

Security and Governance in Somalia: Consolidating Gains, Confronting Challenges, and Charting the Path Forward

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I would like to take this opportunity to thank the Chairman Coons and the other members of the Senate Foreign Relations Subcommittee on African Affairs for inviting Crisis Group to testify today on Security and Governance in Somalia. Crisis Group has been working on Somalia since 2002, and has produced some 18 in-depth reports and briefings on the conflict there and continues to follow events there closely from our office in Nairobi, with frequent visits to the country's various regions.

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The Situation in Somalia

Conditions have improved in the last several years. The African Union Mission for Somalia (AMISOM), now including Kenya, has with the help of Ethiopia, the Somali National Army (SNA), the Sufi Ahlu Sunna wal Jamaa, and various clan militia allies dealt the armed Islamist fundamentalist group Harakat Al-Shabaab al-Mujahedeen (Mujahidin Youth Movement), better known as Al-Shabaab a serious strategic setback by formally ejecting it from Mogadishu, Afgooye, Baidoa, Merca and Kismayo (it still has an underground presence in these cities). This represents a huge psychological blow and has deprived the group of major revenue sources. Al-Shabaab has also been weakened by internal conflict, and several large and important factions have left the organization. Mogadishu, although it continues to

be plagued by assassinations and occasionally larger asymmetrical attacks, is more secure; resulting in thousands of residents returning, and a torrent of business investment in the city's reconstruction.

Somalia also has a new, albeit still interim government that is qualitatively better than previous administrations. Neither President Hassan Sheikh nor Prime Minister Abdi Shirdoon played major roles in civil war. They appointed a relatively lean and technocratic cabinet. In addition, the new 225-member parliament is more representative than previous iterations.

The Somali Federal Government (SFG) also developed a "Six Pillar" strategy that focuses on stability, economic recovery, peace building, international relations and national unity. Optimism led the international community, including the U.S., to quickly recognize the new government and in September it pledged some \$2.5 billion in "New Deal" support that, conditioned on greater transparency and governance reforms, will go through the SFG. If allocated efficiently, this money could be a huge boon to the country and its people.

A Reality Check

Despite all its goodwill, the SFG is still a provisional government, with de facto control only over Mogadishu and parts of the South, and dependent on foreign troops to keep its enemies at bay. Al-Shabaab is down but not out. It controls, or at least is able to operate at will in, huge swaths of south and central Somalia, and still able to hit high-profile targets in Mogadishu's heavily fortified areas, including the national courts, the UN compound, the Turkish embassy, and popular gathering places such as the Village restaurant. Somalia also remains an extremely poor country, the SFG generates very few of its own resources, and is largely dependent on the international community to pay its security forces and begin the difficult and very expensive task of rebuilding after nearly 20 years of state collapse. A lot of the taxes and fees on trade transiting through ports and airports (the major sources of official revenue) is still "captured" by corrupt officials and local clans and businessmen. Furthermore, the international community has pumped hundreds of millions of dollars into security sector reform since 2000, with little tangible positive impact and arguably exacerbated instability. Security in Mogadishu, and elsewhere, remains dependent on AMISOM, and will likely for some time to come.

Yet AMISOM alone, with some 17,000 troops cannot pacify an area the size of New Mexico. The government also cannot stabilize Somalia through military measures alone—it cannot impose a peace—it must recognize its limitations and accept that stability is only possible through a nationwide process of negotiation, power sharing with other political forces and improved governance.

Al-Shabaab also remains a potent threat, as demonstrated by Westgate Mall operation in Nairobi, and high profile attacks in Mogadishu and elsewhere. Ahmed Godane appears to have taken firm control of the organization and seems intent on regionalizing his operations. Al-Shabaab is a serious regional threat and has links to other extremist groups in the Horn and the continent. "Hard" counter-terrorist measures can only be so good, it will be extremely

difficult for regional states, the SFG and AMISOM to protect soft targets from terrorist attacks.

