***Improving multilateral support***

Interviewees noted that multilateral actors often focus on aid and humanitarian assistance, rather than longer-term support for reconciliation, where interviewees said that more support is needed.<sup>134</sup> They also stressed the importance of funding grassroots-led transitional justice efforts, especially by engaging civil society and using local knowledge.<sup>135</sup>

Respondents further noted that capacity-building programs to strengthen local government institutions are vital to promote longer-term stability.<sup>136</sup> The study findings emphasize the need for rebuilding development and peace infrastructure at the grassroots level. Road construction, water resource management, employment opportunities, and the development of peace houses and libraries were observed to be important for social cohesion and economic transformation.<sup>137</sup> This could address the root cause of conflicts, which interviewees noted is primarily poverty.<sup>138</sup>

The role of multilateral actors in strengthening local governance structures and ensuring proper allocation of resources was applauded. Respondents called for a more localized strategy where Somali citizens take part in decision-making and implementation processes related to peacebuilding and transitional justice. They stated that multilateral actors can more effectively contribute to reconciliation by working directly with local communities and reinforcing existing efforts.<sup>139</sup>

## **Conclusion and recommendations**

This study provided an overview of formal and non-formal transitional justice efforts in Somalia, and focused on the extent and quality of participation in two processes: the state-led NRF and the civil society-led PDF. It has focused on popular participation, and especially victim/survivor and community participation, in a context of ongoing conflict and weak state authority.

Transitional justice in Somalia challenges the global transitional justice model, for multiple reasons. First, Somalia remains very much in transition, both to peace and to having a strong state. The current Somali authorities are still building both authority and legitimacy, which are required for a comprehensive formal transitional justice process and adequate implementation of measures such as truth commissions, prosecutions, reparations, and institutional reforms. Second, governance is decentralized, with state governments holding significant responsibility, which also may complicate national-level transitional justice. Third, Somalia is marked by ongoing violence in the form of the al-Shabaab insurgency and chronic, localized inter-clan conflict that in many cases reflects a response to longstanding disputes and a failure to resolve legacies of past violence.

Yet, Somalia is investing in its transitional processes. It has a rich culture of traditional reconciliation processes on which communities can draw, as well as respected Islamic justice practices and religious leaders. The context provides existing concepts, practices, authorities, social networks, and resources that can be seen as forms of transitional justice already. They can also be built on in designing and implementing a larger contextually relevant transitional justice

133 Interview, Puntland state official, North Gaalkacyo, 23 January 2024.

134 FGD, clan elders, South Gaalkacyo, 17 January 2024.

135 Interview, women, South Gaalkacyo, 17 January 2024.

136 Interview, women, South Gaalkacyo, 17 January 2024.

137 Interview, PDF member, Gaalkacyo, 18 January 2024.

138 Interview, PDF member, Gaalkacyo, 15 January 2024.

139 Interview, women, North Gaalkacyo, 23 January 2024.

process that, through popular participation, is responsive to Somali citizens' needs and demands. Connecting these non-formal measures with formal measures would result in a particularly Somali form of transitional justice.

The research findings suggest that the tools and language of transitional justice are relevant in Somalia. As a result of both the context of a transition from armed conflict and traditions linking the addressing of past violence to conflict resolution, transitional justice is often seen as inextricably linked to reconciliation and peacebuilding, with a restorative justice focus, although retributive justice is also valued. The NRF and the PDF experiences show that popular participation could be enhanced through strong community ownership, support from national and multilateral actors, and the integration of traditional and religious justice mechanisms with government engagement.

Challenges for participation, meanwhile, include financial limitations, political interference, logistical challenges, and cultural biases that limit the role of women. Interviewees expressed the need to include all segments of society, particularly youth and women, in transitional justice measures. Furthermore, they emphasized the value not just of participation, but of *meaningful* and *active* participation, which serves to model what active citizenship looks like.

Regarding national actors, interviewees emphasized that they must promote local ownership, strengthen institutional capacity, and assure popular participation, particularly by addressing financial and logistical constraints. Regarding multilateral actors, interviewees generally see them in a positive light, but they requested more support in terms of long-term financing, local ownership, and civil society capacity building. They also demanded more accountability among multilateral actors to the communities they seek to serve, in order to build trust. Given that they see other multilateral actors as far more active in Somalia than the African Union and other regional actors, they recommend improved regional support as well.

To improve participation in Somalia's reconciliation processes, transitional justice must be localized and tailored to the local context. Inclusivity must be enhanced, by empowering women and youth through formal and mandated roles, while also taking into account the diaspora. There is also a need to build community and trust through dialogue and collaboration between formal and non-formal actors. Transitional justice provides a range of national and multilateral actors with the opportunity to leverage both formal and non-formal measures to address the legacies of past violence and advance healing and reconciliation.

