



The Regional Conference Series Report



ACADEMY
for Peace and Development



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I. EXECUTIVE SUMMARY

The precept of a consultative process in the management of small arms was used as a building block towards the evolution of a firearms law in Somaliland, hence regional conferences were thought to be the most significant step towards achieving consensus for regulatory framework for firearms control. The regional consensus, combined with a future national conference, aimed to deliberate on a single issue--**firearms control**--a step that is unprecedented as far as formulation of laws in the country is concerned.

Presently, weapons control laws and procedures reside across different instruments of laws and agreements, but are not developed into one comprehensive or unified body. In order for government, police, the judiciary, and the public to have an effective understanding and enforcement for weapons control measures in Somaliland, a new comprehensive weapons control act was drafted and circulated in the conferences with the intent of eliciting inputs by the comprehensive involvement of various stakeholders. Many recommendations were made through the three-day workshops, although the amount of time provided for participants to offer inputs was too short. In addition, the process didn't involve the active participation of legal experts, which would have been preferable in the formation of a firearms law.

The course of the activities also saw the formation of partnerships between organizations that are united around Small Arms and Light Weapons (SALW) issues, including but not limited to public awareness, facilitation of the conference series by the Academy for Peace and Development and advocacy within the Ministries. These partnerships aimed to bring about a positive change for the future and strengthen the SALW working groups.

In the regional conferences various institutions made presentations highlighting what is currently being done across Somaliland to address SALW issues at the regional and global level. At the same time, presentations highlighted attempts made by the UNDP/ROLS program in the other project components that have a direct bearing on the small arms control and management in the country, including law enforcement training, stockpile management in Somaliland, and capacity building within the police forces.



II. WEAPONS CONTROL: A BACKGROUND ON RECENT EFFORTS

Following the end of hostilities 1991 a series of inter-clan dialogues resulted in the adoption of the Charter On Peace & Security in March 1993. The Charter was a first step toward calling for the removal of the armed militias in cities throughout Somaliland, as they caused insecurity and banditry in the country. In April 1994 a significant and momentous event took place in Hargeisa, whereby the armed militias turned over their heavy weaponry and others choose to be absorbed in the newly constituted national army. The traditional leaders played a central role and by extension affirmed the Borama National Conference, which adopted the National Charter and laid the foundation for the current bicameral parliament existing state and political institutions.

III. THE LOCAL SOCIOLOGICAL CONTEXT

It is known that the traditional Somali pastoral way of life, coupled with a harsh environment, has conditioned people not only to be fiercely independent but also constantly engaged in the fight for survival against nature and hence fight for pasture, grazing rights and watering points. Of utmost importance is to protect their flock of valuable livestock, which often means firearms possession and carrying thus, it is a sentimental issue that touches on the individual 'freedom'. The ownership of gun as an instrument used for protection and utility for interclan wars from time immemorial makes the gun the most coveted item for the male head of the Somali family. By the same measure, the ownership of the gun is connected directly to the wealth of a person or family and is primarily for protection of property and life. Vast oral literature exists in Somali culture attesting to this fact, although the higher the status the predisposition to acquire a cheap and readily available massive military-style arsenal and small arms. Times have changed and large number of small arms and light weaponry have fallen into the hands of a vast segment of the population regardless of class, wealth or social standing. The only item that is evenly distributed today amongst the populace is the AK-47; Makarov pistols and other types or model of small arms.



Within this environmental and sociological background, the regional and national consultative and awareness processes was organized with the aim of kick starting small arms reduction and control initiatives. This primarily focuses on introducing the issues of small arms control to all regions of Somaliland while at the same time collating crucial community level inputs to the shape of future legislation.

IV. INSTITUTIONAL FRAMEWORK & PARTNERSHIPS:

Formal Agreements: NACCOF, UNDP, Academy Peace Development

A series of consultative discussions encouraged by UNDP/ROLS and its partners in the Small Arms/DDR program culminated in an agreement that was signed on October 19th, 2003 between the Academy for Peace & Development and NACCOF as part of an effort to establish cross-organizational collaboration. Taking into account the Small Arms Baseline Assessment Report on small arms that had been conducted by the Academy in July and August 2003, the facilitation of the NACCOF-organized conferences on Small Arms was undertaken by APD. The Academy's researchers were deployed to facilitate the 4 regional conferences that were undertaken in November-December 2003.

