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NED-FUNDED PROGRAMME ON DEMOCRACY, RULE-OF-LAW, CONFLICT MANAGEMENT AND CONFLICT RESOLUTION

TOT WORKSHOP FOR SAACID STAFF

MOGADISHU

4-6 July 2006

Summary

NED has agreed to partner SAACID in promoting democratic principals in the Somali context – particularly the city of Mogadishu, which has historically been the capital of the country.

The proposal was developed in the context of prevailing warlordism in the central and southern part of Somalia. SAACID believed that the education and development of grassroots communities in democratic principles and adherence to the rule-of-law would influence those communities toward an effective opposition of the lawless warlordism that was prevailing.

In the interim period between writing and implementation, US-backed warlords clashed with Islamic court's militiamen and the Union of Islamic Courts (UIC) expelled those warlords from the city. The UIC now militarily control the city and are also claiming a judicial, governance and economic monopoly over the city and central Somalia.

It remains unclear if this programme can continue in the current milieu, but SAACID desires to continue to see how much space it can reclaim for civil authority and civil society.

One of the outputs for the programme was to hold 4 workshops in 4 targeted districts (there are 16 districts in the city of Mogadishu) on democracy, rule-of-law, conflict management and conflict resolution. If successful, these workshops were to act as a precursor to the development of a conflict resolution centre in each of the 4 targeted districts; to solve localised problems in a collective manner; and to act as a first step to the establishment of civil law-and-order functions on a district-based model.

SAACID believes that even if the programme cannot move to the formal establishment of the 4 conflict resolution centres, there is still genuine benefit in carrying through with many of the programme elements – including the workshops – as they will help to education the population to alternatives to totalitarian theocracy.

This workshop was designed as a Training of Trainers (ToT) workshop for SAACID staff.

Introduction

SAACID continues to implement the National Endowment for Democracy (NED). The programme targets the creation of mediation centres for 4 Mogadishu communities, with the desire to assist the public to resolve their disagreements through peaceful dialogue and procedural negotiations.

Ms. Khadija Ossoble Ali was the facilitator of the workshop. Ms. Ossoble was the former Country Director SAACID; and was one of the key founders of the organisation. She handed the management of the organisation to her successor, Ms. Raha M. Janaqow, the present Country Director. Ms. Ossoble is now preparing her PhD dissertation in conflict management and conflict transformation at George Mason University in Washington DC. Ms. Ossoble agreed to facilitate the ToT workshop as an external consultant.

Workshop venue: SAACID Conference Hall

Workshop duration: 4-6 July 2006

Workshop Participants: 29 persons including both genders (7 females) selected from SAACID personnel.

Workshop Title: Conflict Management and Conflict Transformation TOT Training

Workshop Facilitator: Ms. Khadija Ossoble Ali, PhD laureate and External Consultant for SAACID

Workshop Objective: To train 29 persons selected from SAACID, who are expected to extend their knowledge of conflict management and transformation to the district residents of Mogadishu City, in order to enable the public to resolve their differences through the application of peaceful dialogue, negotiation and mediation in the prospective mediation centres.

General Objectives

- i. Give appropriate training to 29 SAACID personnel in appropriate approaches of conflict management and transformation so as to prepare the personnel to be trainers-of-trainers.
- ii. Recruit 29 persons as ToT for the upcoming mediation centres that will be established in 4 districts of Mogadishu City.
- iii. Provide full capacity training to the trainees in absorbing the real significance of conflict management in a community that has experienced 16 years of a devilish civil strife, coupled with severe stress and trauma.
- iv. Distribute an abridged, but elaborate, module as a future manual for the conflict management and transformation ToT programme.

Topics of the workshop

Day 1 – 4 July 2006

1. Understanding Conflict and Transformation
2. Types of Intervention

Day 2 – 5 July 2006

3. Negotiation
4. Mediation and Facilitation

Day 3 – 6 July 2006

5. Creating Mediation Centres

Day 1 - 4 July 2006

The participants arrived on time at 9:00 hours. One of the participants read a few verses of the Holy Koran. The participants subsequently formulated a code of conduct for the smooth continuance of the workshop. The facilitator requested that the participants introduce themselves one-by-one. Ms. Ossoble prepared the conflict management training in English but had to explain it in Somali, because some of the participants have barely mastered the English language.