The Challenge of Federalism

Arguably the most intractable issue is the question of federalism. Despite five years of work, the committee drafting Somalia's new constitution was unable to reconcile different positions on the devolution of power and left many provisions on federalism vague or unaddressed in the provisional constitution that forms the basic law of the SFG. Put simplistically, serious disagreements remain between those who would like to see Somalia become a strong unitary state—one that can stand up to neighbors, such as Ethiopia, that have long meddled in its affairs—and those that fear a centralized government would be dominated by a single clan, or group of clans—as it was during the Siad Barre era—and would then deny them their fair share of resources. This divide also tends to follow clan lines with many Hawiye clans, who dominate central and south Somalia and particularly greater Mogadishu, supporting a unitary state, while many Darod clans, who dominate Puntland and Jubaland, are strong proponents of federalism.

Agreement on the powers of the federal government need to be thrashed out quickly, otherwise Somalia risks embarking on a “piece-meal” approach in the establishment of local administrations and federal states. The SFG quickly ran into trouble on the issue of federalism, exacerbated by ambiguity in the constitution about who leads the process of creating states. Instead of building its own legitimacy by focusing on the service provision in Mogadishu and other liberated areas, or working with de-facto authorities, the SFG forcefully inserted itself into the Jubaland process, in far away Kismayo, southern Somalia, by appointing its own district-level officials (as was allowed by the constitution). The local authorities ignored the SFG (and the constitution), convened a conference, and ultimately elected a former Al-Shabaab commander, but now Ethiopian and Kenyan ally, Ahmed Mohamed Islam “Madobe” in April. Pushed by proponents of a strong central state, the SFG continued ratcheting up the pressure and at one point Al-Shabaab militias allowed pro-SFG forces to move troops and “technicals” through their territory on the way to Kismayo. Barre Hiraale, a SFG ally (and a former proxy of Ethiopia) even publicly announced that his forces were co-located with Al-Shabaab and planning joint operations against Madobe. Several violent clashes followed, and only under concerted pressure from Ethiopia, Kenya and the international community were the two sides able to reach a tentative agreement, in Addis Ababa, on the establishment of the Jubaland Interim Administration: with Madobe the president for no more than two years and a promise that the SFG would take control of Kismayo port and airport, provided the revenues would remain in the region. The agreement was guaranteed by Ethiopia as chair of the Intergovernment Authority on Development (IGAD), the regional security organization. Somalia's neighbors thus facilitated the peace, but at the same time also are laying the ground for further conflict.

This week Madobe, beholden to his Ogaden clan, refused to meet the SFG per the Addis Ababa Agreement's terms, and thus seemingly rejected it. Jubaland is very much an Ogaden-dominated state, and if the interim administration is not careful it will drive alienate minority

clans from the region to support Al-Shabaab or other armed opposition groups. Kenya in particular may then be pulled into supporting an increasingly unpopular regional government, which could be further exploited by Al-Shabaab to characterize its intervention as an “occupation” (much like it did the Ethiopian intervention from 2006-2009) and Madobe as a puppet. It must be the SFG’s role to represent the interests of minority clans, and not allow dominant clans to dictate particular state’s political dispensations.

Regional Politics

The region has significant security interests in Somalia, and immediate neighbors Djibouti, Ethiopia, Kenya and Uganda all have sizable forces in the country. Beyond the Horn, Muslim Somali is very much linked into the Middle East, and Egypt, Qatar and Turkey are very active in the country.

Despite its size, Djibouti plays a significant role, in large part because much of its population is Somali and many Somali businessmen either do business in, or have strong ties with businessmen from the country. Djibouti has also hosted several multi-year Somali peace processes and its elite have strong ties to Somali leaders. Its forces are now based in relatively quiet central Somalia.