V. THE REGIONAL CONFERENCES: OBJECTIVES, EXPECTED OUTPUTS and METHODOLOGY

The ultimate goal of the regional conferences aimed towards the overarching goals of the UNDP mandate in Somaliland, and corresponded with the intentions of the government. The National Advisory Council on Control of Firearms (NACCOF), having conducted four regional workshops, is planning for a forthcoming National conference on "Small Arms, Security and Development". The emergence of a nationally owned initiative with support from the International community was an indication of a positive endeavour and attempts to seriously address SALW issues. The other underlying goals of the regional conferences was to kick-start a debate on small arms control, raise awareness and initiate participation and contribution by those whom are affected by the serious impact and consequences of the gun violence-the people of Somaliland. Another essential overall goal of the consultative processes was to



obtain consensus that will enable NACCOF/APD to endeavour towards the eventual formulation a national legislative policy containing the threat of small arms to peace, security and the democratisation process in Somaliland.

The four regional conferences held in Burco, Borama, Erigavo and Berbera addressed the complex issues surrounding small arms legislation and security in Somaliland. The collaboration between NACCOF and the Academy, with support from UNDP, resulted in successful conferences in these four municipalities. In an effort to raise the awareness of local actors, NGOs, government and ministries, and relevant stakeholders, the regional conferences were designed to involve as many actors in the debate on small arms legislation as possible.

The overall objectives of the program are multifaceted, and involve initiating parliamentary motion on developing weapons control conferences, gain media exposure about issues surrounding the link between arms control and development, and allow for stakeholder ownership at all levels. The specific objectives of the regional conferences were threefold:

1. To disseminate information regarding the situation of Small Arms in Somaliland, as well as to raise awareness about the ways that small arms affect peace and security throughout the country;
2. To collect community level perceptions of small arms issues throughout the Country, as well as to give people from the outer regions the opportunity to provide input to the national conference and present recommendations; and
3. To examine the current and proposed small arms legislation, and revise, adopt And modify it so that it is consistent with nation-wide sentiment and international standards regarding the manner, which manages small arms in Somaliland.

Following the initial conference in June 2003 NACCOF approached the Academy to facilitate the regional and national conference series, as a consultative and awareness raising process corresponding to the Academy's methodology. The process was meant to introduce the issue of small arms control at the conference level. Simultaneously, the methodology was meant to gather community perceptions that will contribute towards achieving national consensus regarding future legislation.



Methodology

Considering the diverse background of the participants the time-honoured participatory action methodology, a specialization of the Academy, was used in this conference. Various institutional presentations were made with a focus on giving the participants the conceptual background of the subject matter. The group work and exercises were designed in a manner that optimally extracted views and perceptions of particular group thinking and elicit opinions on the subject and key questions at hand.

The participants were divided into four groups of 10 people each: the civil society, legislature, authorities and the traditional elders. Each of the representative groups were asked to provide debate amongst themselves and note inputs on **(a) What Problems Do Small Arms Cause To Society?** The participants in each group reported the underlying causes in the first session. In the second session the groups resumed discussions on **(b) "How Best Could the Small Arms be managed"?** Individual groups reported the discussion and in the third sessions, the same groups resumed their discussions on the **Steps & Recommendations.**

Plenary discussions and debates generated much information that was gathered by the facilitator and reporters. Reviewing of some of the literature, including the 'Executive Document' and the Firearms Draft Law, elicited opinions on aspects of the penal provisions and suggested additions as discussed earlier.

VI. REGIONAL CONFERENCES, PARTICIPANTS, REACTIONS AND COMPOSITION

The participants of the regional conferences were as diverse as the complex problems and issues that are associated with small arms proliferation in the civilian sector and the trail of blood and death that comes in its wake. It was a precedent setting conference that debated one central issue, as said by a prominent traditional elder, "which stands in the way of any meaningful social development, creates mistrust amongst communities living side by side more than a decade after the end hostilities."

The Aqils

The traditional leaders' contribution was deemed essential. Their participation was invaluable as central authority in the clan-systems that is unchallengeable. Given that a great part of their usual daily core activities is spent settling disputes, resolving



conflicts brought about by deaths as result of guns, and snuffing out potential conflagration of clan-conflicts.

During the regional conferences, the discussion of the clan chiefs focused on the use of customary law and the Somali cultural views of the issue. The aqils highlighted the legacy of weapons left by the British after the 1920s collapse of the dervish movement. In the view of the aqils, weapons are evil and those who carry them must do so by "Xeer" in other words 'law'.

In addition, the aqils recommended that a peace building initiative similar to the 1993 Erigavo peace initiative, be considered to address demobilization throughout the regions. It is an essential step to sustained arms management measures. Seminars, workshops or conferences that keep the traditional chiefs informed regarding the peace dialogue must be offered periodically so that the clan leadership is capable of dealing with peace issues in an effective manner.