The facilitator started elaborating on the significance of conflict management philosophy and its relevant applicability in many communities of the world - including the USA. She asserted that the knowledge of the theme of conflict management and transformation would add remarkable results in the Somali community that has suffered the experience of bitter civil war, atrocities, and the prevalent disagreement in finding a just solution for the present standoff, which continues to hinder the relocation of the government (currently located in Baidoa instead of the capital city Mogadishu). She also mentioned the emerging political differences between the TFG and the Union of Islamic Courts (UIC) - who have taken over the control of the city and adjacent districts, after the forcible ouster of long-term armed faction leaders that divided the capital into small fiefdoms.

The facilitator clearly stated that the understanding of the theme of the conflict management and transformation and its introduction into the grassroots level of the community would bring about more preferred results and impact, which would prompt the society to resolve their disputes systematically and peacefully. Having laid the ground for the elucidation of the topic, the facilitator started giving specific definitions of conflict in a general way, where she gave some illustrations of conflict and related aspects in the Somali context. She further asked the participants to recount some examples according to their respective experiences. The facilitator distributed handouts, while demonstrating the gist of every subject during the sessions.

All the participants were given individual work, in which they were to answer certain questions written on a questionnaire after the breakfast interval (10: 00 – 10:30). The questionnaire was to make an assessment of the attitude of the person in response to his/her involvement in a conflict of any kind. Every participant had to answer all the questions on the

questionnaire as to his/her behaviour in response-confronted conflicts. Illustrating the way he/she reacts - whether he/she maintains a calm attitude or an angry attitude. Furthermore, the answers were to also demonstrate whether the person is accommodating, facilitating, negotiating, mediating, or arbitrating in solving arising conflicts that come across his/her path.

The facilitator illustrated different examples while elaborating on the consequences of incited conflicts in the world in general. Conflicts also create huge internal and external displacements as well as a huge Diaspora. In the Somali context, the nomads, who were utilised for the ouster of the previous military regime, settled in the major towns - like the capital city - giving no space to the more civilized communities of the population areas. This immediately caused the flight of the urban people - either to neighbouring countries or to their original clan settlements - where they started introducing new ways of life. The nomads on their part assimilated into the way of life of the townspeople unfortunately abandoning their most significant occupation – animal herding, which was the backbone of the nation's economy.

The session of the first day was finalized on 13:00 hours.

Day 2 - 5 July 2006

The participants arrived on time. One of the participants recited a few verses of the Holy Koran as a start-up for the day's session. The facilitator, Ms Ossoble, requested that one of the participants give a short recap on the previous day's lessons.

Having sufficiently elaborated on the meaning of conflict management and conflict transformation, Ms. Ossoble switched to explaining the types of conflict intervention. Since conflicts involve 2 or more persons or groups, it is highly desirable that such disagreements are accordingly appeased and resolved. Intervention of conflicts occurs usually voluntarily by the 2 parties or by a third person. The main target of the intervention is the creation of a conciliatory atmosphere, which might result in a peaceful settlement. Interventions of conflicts follow diverse approaches and are categorized as:

1. Problem-solving - like the Palestinian/Israeli conflict – this in fact, takes a long process that finally leads to a mutual accord.
2. Negotiating - where the 2 conflicting parties are brought together to discuss an outstanding issue existing between them.
3. Facilitation - which is somehow similar to the negotiating type of intervention, but focuses only bringing the 2 persons together, and creating an atmosphere satisfactory to the requirements of the resolution of the conflict.
4. Mediation - that has conceptually many diverse methods of approach, and focuses on the style the mediating party utilizes to generate a win-win agreement.
5. Arbitration - which is one of the methods of mediation that is usually used when the 2 parties fail to reach a solution, and where a mediator is given full power to return a verdict and announce the conditions of the resolution as he sees it.

The facilitator gave full explanation of each of the intervention methods, giving elaborate examples even in the Somali context. The participants responded with full enthusiasm offering unlimited collaboration in the discussion of the topic.

The facilitator stressed the mediator's attitudes during any mediation processes. She asserted that a complete satisfactory resolution can only be reached when both parties fully reveal their complaints and concerns to the mediator. The mediator has to seek the suggestion for the mediation from the conflicting parties themselves, instead of thrusting his or her judgment on the parties. The mediator's position rests only on the creation of a suitable atmosphere; unless the situation calls for the utility for a more strict approach. The conflict stated that the facilitation of a negotiation is not as easy as one might perceive. It needs consideration and assessment of the feelings of the parties. However, the main task of the negotiation falls on the shoulders of the conflicting parties.