Ethiopia has been Somalia’s historic regional rival: disputes over control of the Ogaden region, which Somali nationalists consider to be part of “Greater Somalia” continue, and led to a brief war (1977-78) and much longer proxy conflict. Calls for the annexation of the Ogaden, as well as other parts of greater Somalia, remain popular with Somali nationalists, and pandering to this sentiment by the Islamic Court Union (ICU) was part of the reason Ethiopia intervened in Somalia in 2006. Addis Ababa quickly expelled the ICU from major cities, and then remained to prop up the then Transitional Federal Government (TFG). This led to the rise of Al-Shabaab, which presented itself as the most effective force fighting Ethiopian “occupation”. It was during this period that the group received its most significant diaspora support—not because they shared its ideology, but because they saw Al-Shabaab as part of a liberation struggle. The intervention cost Ethiopia dearly, and three years later, Addis quietly relented to the selection of Sheikh Sharif Sheikh Ahmed, the former chairman of the ICU as the new TFG president. Ethiopia quickly withdrew, with AMISOM only slowly replacing it as the force protecting the embattled government. Since then Ethiopia has focused largely on supporting groups that can effectively act as a buffer along its borders, many of whom are resistant to the new central government. This includes Somaliland and Puntland State.

Ethiopia, promoting its own system of “ethnic federalism” is a strong proponent of federalism in Somalia, and has long supported a seemingly logical “bottom up” approach of state-building. Many Somalis, however, see this as a ploy to keep their country weak and divided, and this very much plays into the hostility of many towards international pressure for the SFG to truly devolve power. While overstated, Ethiopia is wary of a strong Somali central state, particularly if it is close to countries perceived as hostile by Addis Ababa.

Kenya is a relatively new entrant in Somalia. Nairobi forcefully intervened in 2011 to create its own buffer state and facilitate the return of more than 0.5 million Somali refugees currently living in the country. Kenya subsequently joined AMISOM, but often follows its own interests. In Jubaland, Kenya has thrown its support behind Ahmed Madobe, its most effective proxy force leader. Publicly Kenya is looking for an exit, but Somalis view this claim with great scepticism. According to the UN Monitoring Group, Kenyan-Somali politicians and Kenyan military officers are allegedly earning large amounts of money from trade, including illegal charcoal, passing through Kismayo, and more importantly most believe Kenya wants to control southern Somalia because it has large oil and natural gas deposits. Al-Shabaab is aggressively trying to turn the local population against the Kenyan “Christian” forces occupiers, and the Westgate Mall attack was an attempt to trigger a crackdown to that end.

Uganda is most removed, but remains the dominant actor in Mogadishu (despite the presence of a large Burundian contingent) because of the size of its contingent and the forceful personality of President Museveni. Its contingent is also accused by Somalis of profiteering from the war. Previously very active, Museveni lately has been distracted by political turmoil in Kampala and has taken a less force role, ceding some influence to Ethiopia and Kenya.

Beyond the regional states, a number of Muslim countries have taken an active interest in Somalia. Turkey is perhaps the most prominent country, and to its credit played a major role in responding to the latest famine in 2011, and then subsequently has arrogated a substantial role for itself, and its companies, in the reconstruction efforts. Qatar has also played a major role, particularly in its support for President Hassan Sheikh Mohamud and his supporters from Damul Jadiid (New Blood), a faction of Al-Islaah, the Somali wing of the Muslim Brotherhood. The emergence of the Muslim Brotherhood has also increased the interest of Egypt, which before Tharir Square had been in major competition with Ethiopia over influence in Somalia. The greater regional interest allows the SFG to play different states off each other, particularly Muslim states against Ethiopia. The influence of Damul Jadiid has led Somalia to re-orient somewhat away from IGAD and AU towards Middle East. This has complicated Somalia’s relationship with Ethiopia and Kenya, and to a degree with the UN.

The “International Community”: herding cats

Not only is international involvement complicated by numerous bilateral countries with individual agendas, but there are also a number of international organizations, including the UN, AU, and IGAD (not to forget, occasionally, the League of Arab States, the World Bank, and NATO) active in Somalia with no clear division of responsibilities or lead actor. (This sometimes was a problem within the UN and AMISOM as well, where agencies did not cooperate or contingents did not follow the chain of command). They are also joined by a number of special envoys with unclear roles vis a vis the international organizations, the missions in Somalia or ambassadors accredited to Mogadishu.