The chiefs of the clans also see their role as promoting any attempt to return guns into the hands of government. The issue of communication is also important, particularly in dealing with small arms, as language must never be militaristic. No threatening words should be used in any issue about small arms. On this note, the media is a double-edged device. If the language of the media is not checked then it can jeopardize peace and peace building measures and simultaneously promote gun-carrying culture.

The Regional Authorities

The regional authorities were the chief government representatives in the region leading this participants group, which included the service commanders, the regional attorney and prosecutors and scores of department heads. The participation of the regional governors as a chief enforcer of government directives and decrees places them in a central position within the context of regional administration and present initiatives in the SALW issues.

In the course of discussions during the regional conferences, the military, police and custodial corps were interested primarily in the formation of laws that enhanced their



capacity to do their job and control guns. They called for a ban on the importation of small arms, as well as local arms dealers, must also ban. In addition, contraband areas for arms must be abolished. A rapid combat unit (military-police) for dealing with managing small arms must be developed. Additionally, a legal code of conduct must precede the formation of this combat unit. Those imposing law and order also called for both awareness raising and training in order to address the problems associated with Small Arms. They suggested that awareness campaigns be carried out extensively in all major cities of Somaliland, and the campaigns must focus not only the incredible suffering that the gun has produced but also must point out the idea of a gun legislation measures. Jails that give vocational training must be created when guns are some how managed. On the regional levels stakeholders should meet regularly (annually, bi-annually) so that they are able to form a bottom-up gun legislation procedure and strengthen the regulatory mechanisms in place.

If it is possible to allow those Somaliland citizens who have a special need or a special knowledge of weapons to continue bearing arms, the ministry of interior must enact legislation accordingly.

The Civil Society & Private Sector

As another significant sector the civil society organizations and the private sector have influence over the present momentum in the firearms control activities. The civil society has been a vocal and proactive in the developmental activities across regions and dozen organizations exists which this includes women groups. The private sector has been the least active in the initial post-conflict stage, however their inclusion in the conferences was an effort to solicit their contribution in arms control especially in this consultative phase. Similarly, during the regional visits members of the legislature representing their respective regions accompanied NACCOF/APD and thus lending weight and importance to the consultative process in the regions, whereas the exposure and participation at the initial stage was as expected bring about a positive change and attitude as far as advocacy is concerned and when the 'Firearms Bill' comes and is brought to the parliament.

The civil society groups focused their discussions on building the capacity of the government to address issues related to small arms. Specifically, the need for a



democratic government that comes from the people and to the people must be established. Corresponding to this is the need for a viable judiciary apparatus so that every citizen feels a sense of justice. Disputes over land rights are pervasive throughout Somaliland, and are a continued source of gun violence; therefore the civil society groups suggested a serious look at ways to alleviate the problem of incessant land disputes.

Additionally, the civil society groups emphasized education and training as a way to enhance job opportunities throughout the regions. Vocational training centers must be established so that people are able to earn, and gun-related problems should be part of educational focus and included in the national curriculum for the young and adolescent youth.



The Delegates



VII. THE CONFERENCE

After the Academy facilitator presented on the pervasiveness, type and make of small arms throughout the country, the state of local arms trade in the region, crimes committed with arms, and major causes of such crimes social groups possessing most arms, participants partook in a full discussion on the subject. The purpose was to provide them with a basis for offering their recommendations as well as to raise their awareness on the state of affairs of SALW by the public. Later participants were asked first in a plenary session and in small groups to devise concrete proposals for managing the threat of arms available in such quantities by the civilian populations. These discussions took into consideration worsening economic trends, weak, underpaid and largely unequipped law enforcement agencies, and a weakening national cohesion.

A. Institutional Presentations at the Conference

The Academy for Peace and Development conducted a survey on small arms in Somaliland during the summer of 2003. The study of small arms is a highly sensitive topic anywhere, although it is most sensitive in societies like Somaliland where arms, small and large, have created massive deaths, physical disability, psychological trauma, and property destruction. In Somaliland, memories are still fresh of people who died, incurred physical injury, and suffered psychological trauma.

The Academy undertook this research with the awareness that the survey presented a formidable challenge in Somaliland. However, it also undertook the study with the aim of understanding why people obtain and keep small arms, the availability of small arms, their type and cost, and the attitude of various communities toward arms and security. The ultimate goal of the study was to contribute toward durable peace and to promote an environment where people have less need for small arms.



Funded by UNDP, the survey focused on four of the six regions in Somaliland. With the aim of sampling respondents in diverse communities, the Academy gathered data from cities, towns, and villages in Awdal, Northwest, Togdheer, and Sool.

