



REPORT OF THE IGAD CONFIDENCE BUILDING MISSION TO MOGADISHU AND KISMAYO 16-19 MAY 2013

I. Preamble

Following the decision by the 21st Extraordinary Summit of the Heads of State and Government of IGAD as per paragraph 10 of the communiqué released on the 3rd May in Addis Ababa, Ethiopia, the Executive Secretary, Amb. Eng Mahboub Maalim led a delegation composed of Ambassadors of member states to Mogadishu and Kismayo to conduct a confidence building mission and collect views from various stakeholders on Juba regions state formation.

Premise of the mission:

- The communiqué of IGAD 21st Extraordinary Summit of Head of States and Governments held in Addis Ababa, Ethiopia on the 3rd May 2013. The following paragraphs formed the basis of the mission:
 - **Paragraph 4:** Noted with appreciation the increased engagement, convergence of ideas and solidarity among IGAD member states in support of Somalia. In this regard, noted with appreciation the meeting between H.E. Uhuru Kenyatta, the President of Kenya, and H.E. Hassan Sheikh Mohamud, President of the Federal Republic of Somalia of April 27th 2013 in Mombasa, Kenya and welcomed the joint statement of understanding which elaborates principles of engagement. In this regard, urged for its full implementation.
 - **Paragraph 6:** Noted with appreciation and welcomed the Somali Federal government's document titled National Stabilization Plan and reiterated the need for all processes particularly the ongoing efforts towards setting up Somali regional administration and stabilization efforts, to be anchored on the following principles: -
 - Leadership of the government of the Federal Republic of Somalia in the process;
 - Respect of the provisional constitution of the Federal Republic of Somalia;
 - All inclusive consultative process with the peoples of Somalia;
 - supportive role of IGAD based on the priorities of the Somali government; and
 - Fighting the Al Shabab as the primary focus of the Somali Federal government; AMISOM; regional and international partners;
- And further requested the Somali federal government to align the document with the aforementioned agreed five principles.



- **Paragraph 10:** Decided to conduct a confidence - building mission to Kismayu led by the IGAD Executive Secretary and composed of representatives of the federal government of Somalia and one senior delegate from each member state of IGAD with the aim of assessing the situation and submitting a report to the IGAD summit to be held on the sidelines of the AU summit in May 2013.

II. Methodology

The Ambassadorial team developed terms of reference based on the five principles in the communiqué and held discussions with the Federal Government and stakeholders in Mogadishu and Kismayo:

- Mogadishu (16th-17th May)
 1. H.E President Hassan Sheikh Mohamud
 2. Hon Speaker Mohamed Sheikh Osman (JAWARI)
 3. H.E Prime Minister Mr Abdi Farah Shirdon (SAAID)
 4. Ministers of Interior and National Security as well as Justice and Federal Constitution
 5. Members of Federal Parliament representing various clans including Hawiye, Daarood, Digil and Mirifle, Dir and the Fifth Clan
 6. Clan elders and Civil Society
 7. AMISOM
- Kismayo (18th -19th May)
 1. AMISOM Sector II
 2. Ahmed Mohamed Islam (Madobe),
 3. Barre Hiirale, Abdiballe Defale, Omar Burale, Iftin Hassan
 4. The technical committee and Signatories to secession of hostilities
 5. Clan elders, Civil society and Business Community
 6. Delegation of the Federal Government in Kismayo
 7. Commander of Somali National Army and Ras Kiamboni Brigade (RKB)

III. Positions on the Issues

a) The Federal Government

- The Federal Government and its Leadership including H.E. President, H.E. Speaker, H.E. Prime Minister, H.E. Ministers of Interior/National Security and Justice emphasized the government position as follows:
 - i. The process in Kismayo is not done in the spirit of the constitution
 - ii. The lead role of the Federal Government is missing
 - iii. The inclusiveness of the process is questionable
 - iv. The process does not help the joint efforts to fight Alshabab



- v. Demanded IGAD to support the Somali Federal Government's efforts to uphold the constitution
 - vi. Underlined the need for dialogue and reconciliation as way out of the impasse
- Some members of the Federal Parliament from the region supported the process, while other MPs opposed the process in Kismayo.