The greatest problem was, and arguably remains, the overlapping mandates of the AU and the UN. The AU has the military peace enforcement responsibility, but by virtue of having been

in Mogadishu for the last four years and fielding a force of over 17,000 troops is a major political actor in Somalia, while the UN has a political mandate, but by virtue of security being a huge part of re-establishing stability in the country (as well as supply a great deal of support to AMISOM, through UNSOA, and the government) was very much involved in security policy and security sector reform. Both missions are also headed by special representatives with no clear instructions on how to share responsibilities. This was a particular problem for AMISOM and UNPOS, particularly because UNPOS was based in Kenya and its senior staff rarely spent much time in Mogadishu.

It is too early to tell if new United Nations Assistance Mission for Somalia (UNSOM), established on 3 June 2012 can succeed where so many others have failed. Its mandate includes the provision of policy *advice* to the SFG and AMISOM on peacebuilding and state-building in the areas of: governance, security sector reform and rule of law (including the disengagement of combatants), development of a federal system (including preparations for elections in 2016), and coordination of international donor support. It is also tasked to help build the SFG's capacity to promote respect for human rights and women's empowerment, promote child protection, prevent conflict-related sexual and gender-based violence, and strengthen justice institutions. To strengthen intra-UN coordination, a major problem since UNPOS was created in 1995, a post of the Deputy Special Representative of the Secretary-General/Resident and Humanitarian Coordinator will be established on 1 January 2014 and "structurally integrated into UNSOM".

Importantly, UNSOM is based in Mogadishu and will be deployed across Somalia, as requested by the Federal Government and as conditions permitted—so far it is only present in the capital, Garowe, Baidoa and Kismayo (it has not received permission to establish an office in Hargeisa). The Security Council emphasized the need for coordination, and UNSOM and AMISOM will work "on parameters for practical partnership on the ground". To date UNSOM is just starting to deploy with approximately 50 staff in Mogadishu, whose mobility is severely subscribed because of insecurity (the UN compound was attacked on 19 June and 1 permanent staff, 3 contractors and 4 guards were killed, along with at least 6 Somali bystanders). It will not be up to full strength until early 2014, depending on the security situation.

The major role for UNSOM will be coordinating security sector reform and international support. As was noted by the UN technical assessment team, "A common and closely coordinated strategy for international security support, which sets out clearly the respective responsibilities for the Africa Union, the United Nations, other allies, and Somali forces, with clear timelines and appropriate resources is a priority". Security training is now being conducted by Somali forces, the European Union Training Mission (EUTM), Turkey, Ethiopia and Bancroft Global Development, a private company. This is ostensibly coordinated through a UNSOM facilitated and Somali-led steering group. Much work remains to be done. According to the last UN report, Somali forces continue to face significant logistical challenges and "indiscipline continued to present a challenge, and there were reports of clashes within Somali security forces in Baidoa and Buurhakaba, and an increasing number of desertions in Bay and Bakool. Furthermore, police continue to face

serious capacity gaps and “international support, including stipends and training continues, but lack of coherence undermines its effectiveness”.

Donor coordination will be equally challenging. Encouragingly the SFG has developed the Somali Compact that strives to provide an overarching strategic framework for coordinating political, security and development efforts over the next three years. It will remain to be seen if the donor community, in its New Deal pledges, will adhere to that framework, especially as counter-terrorism priorities again rise to the fore with the recent Westgate Mall attack.

The Westgate Attack

Much has already been written about the latest Al-Shabaab attack in Nairobi. It is however important to note that it had long been expected, and it was certainly not the first, only the most destructive, with consequently the most media attention. Since Kenyan troops went into Somalia, militia groups have launched some 50 attacks into northeastern Kenya, and a number of grenade attacks in Mombasa and Nairobi. Almost all seem to have been aimed at creating a backlash against Kenyan Somalis and Muslims, deepening sectarian divisions and driving those populations to provide more support to radical Islamist groups. A related goal was to put pressure on Kenya to withdraw its forces from southern Somalia, either because it was unwilling to pay the price at home, or because the local population was turning against AMISOM. It is therefore important that the Kenyan government prevent a backlash against its Somali and Muslim population, lest it does exactly what Al-Shabaab was seeking.