The survey employed three methods of data collection. These included structured questionnaires, focus groups, and key informant interviews. The structured questionnaires involved 31 questions culled from the literature on small arms and adapted to the social and cultural context of Somaliland. The focus groups were designed to gain in-depth understanding of attitudes and facts on small arms in Somaliland. The informant interviews queried relevant government officials, ex-combatants, and small arms traders in the black market, health workers, and community leaders who have special knowledge about availability, sale, purchase, cost, and consequences of small arms.

As is standard practice in all works of the Academy, researchers and enumerators who belong to each region studied were deployed to each region. The researchers possess intimate familiarity with the people and politics of the region, and have reputation for integrity and concern for the common good. Using clustered random sampling, the researchers gathered data from the capital city, a town, and a village in each of the four regions. A total of 699 persons responded to the structured questionnaires.

B. Findings of the APD study

A large percent of respondents (87.6%) affirmed that no one in their household had been threatened or made to feel fearful in the past six months. This is consistent with the general belief that Somaliland has achieved a significant level of peace when compared to its past and to large areas in the former Italian colony in south and central Somalia. Nonetheless, about 10-12 percent still experience crime, violent encounters, threat, and are otherwise made to feel fearful.

In response to the question regarding which, ideally, the respondents think should be responsible to security, 73 percent state that local authorities should be responsible and expect less from their kinsmen (2.1%) and others if the local authorities do their job. A surprisingly higher percent (23.9%) states "other" in their response to this question.

Hussein Abdilahi Bulhan

Comment: Check what "other" entails.



About 60 percent of respondents stated that their town or village is safer than other areas in Somaliland and 30% affirm that safety of their town or village is the same as other areas. However, 9 percent declare that their town or village is more dangerous than other areas of Somaliland. These responses undoubtedly have subjective component to it in addition to being a statement of fact.

A significant majority (73.4%) affirm that possessing a gun is dangerous to one's family while about 20 percent state that it helps to protect one's family. About 7 percent believe that having a gun makes no difference.

When questioned about the types of violent crimes and other violence problems occurring nowadays in respondents' areas, the most common and specific complaint concerned theft (24.6%) of which the victim is unaware, fighting (19.7%), and murder (11.9%). A significant percent of respondents identified crime and violence under the miscellaneous category of "other" (21.7%). A few (5.7%) are fortunate to experience no violent crime or other violence problems whatsoever. Questions regarding the type of violent crimes and other violent problems allowed multiple responses according to priority. Of the total 699 respondents, 314 (44.9%) persons chose to offer a second priority to their first response. They again listed theft (8%) and equally (6.7%) domestic violence, rape, and gangs. Murder (5.7%) and revenge (5.0%) came next in order. Of the total 699 respondents, 230 (32.9%) persons offered a third priority. They listed revenge (8.3%), burglary (6.6%), other (5%), domestic violence (2.9%), and gangs (2%). In short, the most common violence problems the respondents complain about include theft, fighting, murder, domestic violence, rape, and gangs. Re-examination of the data with respect to region and municipality should clarify the preponderance of these violent crimes and other violence problems.

Hussein Abdilahi Bulhan

Comment: Find details on fighting and murder.

Hussein Abdilahi Bulhan

Comment: Find what "other" refers to.

A majority of respondents, 83 percent answered that there are too many weapons in their community, while a minority, 11.7 percent responded that they didn't think there were too many weapons in their community.

In response to the question about which group the respondents think own the largest number of weapons, the respondents stated that businessmen (54.5%), criminal groups (11.2%), pastoralists (11.2%), ex-fighters and soldiers (4.9%), politicians (3.1%), and others (3.1%). This question allowed multiple responses. Fifty percent of the sample that gave additional

Hussein Abdilahi Bulhan

Comment: Find out what others mean.



response affirmed that civilians own 18.6 percent, businessmen 12.3 percent, criminal groups 5.4 percent, ex-fighters or soldiers 5 percent, and pastoralists 4.4 percent. In short, businessmen and criminal groups come top in the list of small arms, raising questions about the relationship of the two groups.

Respondents were asked which measures would increase security. Nearly 40 percent (278) believe that control of arm sellers would increase security, about 36 percent said tightening border control, and about 20 percent said licensing for legal firearm possession. The question allowed multiple responses. Only 72 persons (10.3% of the total sample) gave additional responses. An overwhelming majority (89.7%) stated tightening border control would increase security and a minority (9.3%) declared control of arm sellers in this regard.

When asked why people keep firearms, 60.8 percent of the respondents stated personal protection for justification, 12 percent for property protection, and 10.4 percent simply because the firearms were left from the war. Of the 48.4 percent that gave additional response, 284 (40.6% of the total sample) declared property protection as justification. In short, personal and property protection were the most common and salient reasons for why people keep firearms. Justification for community protection, political security, work, and valued family possession were not highly endorsed for justification. Of these, community protection is evoked most often in the second and third responses to the question.