A mediator in a negotiation process seeks comprehensive agreements, and should avoid offering compromises in order to reach a resolution. Compromise is not a just solution for conflicts, and might tempt any of the parties to re-start the conflict again because no reciprocal accord has been concluded. One party has abandoned some of his grievances simply to terminate the conflict. Similarly, accommodation policy of any one party of the conflict would never yield the required results of a good and just solution for the conflict. The facilitator stressed that the person accommodating his opponent might lose his temper one day and the disagreement would detonate anew. Accommodation is a one-sided track of negotiation. So anyone mediating the negotiation process has to avoid it.

The facilitator gave a few examples of accommodating and compromise negotiation methods, while requesting from the participants to narrate certain similar occurrences according to their respective experiences.

At this stage, the facilitator divided the participants into three groups, where each group was given the assignment of answering some questions listed in the conflict assessment guides distributed to them. The conflict guide was extracted from Wehr's Conflict Regulation (1979). The conflict mapping guide gives the intervener and the conflict parties a clearer understanding of the origins, nature, dynamics, and possibilities for resolution of conflict.

- Group 1 received the assignment of answering questions
 1. Summary description
 2. Conflict history
 3. Conflict context
 4. Conflict parties
 - I. Primary
 - II. Secondary
 - III. Interested third party

- Group 2 received the assignment of answering questions
 1. Issues
 - I. Fact-based
 - II. Values-based
 - III. Interest-based
 - IV. Non-realistic

1. Dynamics
 - I. Precipitating Events
 - II. Issue Emergence, transformation, proliferation
 - III. Polarization
 - IV. Spiralling
 - V. Stereotyping and mirror-imaging
- Group 3 received the assignment of answering questions
2. Alternative routes to solution(s) of the problem(s)
3. Conflict Regulation principle
 - I. Internal limiting factors
 - II. External limiting factors
 - III. Interested or neutral third parties
 - IV. Techniques of conflict management
4. Using the Map

The participants were given 20 minutes to ponder the responses to the questions. After the termination of the time given to the participants, the facilitator invited one member of each group to present the responses his group:

Group 1 responses:

1. The group prepared a short background history of the present conflict that transformed into a religious standoff. Way back in history, and during the struggle for independence, many organizations developed - like the Somali Youth League in the south, Hizbiyo (Rahnweyn community), Somali National League (SNL in the northern regions), and the United Somali Party (USP in the north) – but they did not really represent a true nationalist agenda. Immediately after the country's recognition, the individuals that received positions in parliament took advantage of their positions for financial and political gain; and they utilised clan allegiance to entrench their positions. Although the elections were democratic in comparison to the rest of Africa, more than sixty parties - mainly clan-based – emerged, triggering a silent conflict among politicians based upon clan rivalry.

The entry of the military into political power 9 years after the establishment of the country appeased the public, but later incited more fury, when 11 religious scholars mutinied against the decision of the gender equality in the country. Some of those were executed as a result. The overthrow of the military regime clan-based militias, without a pre-arranged joint political design among them, gave the religious scholars the opportunity to revive themselves.

- Disagreement on the division of resources and political support of the public.
- New Islamic courts, based on clan structures, emerged in the first Transitional National Government, established in Arta, Djibouti in 2000.
- The announcement of the establishment of the alliance for struggle against Islamic fundamentalism and Al-Qaida in Mogadishu by faction leaders who were members of the TFG.
- The newly established anti-terror alliance handed over some religious personalities to the Americans.

- Assassinations of many armed officers and religious scholars in the city, which gave the impression that there was a clandestine confrontation in which the religious groups wanted to assume control of the city.
- Confrontation between the UIC and the anti-terror group, in which the public gave support to the Islamists.
- Warlords' strongholds fall into the hands of UIC militia, and the confiscation of their power base.
- The political challenge between the TFG and the newly emerging UIC for control of the capital city.
- Failure of the TFG to relocate in the capital city, fearing for their own security.
- Claim of the TFG that the courts have links with Al-Qaida, where the UIC accuse the TFG of having links with Ethiopian government.
- Involvement of ideologies propagated by other conflicting countries of the region.
- The postponement of the second phase of the Khartoum conference between the TFG and the UIC.