Specific to the Somali context, the following recommendations for state actors, civil society actors, and multilateral actors are taken directly from the interviews and the literature review. They provide guidance on how to mainstream popular participation in Somali transitional justice.

### **State actors**

- Map concepts and terms used for accountability, truth, reparation, reform, and reconciliation in Somalia, on which to build contextualized and inclusive transitional justice ideas and practices. To meet local needs, transitional justice will need to balance restorative and retributive justice in line with understandings of justice in the country, while enabling the use of both customary and formal justice measures and other non-formal and formal processes. Where appropriate, non-formal and formal measures should feed into each other.
- Map existing processes and practices – including community-based measures, traditional practices, sharia principles, and others – that have buy-in and trust among Somalis and provide networks and resources on which to build for a more participatory and inclusive transitional justice.
- Partner with a wide range of civil society actors who are trusted by and can represent victims/survivors, including not only human rights NGOs but also religious leaders, traditional leaders, community-based organizations, women's groups, media representatives, businesspeople, and others.

- Collaborate with this wide range of stakeholders to adapt local practices to ensure they are human rights compliant.<sup>140</sup>
- Ensure the representation of different clans, urban and rural populations, genders, ages, social sectors, and so forth, including marginalized groups and the diaspora. Special consideration should be given to participants who might otherwise be excluded, for example by addressing gendered constraints (e.g., adapting hours to childcare needs and other care expectations); ensuring support for persons with disabilities (e.g., via wheelchair-accessible venues, sign language interpretation, etc.); and adapting to those who speak minority languages and those who are illiterate (e.g., by providing interpretation).
- Promote the broad participation of young people, in order to include their perspectives, build on but also benefit from their skills, enable better intergenerational understandings and engagement, and access environments where they spend time, particularly schools and other educational institutions. Active participation in transitional justice can model what active citizenship looks like for young people. The NRF demonstrates the positive role young people can play when included as active participants.
- Ensure broad participation of women. The NRF similarly shows the significant contributions of women to formal processes.
- Adopt a decentralized approach, implementing transitional justice measures at the village, district, regional, and national levels and developing mechanisms for connecting activities across levels in order to scale up impact.
- Where possible, ensure that government officials tasked with working with transitional justice measures remain in their posts, to ensure continuity and adherence to agreed-upon decisions, and that they engage in a thorough handover process to successors when leaving.
- Improve coordination among local authorities and respected clan and religious leaders to ensure agreed-upon compensation and other forms of non-formal justice are checked and implemented, while monitoring for transparency and lack of bias within such processes.
- Determine which relevant providers of services are present in affected communities and the extent of their capacities to access and support victims/survivors and other participants. This includes mental health and psychosocial support (MHPSS), legal advice, and technical information about the transitional justice process, among others.
- Ensure transitional justice measures are relevant to different communities and respond to violations, actors, and drivers of conflict prioritized by local populations. For example, while property-related crimes are key in urban areas, competition over natural resources is pressing in rural areas.
- Prioritize institutional reform as a form of transitional justice. Authorities must reform and strengthen state institutions and hold officials to account in order to build trust among Somalis. Effective investigation of ongoing issues, such as land grabbing and property looting in urban areas and theft of livestock and farmland in rural areas, is a prerequisite to the investigation of historical crimes. This must be accompanied by broader capacity building of state institutions, such that they have an identity and capacity that transcends the individuals who lead them.

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<sup>140</sup> This can leverage a human rights-based approach, as articulated in the PANEL principles: participation, accountability, non-discrimination and equality, empowerment, legality. See Australian Human Rights Commission, *Human Rights Based Approaches* (2024), <https://humanrights.gov.au/our-work/rights-and-freedoms/human-rights-based-approaches>.

- Socioeconomic reforms and development, also under the umbrella of institutional reforms, are key to addressing the root causes of conflicts in Somalia and preventing their recurrence.
- Build short- and long-term MHPSS capacity in Somalia, by funding the integration of MHPSS into formal and non-formal transitional justice measures and, over time, the establishment of an MHPSS services network across the country.
- Before releasing a policy, final report, or other transitional justice-related output, organize validation workshops in collaboration with civil society at the grassroots level across the country, to ensure broad-based feedback and subsequent buy-in.
- When seeking multilateral funding and other forms of support, consider the diversity of multilateral actors – including international, regional, and subregional agencies, donor governments, philanthropic foundations, faith-based institutions, and international NGOs, among others – and focus on those that offer a long-term relationship and a greater degree of local ownership in developing and implementing transitional justice.
- Use the African Union Transitional Justice Policy and Roadmap for Implementation to guide the development of transitional justice in Somalia, particularly their ground-breaking provisions on participation, diversity management, and socioeconomic transformation.<sup>141</sup>