According to respondents' opinion on what type or makes of firearms are most common in Somaliland, over 76 percent stated automatic rifles (such as AK-47), about 12 percent declared pistols and revolvers, and about 7 percent RPGs.¹ This question allowed multiple responses. Of the 548 (88.4%) persons who gave additional response stated pistols and revolvers (21.6%), automatic rifles such as AK-47 (10.4%), and RPGs (7.4%). In short, automatic rifles, pistols/revolvers, and RPGs in that order seem most common firearms in Somaliland.

When asked what condition the respondent's would be willing to hand in their weapons, about 31% stated that people would return in return for cash, about 24 percent if the government can guarantee security, about 17percent if the economic situation in community improved, and 6 percent if there would be less crime. About 9 percent declared that people would never

Hussein Abdilahi Bulhan

Comment: Find out who specifically the civilians are.

¹ A mistake in options given in the response sheet included AK-47 a second time. Combined it to automatic rifle category increase this figure to 76.7%.



hand in their weapons. Those who gave additional responses reaffirmed willingness in return for cash, if the government can guarantee security, and if the economic situation improved.

During the discussion of small arms threats, the stakeholders presented on their recommendations, which included:

Awareness Raising

There is a need for further assessment of availability of small arms region wide, as a first step toward understanding the prevalence. The APD study on small arms, conducted in the summer of 2003, should shed some light on the state of small arms in Somaliland. It was also recommended that the government embark on a comprehensive awareness campaign nationwide, utilizing clan elders as one possibility of reaching the wider public. It was also suggested that the elders should be used to further diffuse existing tensions.

Considering the complex and emotional nature of the firearms issue in the civilian sector a sustained barrage through every conceivable means should be employed, across the length and breadth of the country. The government should extend its public radio coverage to large swathe of territories as currently the government radio does not extend beyond the capital region Hargeisa.

Disarmament

There was great interest by all stakeholders for a comprehensive disarmament program, either through gun-buy-back programs or gun-for-employment strategies. It was suggested that the guns could best be brought by a disarmament agency.

Registration

Gun registration and tax levying on business people who wish to retain arms is another possibility, and those who must keep their arms should be responsible people with valid reasons for arms possession. The registration system must coincide properly with inspections and taxation. In addition, it was suggested that the establishment of special offices for gun registration for those considered in need would retaining their own arms.

Land Disputes



There remains the common understanding throughout the country that land disputes are one of the primary causes of violence and use of small arms. The security forces need to be better trained and paid so that they are not tempted to use their position for land grabbing. In addition, land issues must be addressed in conjunction with small arms legislation, as it is a significant problem related to small arms possession

Establishment of Vocational Training For Employment

The establishment in every region vocational training centres whereby demobilizees and armed youth brigades could be inducted for skills-for-employment training as part an effort on the government collecting and reducing the small arms, light weaponry and other automatic guns in the civilian sector is recommended. Job placement should be done where openings exist in both the public and private sector.

Institutionalising Non-violence Or Peace Education

The government through the Education & Youth Ministry should seriously look into developing 'peace education' as part of the educational curricula from the primary level institutions of higher education with a view of inculcating the culture of non-violence. This measure is to dissuade the present youth in school and the successive generations, and the government should include this part of its top priority in the education sector.

Legislation: Development of a Firearms Law

There is a need for a proper ban on arms trade, particularly the international trade. It was recommended that the government enact legislation that specifies what types of arms are considered personal and what types should be in the custody of the authorities. The legislation will also mandate controls over government possession of arms; and confiscates arms known to have been used in crimes committed. Additionally, a ban must be instituted prohibiting arms inside of homes where they are accessible to children. Several pointed to mistakes with the current draft legislation and two or three amendments were proposed with regard to the draft law on arms control.

Overall the idea of a regulative control over individually owned firearms was endorsed. Once the law comes into force and there are ample provisions within for permits/licensing, it is widely believed that there will be a reduction in gun violence, it will also reduce the likelihood of openly flouting an existing law considering that gun possession or ownership comes with responsibility.



Judicial Reform

Judicial reform is important in order to ensure trust of the community. The current system of persecution of crimes, such as gun-related murders, is non-existent. Communities rely on out-of-court settlements, and arrests are few. Hence, a strengthened judiciary could impose severe penalties and instil confidence on the general public.