Conflict context

- Mistrust and inadequate political structure of the TFG
- Networking with the Arab League and Islamic fundamentalists
- Networking with external elements - like Ethiopia, Eritrea, Egypt, Sudan, Yemen, etc

Primary parties for solution

- All Somalis
- Countries having an interest in Somalia to take the 2nd position
- Civil society groups

Group 2

- Issues: UIC verses TFG

Fact-based

- Power-sharing
- Constitution not based on Islamic Sharia
- Rejection of principles - like secularism
- Non-performance – like the inefficiency of the TFG

Value-based

- Mistrust in the performance of a peace dialogue
- Decision-making process
- Honour and prestige
- Lack of administration of both groups (know-how)

Interest-based

- UIC leaders seek high political positions in the government
- Fighting over funds received from the international community
- Power contention

Non-realistic

- TFG claims that the UIC are linked to Al-Qaida
- UIC, and many of the public, mirror-image the TFG leadership and that of the previous military regime
- The Ethiopian relationship with the TFG
- The unclear power division of the state leaders (the President, the Prime Minister and the house speaker)

Group 3

- The venue of the resolution conference should be local
- All Somalis coming from different sectors of society should be involved in the conference
- Top level decision-makers should participate in the talks
- The UIC should clarify their political stance
- The TFG has to resolve its internal conflicts and disagreements
- There is a lack of common ground that amalgamates the secular TFG and the UIC
- IGAD should be excluded from any involvement in the resolution of the Somali conflict
- Both parties should endorse the mediation roles
- Shuttle between the conflicting parties
- Clearance of every party's position of bargaining
- Minimize media propaganda against each other

The Map

- The UIC have an executive organ as well as a legislative organ, besides numerous unknown leaderships with radical members, assisted by armed groups like radical Islamic youngsters
- The TFG enjoys international recognition, but fails to relocate to the capital city, while weakened by conflict in its senior leadership
- It lacks internal cohesion
- Lack of separation of powers
- The TFG relies on foreign support rather than the Somali people's support

The session of the second day was terminated on 13:00 hours.

Day 3 - 6 July 2006

On the third day, after the arrival of the participants on time, a few verses of the Holy Quran were recited by one of the attending persons. A recap of the lessons learned during the previous 2 days was given by one of the participants. The facilitator alerted the participants to the third day's topic, which focused on the creation of mediation centres in 4 Mogadishu districts; as a start-up development programme in the future and that would be extended to all 16 districts later.

Ms. Ossoble confirmed that NED was funding the programme for the creation of mediation centres. NED is targeting the initiation of a more plausible and rational method for minimizing conflict between the residents in the city; and giving the society the possibility of handling their problems without external intervention. Training the society in the latest methods of conflict management applicability would serve as an advantageous resolution feature among the community. Ms. Ossoble stressed that the Somali community has witnessed unprecedented violence and disorder for the last 16 years. The Somali people lived with the existing trauma and stress without acceptable healing. The introduction of conflict management diplomacy would certainly create a more suitable and amiable atmosphere among the neighbours in a given settlement. This only requires the extension of the knowledge of conflict management and conflict transformation to the public and the opening of mediation centres in every locality. Civil society groups settling in the different districts already exist; and are comprised of different sectors - like traditional elders, religious scholars, mothers, youth etc. The application of Somali customary conflict management methodology should be given adequate consideration, while also considering aspects of Islamic Sharia doctrine, in resolving outstanding issues that might multiply into fierce confrontation.

The facilitator told the participants that some of the residents of a settlement would be trained in the conflict management, where the district authority would open an office for registering complaints needing attention. According to the Somali tradition, a person sustaining injuries, whether intentional or unintentional, has to receive some sort of compensation for the wounds. The 2 parties in any given conflict should come together and discuss their problem either through the facilitation, mediation, arbitration of a third party or by mutually coming to a satisfactory agreement among themselves.

The real aim of the NED programme is to assist the district authorities to establish mediation centres, so that diverse conflict resolution and conflict transformation measures could be instituted to resolve conflict peacefully; and increase the capacity of districts to develop recognised and sustainable forms of mediation.