

Somalia Roadmap to peace

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Since the fall of the Somali government ruled by the late president Mohamed Siad Barre in 1991, Somalia has had seven presidents none of whom has succeeded to unite the people of Somalia and reinstate an effective central government. The primary factor that has led to desecration of the nation was primarily due to corrupt Somali officials. These corrupt officials have a long history in dividing the nation by imposing foreign interests and laws that threaten the Somali customary (Xeer) law and clan structure, which is the foundation of the Somali social society. The United Nations backed 'Roadmap' plan, is viewed by many Somali nationals and the international community as the last window of opportunity to oust the foreign-sponsored terrorist group Al-Shabab, and to reinstate an effective central



government. Somali government soldiers, backed by African Union troops, continue their strategic offensive against the Al-Qaeda affiliated terrorist group Al-Shabab that once dominated much of the country and are now on the run. The town of

Afmadow, which is only 115km from Kismayo, has recently come under the control of African Union forces. Kismayo is the last strategic militant base and a final offensive is underway to oust Al-Shabab from the war-torn nation.



The relatively new peace in Mogadishu after more than two decades of fighting, has brought about the much anticipated security need to pursue the United Nations 'Roadmap' to end the Transitional Federal Government (TFG) of Somalia. The new constitution that is to be adopted, and which will serve the interests of Somalia, is only provisional until such time that Somali citizens can vote on it. The current security situation on holding popular national elections in many parts of the country is slim due to terrorist threats. Therefore, tribal elders who are representatives of Somalia's complex clan groups that dominate the nation's political landscape are to select 825 members of the National Constituent Assembly. Somali clan elders who play an effective role in managing disputes, restore law in rural and urban parts of the country (even when administrative law is present) traditionally are the peoples' representatives. The National Constituent Assembly will vote for a new parliament that is to select a Somali president by August 20. That the 135

Council of Tribal Elders, who play a crucial role in the United Nations-backed ‘Roadmap’ to end the Transitional Federal Government of Somalia, do not have any authority over political matters once they select the 825 members of the National Constituent Assembly, is nothing short of contradiction. Consequently, tribal elders were quick to dispute the draft constitution and demand for power in the new government. On July 12, the Council of Tribal Elders refused to release the names of the 825 National Constituent Assembly members. Mohammed Hassan Hadd, a tribal elder in Mogadishu, stated: “[t]his is a way for the elders to exert more influence over the transition process”, Voice of America, (Gabe Joselow, 12 Jul). Nevertheless, the Council of Tribal Elders agreed on the draft constitution and handed over the list of the 825 members of the National Constituent Assembly on July 23. The Council of Tribal Elders have worked together despite the daily threats from the foreign sponsored terrorist group Al-Shabab, and their achievement is a strong indicator of their commitment to peace in Somalia.

The new parliament members selected by tribal elders are to vote on the new constitution of Somalia, approved by the Federal Transitional Government of Somalia in Nairobi, Kenya on June 23. However, critics who oppose the new constitution argue that the constitution is foreign imposed, defective and primarily undemocratic. They ignore that the UN backed ‘Roadmap’ was endorsed by Somali civil society organisations at a conference

held in Mogadishu and Grower in November 2011 and, that these groups still continue to contribute to the peace process. According to a UN News Service article, the UN Political Office in Somalia (UNPOS), the African Union peacekeeping mission in Somalia (AMISOM) and the Intergovernmental Authority on Development (IGAD) issued a joint statement to critics labelled ‘spoilers’:¹

“We have now entered a critical juncture of the transitional period of the peace process in Somalia.”²

While the Wardheer News website cited an AFP report:

“The roadmap continues to be jeopardized by the actions of individuals and groups in and out of Somalia, working to undermine the fragile progress we have collectively made in recent months...We have come too far and too much is at stake for us to allow the process to backslide at the exact moment Somalia has its best opportunity for peace in decades.”³

¹ *UN and partners issue warning against Somali peace process spoilers*, UN NEWS CENTRE, UN NEWS SERVICE, May 1, 2012, <http://www.un.org/apps/news/story.asp?NewsID=41890&Cr=Somali&Cr1>

² *ibid*

³ *Peace ‘spoilers’ threaten Somalia progress: brokers*, Nairobi, May 01, 2012, (AFP), WardheerNews.Com, http://wardheernews.com/News_2012/May/01_Peace_spoilers_threaten_Somalia_progress.html

The absence of a central government for more than two decades has left the majority of the population in Somalia, predominantly the youth, in a vacuum; not knowing/understanding the functions of a central government, they reverted to customary law that is applied to the majority of disputes and criminal cases. The importance of the tribal elders and the Somali customary law (Xeer) in Somali society is indisputable. Therefore, foreign laws that do not coincide with the distinctive Somali culture, cannot contribute to the long-term peace needed in the region.

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Images accessed 03/08/2012 –

Al Shabab fighters:

<http://www.bosnewslife.com/wp-content/uploads/2012/01/Al-Shabaab-baabuur.jpg>

AU Forces Somalia:

http://news.bbcimg.co.uk/media/images/61503000/jpg/_61503887_ap.jpg