Sponsoring & Initiating Peace-building Meetings

The government and civil society should form partnership frameworks and programs in promoting grass roots and community-based peace and conflict resolution initiatives that are largely driven by the concerned communities. At the same time different approaches to different problems that may be peculiar particular region or area be addressed a case in a point are the Eastern regions, SANAAG & SOOL.

Intensifying Participation Of The Traditional Leadership

As the traditional leadership are very influential and work with Ministry of Interior, taking advantage of their capacity in handling conflict situations, clan leverage is beneficial in establishing regional or district level traditional leadership councils as starting point for their participation in SALW problems-solving and information dissemination mechanisms in the rural areas. The older traditional leaders participating in the regional conferences that concurred that such methodology was applied during pre-independence days further explained this particular recommendation as.

Participation Of The Civil Society, Private Sector and Women's Groups

The participation of the civil society is crucial in any dialogue and activities on small arms control, women constitute half the population and their voice and contribution is indispensable as the most affected group in the society. Although gun bearing is predominantly a male domain, arms possession being not a ubiquitous item any more than it was years ago. This gives an indication that the guns are part of a household item and the women are the reluctant and indirect custodians. Therefore utilizing women-to-women interaction a strong lobby group could emerge in bringing about attitudinal or behavioural changes which is advantageous in raising community awareness. The private



sector is known to wield both the economic power and have substantial arms caches, employ retinue of armed guards who maintain security in the business premises and escort goods in transit. It will be very important to conduct dialogue with the private sector and solicit their full cooperation both in short and long term.

Capacity Building

As with many sectors of government, the prevalence of political, economic & social justice by enhancing police and judiciary capacity is essential. The direct correlation between a competent and representative government and small arms management is undeniable. In addition, some recommended that security forces should not be allowed to wield arms in towns during normal security times, and that security forces should be disciplined and well paid so that they do not use their power for unlawful use.

Most regional delegates unanimously decried the state of affairs of the current police and strongly recommended that new and educated police should be recruited who will specifically deal with firearms control and enforce new firearms law. Such a well trained 'special police unit' should be well equipped and geographically distributed. As recommended by the conference delegates such a new force could be the bedrock for a new police force several years down the line as the older officers are phased out and an effective force takes shape and expands its ranks.

Region Specific Issues

In each of the regions there were specific problems that were discussed regarding their problems. For example, the Saxil Region is one of the three Western regions that surrendered their heavy weapons to the Government. Their security concerns hinged mainly on armed foreign fishing fleets with superior heavy mounted weapons that are depleting the marine resources of the country within the Exclusive Economic Zone (EEZ). Additionally, in the Sool region, there was no peace dialogue; consequently Sool residents remain heavily armed. Also there is no viable Somaliland administration in Sool region, thus small arms as well as heavy arms are still in the hands of the "Beel" or the clan.

Following the small group presentations, other presentations included the NDC's institutional mandate, "Which way forward: Strategies by both DDR & NDC," Small arms stockpile



management (UNDP/ROLS), Small arms proliferation & impediment to peace & development (UNDP/SALW).

C. Discussions On The Executive Document: Suggested Inputs

A study of the outdated 'body of laws' was undertaken in June 2003, which included the Public Order Law 1963 and other 'peace and security accords & charter'. These were distributed to conference delegates. Significant portions of the 'Draft firearms law' were drawn from the public order law, and a slimmed down version of the draft law 'the executive document' was distributed to the individual conference participants. The members representing the law enforcement and courts, recommended that more inputs should be gathered and included in the draft 'firearms law' by a competent technical team, since the draft firearms law so far only constitutes the basic initial provision and not a final piece of legislation.

As recommended by the delegates at all the 4 regional conferences that any efforts expended should focus on the enhancement the capacity of the police. The real issue, of course, will be enforcement, not just on the government disciplining and motivating its own police and officials. A concern raised by a reputable elder in the Burao conference on the subject stated that the trust in the present police force will be another hard task ahead. The reaction to the 'draft and executive documents' were positive and above all the traditional leaders hailed it as a major achievement should the law be passed by the legislature.

D. A Description Of The Draft Firearms Law: The Content and Intent

The law defines types of arms and ammunition which citizens and legal entities are allowed to possess, and those, which citizens and legal entities are not, allowed to possess. It also specifies a procedure for issuing a permit for obtaining, keeping and carrying arms and ammunition and for use. It states the reasons for surrender or confiscating of arms and ammunition. It provides for repairs, modifications and transport of arms and ammunition, and finally for supervision of implementation of the Law. The provisions of the envisioned law shall not apply to members of the Somaliland army, police or custodial service, nor to other uniformed government guard and security employees when acting within the scope of their assigned official duties. This law regulates the conditions for procurement, possession, carrying, keeping, production, repair and modification, trade and transport of arms and ammunition.