b) The Kismayo Actors

- Ahmed Madobe and his team, as well as the signatories, technical committee argued that the process:
 - i. Is in line with the Federal Provisional Constitution,
 - ii. Is inclusive
 - iii. Has significantly contributed in the fight against Alshabab and liberated many areas in Juba regions
 - iv. Appreciate continued IGAD role
 - v. Underlined the need for dialogue and reconciliation as way out of the impasse
- Other Stakeholders in Kismayo believe that:
 - i. The process is not done in the spirit of the constitution
 - ii. The lead role of the Federal Government is missing
 - iii. The inclusiveness of the process is questionable
 - iv. The process does not help the joint efforts to fight Alshabab
 - v. Demanded IGAD to support the Somali Federal Government's efforts to uphold the constitution
 - vi. Underlined the need for dialogue and reconciliation as way out of the impasse

c) AMISOM

- The Ambassadorial team was briefed by AMISOM Force Commander on the political and security situation in the country. With regard to Juba regions, AMISOM view is to implement the five principles of the communiqué. The force commander informed the team that in the initial stages there was a technical communication problem between the force headquarters and AMISOM sector II that has since been resolved.
- The force commander informed the team that the challenge has been the fact that each troop contributing country (TCC) signed separate MOU with the African Union (AU).



- AMISOM sector II Commander briefed the delegation on the security situation and the role the sector has been playing in ensuring peace and security in the region.
- He stated that Alshabab's strength and capability has been significantly diminished. He however added that probing attacks, ambushes and IEDs are still continuing.
- He blamed the resurgence of insecurity particularly in Kismayo as a result of the political tension.

d) Somalia National Army/ Ras Kiamboni Brigade

The delegation held a session with Somalia National Army(SNA) and Ras Kiamboni Brigade (RKB) commanders who informed the delegation on their continued efforts against fighting Alshabab and expressed their logistical and financial problems.

IV. Findings and recommendations

Based on the summit communiqué of 3rd May 2013 and particularly on the five principles enumerated there in, the Ambassadorial team conducted its fact finding and confidence building mission, made observations and came up with the following recommendations:

1. Whether or not the process is being done in the spirit of the provisional constitution of the Federal Government of Somalia:
 - The Federal Government and various stakeholders in Kismayo are in agreement on the need to follow the provisional constitution in the establishment of the regional administration;
 - However the Ambassadorial team observed that there is a difference in interpretation of the provisional constitution between the Federal Government and various stakeholders in Kismayo.

Recommendations

- The Federal Government and Parliament of Somalia to expedite enactment of the necessary laws that govern the establishment of regional administration.
2. Whether or not it is all inclusive:
 - The mission found the inclusivity of the Kismayo process contestable, especially among the minority.



Recommendation

- Recognizing the fragility of the situation in Kismayo, the Federal Government should timely convene and lead reconciliation conference with support of IGAD while consulting key Stakeholders in Kismayo. Meanwhile the mission calls upon the stakeholders in Kismayo to go to Mogadishu and dialogue with the Federal Government regarding the interim regional administration.
3. Whether or not the process is led by the Federal Government of Somalia:
- The Ambassadorial team has observed that the process was not a government led process;
 - In principle all have agreed that the government needs to take leadership of the process;
 - The Federal government and the stakeholders in Kismayo however have expressed strong reasons and explanations as to why the process was not led by the government.

Recommendation

- The IGAD Ambassadorial team proposes that the Federal Government of Somalia takes the lead role in the formation of regional administrations including Juba regions.
4. Whether or not IGAD is playing a supportive role:
- The Ambassadorial team has observed that the role of IGAD is accepted by all stakeholders;
 - Regarding the Juba regions process, IGAD facilitation has been absent since February ;
 - However during this period the council and the summit have remained engaged in the stabilization of Somalia.

Recommendations

- Noting that the Federal Government and other actors have expressed willingness in IGAD role to facilitate the process, IGAD and the Federal Government should be more proactive. In this regard, IGAD to expedite support to the Federal Government in its priorities including the formation of regional Administration;
- Calling on IGAD secretariat to provide technical support to the federal government as and when requested;



- IGAD member countries provide the Federal Government with experience and technical assistance on federalism, devolution and decentralization as and when requested by the Federal Government.
5. Whether or not the process is accomplished in such a way that it helps the joint effort to combat Alshabab:
- The team has observed that this process indeed was a tool resulting in liberation of many areas of Juba regions;
 - However the last stage of the Juba regions process that ended with an election has resulted in tension;
 - The team observed that the high political tension in Kisimayo is not only threatening force cohesion and increasing insecurity but also impairing the operational tempo of the fight against Alshabab.

Recommendations

- Calls upon the Federal Government of Somalia to provide immediate security and logistical support to the regions;
- Calls upon the Federal government of Somalia to immediately integrate the various militia forces into a unified national command of Somali National Army and logistically provide force sustainability;
- The AMISOM Sector II should be provided with a political support unit to help in dealing with the political aspect of the disputes in Kismayo and to facilitate cooperation and coordination between the sector and the Federal Government.