What the US Can Do

- Support and prioritize nation-wide negotiations on the type of federalism the SFG will implement. Insist that the formation of new states adheres to a rule-based process.
- Continue to support local and regional administrations’ capacity building, particularly through the Local Stability Fund proposed by the UK at the London Conference in 2012, but this must be linked to reconciliation and measures to ensure minority clans are adequately represented in those governments.
- It is very difficult for aid agencies to provide development assistance in insecure areas of Somalia, yet it is in these areas where assistance can have the greatest marginal benefit, particularly for nascent local administrations. Congress should consider supporting a “venture development fund” managed by OTI to provide small and quick high risk, but high reward grants for symbolic projects, such as medical clinics and boreholes, focused on local governments in Somalia’s periphery. Such projects would provide much needed services and much needed legitimacy to local authorities and a tangible reward for withdrawing support from Al-Shabaab. This is what many Islamic NGOs are doing in Somalia.
- The 2016 elections are not so far away. Crucial constitutional commissions, such as Boundaries Commission and Independent Constitutional Review Commission, are not yet established. If there are many setbacks, it is quite likely the polls will have to be delayed, which will be extremely destabilizing. (The SFG’s vision 2016, is already signaling the need for contingency plans if one person one vote elections are not

possible at that time.) Election assistance should already be funded by donors. Thought should also be given to piloting smaller municipal elections.

- More attention should be given to countering radicalization in Somalia and the Horn. The US should give quiet assistance to programs that articulate the argument that radicalisation is largely driven by a unique set of beliefs alien to Somalis and an extremist and literal interpretation of holy texts.
- Help develop effective, long-term counter- and de-radicalisation strategies for all the countries in the Horn of Africa. As Crisis Group noted in *Kenyan Somali Islamist Radicalisation* (25 January 2012), a link exists between radicalization and terrorism, but counter-terrorism tactics aimed only at stopping Al-Shabaab and other militant groups should not become the only official response. Counter-radicalization – reducing the appeal of radicalism – and de-radicalization – persuading people who are already in radical organisations to leave them – are long-term processes that require tact and patience.
- Place much greater emphasis on reconciliation, both with armed factions and on a national level between clans. Provide support to local peace and reconciliation conferences that can feed into larger regional conferences only after most local disputes have been resolved. These conferences should be completed before elections.
- Provide UNSOM with all the capacity necessary to coordination assistance effectively. Insist that the SFG does so effectively as well.
- Have the State Department and DoD work with AMISOM to clearly articulate a multi-year exit strategy for its intervention in Somalia. This should be linked with incremental support to the creation of a professional, mixed clan national army.
- Develop a mechanism with AMISOM to coordinate the activities of allied local administration security forces. This should run in parallel to negotiations on the roles and responsibilities of the regional, state and federal governments.
- Because no one knows how much revenue is generate by individual ports and airports, much conflict in Somalia is over assumed revenue flows and the division thereof. As Crisis Group suggested in *The Kenyan Military Intervention in Somalia* (15 February 2012), the international community should convene an international working group to help create a mechanism to transparently monitor revenue collection Somalia's major ports and airports, particularly in Bossaso, Mogadishu, Merca, and Kismayo, including an oversight board with mixed international and Somali composition and supported by experts (forensic accountants) and international customs officers, much as was done in Liberia; and ensure that the revenue is used to develop all regions in Somalia.

Conclusion

The SFG remains an extremely weak and fragile state, its security dependent on external sources, its sovereignty threatened and its stability far from certain. Yet it is at an inflection point where the hope of achieving sustainable progress is becoming real if, and only if, the international community work together to that goal and Somalis honestly confront the governance challenges facing their country.