The provisions of this law do not apply to the arms and ammunition intended for the needs of the Ministry of Defence, the Army of Somaliland, the Ministry Of Interior, the correctional institutions and other state authorities and legal entities referred to in specific regulations. The law governs acquisition, keeping, carrying, sale, transport, repair and modification of weapons, parts of weapons and ammunition. The Ministry of Defence is responsible for supply, control, and the management of weapons, explosives and ammunition of any and all types of the Somaliland armed forces. The Ministry Of Interior is responsible for supply, control, and the management of weapons, explosives and ammunition of any and all types of the national police, custodial service, other uniformed officials and civilians.

E. Global Perspectives, Regional Initiatives

Presenters: UNDP--Tahlil Ahmed & Hassan Adam

A presentation on the SALW issues to the regional conference participants was significant in drawing their attention on the views and perceptions of arms control in the in both regional and global context. The UNDP Legal Advisor started with a presentation on the non-conventional arms race and past attempts to control the cold war nuclear arms whose threat to world peace was a top global agenda for decades. After a lengthy presentation, discussions ensued on the local Somali context on the core issue, small arms in the civilian sector and the fragility of peace and stability.

F. The Post-Conflict Phase: Real Peace Or Pause?

In reaction to the small arms availability in the country, the regional conference participants became aware that whatever peace existed at present was a precarious one and since large quantities of small arms and light weapons were in abundance. The response from the traditional leaders was that there is more likelihood that the past gains so far that secured a clan truce amongst warring clans is based on a fragile foundation "It is simply a lull of the hostilities to be exact it is not real peace but a pause in the conflict" remarked one notable elder who was a conference delegate in Erigavo.



The Traditional Elders have been at the frontlines of mediating conflicts although most participants from the civil society seemed to agree that the role and efforts of the government in consolidating peace has been modest especially in the Eastern regions. The conference delegates agreed "that whatever the conditions for the ending of the conflict, what is essential, one way or another, under auspices of a central authority is to put these mechanisms of arms under control". The response and perceptions of the traditional elders unanimously recommended in all the 4 conferences that the task of setting up regulatory control lies with the government. Since 1991, all events that called for improving the peace and security have been realized through community-based initiatives led by traditional internal, domestic initiatives. They are directly related to the immediate security situation and ultimately to the longer-run development of the country and society. There are components in which the responsibility is clearly with governments, especially enforcement of laws, whereas governments, which take the initiative and look to the support of their populations, reinforce the authority of the government. At bedrock is the question of security, the ability and capacity of the State and its instruments to do their part.

G. Stockpile Management: A Subsidiary Activity

Presenter: Gelle Gallaery--Police/Liaison Officer

A presentation on the law enforcement component was made with in order to enlighten conference participants regarding what is being done as far as securing arms in the security sector is concerned, the trainings being offered, and continuous focus on the establishment of a professional civilian Police Force that will be able to effectively contribute to the restoration of peace while gaining the trust of the community it serves. Similarly the basic training on safekeeping, and custodial procedures were highlighted and elaborated at length. This was an effort to disseminate information to the conferences participants and also inform them of activities that are being undertaken as part of addressing SALW issues where the distinction between what is civilian owned and what is a police firearm is virtually non-existent. The reaction of the participants was supportive of the procedures and controls being instituted within the police, and many said that this would go along way in helping to discipline the ranks of the armed services.



H. Background On Demobilization Disarmament & Reintegration: Past & Present

Presenter: Abdullah Noah--NDC

The National Demobilization Commission (NDC) presented on the overall situation of the demobilization, and 'missed opportunities' in the initial post-conflict phase. Efforts by the Somaliland administration are commendable without a large and significant resource allocation, yet militias have been absorbed in what is now the police and the army. This initial intervention process was in essence an 'assimilation' process and not demobilization in the practical sense. This sector is actually draining the country of valuable resources that otherwise could be spent on livelihood security of the civilian population and development. At the moment the government believes to have a need of about 7,000 men in their armed forces, the police and customs and the custodians corps, nevertheless a reported number of about 18,000 still remain on the payroll. Starting a screening process and discharging the 'ghost-army' and personnel is politically-charged venture and causes turbulence that will destabilize the situation considering that the present national security forces were created through absorption of the militia groups from the various clans. Similarly the sustained presence of oversized armed forces and uncontrolled and disorganized army units should also raise concerns about possible potential for insecurity such a development would endanger the existing peaceful and stable environment.