### *Civil society actors*

- Build connections and coalitions with the full range of civil society actors at the community, state, and national levels, including not only human rights NGOs but also religious leaders, traditional leaders, community-based organizations, women's groups, media representatives, victims' groups, businesspeople, and other individuals and sectors that have trusted relationships with networks of Somalis. In particular, clan elders and religious leaders are likely to be crucial justice actors at local levels.
- Invest in supporting victims and survivors to mobilize to advocate for their own interests and participate meaningfully in the design, implementation, and follow-up of transitional justice processes.
- Conduct outreach to ordinary citizens through workshops, educational institutions, radio and other media, and other platforms for popular engagement, to acknowledge the impact of different forms of violence on the populace and the value of transitional justice to the society as a whole. Encouraging ordinary citizens to participate through volunteer time, food donations, financial support, and other contributions, as shown by the PDF, can enhance their sense of ownership, participation, and buy-in.
- Include and advocate for the inclusion of young people and women as active participants in transitional justice, drawing on their existing and potential contributions to peacebuilding efforts and their experiences as victims/survivors to strengthen their position. Civil society can start by acknowledging and strengthening the important role youth and women play in the current reconciliation efforts of traditional and religious leaders.
- Use the African Union Transitional Justice Policy and Roadmap for Implementation to guide transitional justice in Somalia, particularly their ground-breaking provisions on participation, diversity management, and socioeconomic transformation.

<sup>141</sup> African Union Transitional Justice Policy, [https://au.int/sites/default/files/documents/36541-doc-au\\_tj\\_policy\\_eng\\_web.pdf](https://au.int/sites/default/files/documents/36541-doc-au_tj_policy_eng_web.pdf); African Union Roadmap for the Implementation of the African Union Transitional Justice Policy, [https://au.int/sites/default/files/documents/41242-doc-Roadmap\\_for\\_the\\_Implementation\\_of\\_AU\\_ENGLISH\\_Sep\\_091.pdf](https://au.int/sites/default/files/documents/41242-doc-Roadmap_for_the_Implementation_of_AU_ENGLISH_Sep_091.pdf).

## ***Multilateral actors***

- Plan for long-term financial and technical support for peacebuilding and transitional justice, in addition to short-term support focused primarily on humanitarian assistance and aid. Long-term support requires adequate funding, and participatory budgeting with local state actors, civil society actors, and ordinary citizens improves the likelihood of sufficient and well-allocated funds.
- Prioritize building local ownership of transitional justice by collaborating with federal and state actors as well as the full range of civil society actors, including not only human rights NGOs but also religious leaders, traditional leaders, community-based organizations, women's groups, media representatives, victims' groups, businesspeople, and others. Greater local ownership would counter claims of foreign interests imposing external agendas and yield Somali-led initiatives for sustainability and cultural relevance.
- Adopt a definition of transitional justice that gives weight to both formal and non-formal measures and provides flexibility to national actors to develop a Somali form of transitional justice. The African Union Transitional Justice Policy provides useful guidance in this regard.
- Commission a trusted local actor to map local concepts and terms used for accountability, truth, reparation, reform, and reconciliation in Somalia; local processes and practices that have popular buy-in; and the full range of stakeholders who could contribute to a contextualized and participatory transitional justice process. This map will yield local networks and resources with which to build a more participatory and contextualized transitional justice.
- Based on the mapping, work directly or support local actors who work directly with ordinary citizens, and particularly victims/survivors and affected communities, to ensure their inclusion in decision-making and implementation related to peacebuilding and transitional justice. Where needed, expand on the existing networks and resources local actors and citizens contribute through tailored capacity building, for example via trainings in human rights approaches.
- Ensure broad representation and participation across clans, urban and rural populations, genders, ages, social sectors, and so forth, while emphasizing the participation of youth and women.
- Consider partnering with local civil society, understood broadly, by using a subgranting approach, in order to balance the advantages from external assistance with keeping control local so as to be sensitive to local needs. A well-designed monitoring and evaluation system can promote transparency, prevent corruption, and build trust with this funding approach. Narrative or qualitative evaluation, as well as data collection methods such as outcome harvesting, will be more appropriate than traditional quantitative indicator approaches in this situation.
- Fund awareness-raising and educational campaigns to educate Somalis on the benefits of peace and transitional justice processes that are tailored to their country context, which also helps model and promote active citizenship and participation in these processes.
- Emphasize institutional reforms as a key component of transitional justice, focusing on transforming and strengthening state institutions, actors, and policies from the local to the national level, including not only civil-political matters but also socioeconomic ones so as to address the roots of violent conflict in Somalia.
- Fund the integration of MHPSS into all state and civil society transitional justice-related activities and, eventually, the establishment of an MHPSS network across the country.
- Invest in the African Union's role in Somalia, specifically by popularizing the African Union Transitional Justice Policy and Roadmap for Implementation, supporting non-formal and formal transitional justice initiatives, allocating long-term and adequate resources for both types of initiatives, and establishing capacity-building programs that are responsive to the local context and enhance inclusive local participation.

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