I. The Way Forward & Action Points [An NDC Presentation]

The NDC Guest speaker highlighted that at present there is a semblance of stability, although it will be untenable in the future if immediate steps aren't taken to reform the security sector, downsize personnel, create employment programs, etc. "This will bode well if the government established plans making sacrifices in order to ease the financial burden on the country. A small but qualitative security force would accomplish the necessary requirements for territorial defence of the country and internal security reinforcements".

On the basis of an NDC Strategic Planning meeting, the following steps were adopted in December 2003

1. Development of a comprehensive and transparent payroll system for the national security forces whereby the concerned parties will be able to confirm



that any reintegrated soldier is exclusively deleted from the payroll and the economic returns from the defence budget.

2. A peacetime national security force must be limited in number that will be clearly shown up in the devised defence policy. In order to make easier introduction of clearer national security policy, the force should prepare their internal regulations as a prelude to any meaningful strategic planning and that aims at saving costs.
3. Formulation of national security policy and five (5) years strategic plan is needed. The participants were informed under this plan consensual decision and agreements that will see that National Demobilisation Commission (NDC) is restructured as well review its financial plan by the government. Participation by the members of the legislatures that are now poised to sensitised other parliamentarians and 'Guurti' on the concept so as to make them ready for approving the policies and work plans that will be devised.
4. Formulation of a National Defence Policy and that of the Demobilization Reintegration Programme (DRP) and its strategic plan must be started even before registration of the forces is complete. It was also consented to complete the registration of the remaining handicapped and aged soldiers, war widows and orphans in the army.
5. Development of an institutional NDC strategy to be approved by a commission appointed by parliament. This will enable NDC to execute its obligations and commitments, whereas the government must revise and adjust the NDC structure and budget allocation in order to hire professional staff and generally improve the capacity of the institution.
6. All formulated policies and strategies must be made legal through the parliamentary legislation.

In the future NDC will pursue the establishment of the "national social security institution must be established where all physically and mentally handicapped and aged soldiers, as well as orphans and war widows from the forces, who do not do active service for the government, will be transferred to a Veterans Administration. This target group are needed to benefit from the expanded demobilization project by reintegrating them into civilian life so as to improve their living status. This will help to ease burden on the forces and the government as well as towards reducing the defence budget.

The three services commanders should initiate and integrate plans on demobilization and prior to the separation a handover of a gun or arms held by the individual should be collected and a separation benefits as opposed to buy-back option. Additional productive reintegration



schemes must be investigated and made available in order to achieve sustainable reintegration of the demobilees.

J. Outcomes of the Conferences

1. People felt honoured to be asked to participate in decisions affecting their daily lives.
2. People's perceptions on the issues addressed, due to the theme of the conference, were obtained
3. Participants proposed what they thought a legislation on small arms should contain
4. Participants expressed genuine concern on the initiative of small arms control and they pledged cooperation with other stakeholders
5. Government agencies had a forum in which to express the problems standing in their way in executing their duties effectively, first and foremost among them: the absence of appropriate legislation and the required capacity to enforce it.

K. Summary of the Recommendations

On the last day of the regional conferences and following the gathering of the group work, recommendations were read out in the final plenary session to the participants. Furthermore, it has been observed that that all the 4 the regional conferences the emergence of unanimity on the resolutions adapted which are summarized below: According to both the authorities and the public, the conference was the first ever to be held in the regions. Both authorities and participants were impressed with the outcomes; this was expressed in invitations of the team by the authorities throughout the three days.

The participants recommend that the small arms issues be addressed and people's aspirations realized and that all regions in Somaliland begin arms control management. In summary, the findings from all four regions where the NACCOF conferences were held include:

- Formation of laws that control firearms, particularly guns.
- The importation of small arms be forbidden, that local arm dealers must also be banned.
- Awareness campaigns must be carried out extensively in all major cities of Somaliland and at district level.
- A viable judiciary apparatus must be reconstructed
- Vocational training centres must be established.
- The democratic process must be upheld.
- The education system must address gun related problems



- That the regional chiefs must come together and process a legislation that addresses the issues of arms
- A Peace Building Initiative is essential and is a prerequisite to arms management measures.
- Land disputes must be addressed.
- Work-shops or conferences that appraise the chiefs on peace dialogue must be offered
- Stakeholders in issues of Small Arms, Security and Development should devise some concrete actions that people are in dire need of
- The capacity of the central government must be enhanced
- Radio Hargeisa should reach the regions or other available sets at the center must be distributed to the regions.
- Grassroots mechanisms for gun control must be encouraged through clan affiliation
- Promote inter-clan peace dialogue of all Somaliland clans.
- The participants confirmed that they would contribute towards the implementation of all peace-building measures and welcome all grass-roots legislation that controls the spread of firearms in Somaliland.