



# Security, Stabilisation and State Formation in Somalia

Challenges for Implementing the Somali Compact

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## Sammanfattning

Syftet med denna rapport är att analysera de säkerhetspolitiska utmaningarna som Somalia står inför. Detta görs genom att utgå från *the Somali Compact*, som identifierar ett antal mål för fredsbyggnad och statsbyggnad inom områdena politik, säkerhet, rättvisa, ekonomi samt intäkter och service. Rapporten fokuserar på politik och säkerhet.

Somalias regering är inte närvarande i hela landet. Detta komplicerar statsbyggnadsprocessen. Skapandet av ett federalt system har inte varit inkluderande, och det finns en risk att den statsformering som nu sker leder till ytterligare våld och konflikt. Dessutom är det för tidigt att utesluta andra modeller än federalism som grund för den somaliska staten eftersom befolkningen endast haft begränsad möjlighet att säga sitt i denna fråga.

Det är fortfarande AU:s insats AMISOM som står för säkerhet i landet. För närvarande genomförs en offensiv i ett försök att förbättra säkerhetsläget. Al-Shabaab har förlorat kontrollen över viktiga områden men är långt ifrån besekrat. Det sker först om det finns verkliga möjligheter för stabilitet, säkerhet och politisk representation. Det är också viktigt att inte glömma bort andra orsaker till konflikt i landet.

Vad gäller den somaliska armén så består den fortsatt av olika klanmiliser. Flera försök görs att öka arméns kapacitet men det finns en risk att detta förstärker de splittringar som finns i och med att en klan är överrepresenterad bland de soldater som utbildas.

Sammantaget har hittills lite gjorts vad gäller implementeringen av Somali Compact och det ter sig högst oklart om det verkligen finns förutsättningar för implementering.

Nyckelord: Somalia, Somali Compact, al-Shabaab, fredsbyggande, statsbyggande, New Deal, Afrika, afrikansk säkerhet, Afrikas horn

## Summary

The main purpose of this study is to analyse the political and security challenges facing Somalia. It examines the Somali Compact, which identifies certain peacebuilding and statebuilding goals to be achieved in the coming years. The report focuses on Somalia's Peacebuilding and Statebuilding Goals (PSGs) 1 and 2, "Inclusive Politics and Security", in the Somali Compact.

The Federal Government of Somalia (FGS) is not present throughout the country or representative of the entire population. This complicates the state formation process. Paradoxically, PSG 1, *Inclusive Politics*, has not thus far been an inclusive process and there is a risk that the state formation process could lead to further violence. In addition, it is premature to conclude that federalism is the only way forward as Somalis have not yet had an opportunity to voice their opinions on state formation.

As for PSG 2, *Security*, the African Union Mission in Somalia (AMISOM) continues to be the main provider of security. The ongoing offensive is an attempt to improve the security situation. Al-Shabaab is losing territory but has by no means been defeated. This will only happen when there are genuine options for stability, security and political representation. There are also other underlying drivers of insecurity that should not be forgotten.

The Somali National Army is more reminiscent of a collection of clan militias than a unitary national armed force. There have been several attempts to enhance its capability but the training currently taking place risks reinforcing divisions because one clan is over-represented.

All in all, little progress has been made with implementing the Somali Compact and it remains highly questionable whether the conditions exist to truly implement it.

Keywords: Somalia, Somali Compact, al-Shabaab, Peacebuilding, Statebuilding, New Deal, Africa, African security, Horn of Africa

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## Acronyms

AMISOM	African Union Mission in Somalia
ASWJ	Ahlu Sunna Wal Jama'a
AU	African Union
EU	European Union
EUTM	European Union Training Mission
FGS	Federal Government of Somalia
IGAD	Intergovernmental Authority on Development
IED	Improvised Explosive Device
IJA	Interim Jubba Administration
NGO	Non-governmental organisation
PSGs	Peacebuilding and Statebuilding Goals
SEMG	Somalia and Eritrea Monitoring Group
SNA	Somali National Army
TFG	Transitional Federal Government
TFIs	Transitional Federal Institutions
TFP	Transitional Federal Parliament
UN	United Nations
UNSOM	United Nations Assistance Mission in Somalia

# Map of Somalia



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# 1 Introduction

Somalia has been plagued by civil war for over 20 years. There have been many attempts to find a solution to the ongoing conflict. A number of peace agreements have created new governments over the years, but these have all failed to take control of the country beyond Mogadishu. The incumbent administration, the Federal Government of Somalia (FGS), has been in place since September 2012. The international community sees this administration as the best opportunity yet to try to find a solution to the ongoing conflict between the Somali state and the Islamist militia, al-Shabaab.

Since its inauguration, the government has launched a *Somali Compact*, which identifies certain peacebuilding and statebuilding goals (PSGs) in the areas of inclusive politics, security, justice, economic foundations, and revenue and services. This is in line with the *New Deal for Engagement in Fragile States* launched by the G7+ group of countries<sup>1</sup> in Busan in 2011. The New Deal was initiated with the objective of finding a country-owned and comprehensive approach to implementing inclusive politics and pro-poor economic development in the transition from peacebuilding to statebuilding. Somalia is one of a small number of countries in which this new initiative is being undertaken as a pilot process to be evaluated at a later stage. A key priority of the Somali Compact is to hold elections in 2016.

At present, there is an ongoing military offensive against al-Shabaab. The African Union Mission in Somalia (AMISOM), together with the Somali National Army (SNA), has gained control over several urban centres, pushing al-Shabaab out into the rural areas. This can be seen as an improvement in the security situation and a step forward in the fight against al-Shabaab. At the same time, however, this has led al-Shabaab to change tactics, turning increasingly to methods of asymmetric warfare by staging a number of high-profile attacks in 2013 and 2014 claiming responsibility for the occupation of and hostage taking in the Westgate mall in Nairobi and the attack on the presidential palace, Villa Somalia.

Thus, while progress has been made, there are still reasons for caution and Somalia has a long way to go before peace and stability can be established. As the report shows, the challenges are considerable for successful implementation of the Somali Compact and the holding of elections in 2016.

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<sup>1</sup> The G7+ group members are: Afghanistan, Burundi, the Central African Republic, Chad, Comoros, Côte d'Ivoire, the Democratic Republic of the Congo, Guinea, Guinea-Bissau, Haiti, Liberia, Papua New Guinea, Sierra Leone, the Solomon Islands, Somalia, South Sudan, Timor-Leste and Togo.

## 1.1 Purpose

The purpose of this study is two-fold. First, the report provides an overview of political and military developments since the appointment of the FGS in 2012. Second, the report analyses the political and security challenges facing the FGS and the challenges in implementing the Somali Compact, including holding elections in 2016.

This study was commissioned by the Swedish Ministry of Defence to examine specifically political and military developments in Somalia. The report therefore focuses on Somalia's PSGs 1 and 2: Inclusive Politics and Security. It also means that the report emphasises issues that are most relevant from a defence perspective.

## 1.2 Method and Limitations

This report is based on peer-reviewed books and articles, research papers, reports and evaluations as well as news articles. In addition, the authors conducted 23 in-depth interviews with key interlocutors from the United Nations (UN), the African Union (AU), the World Bank (WB) and the European Union (EU), as well as bilateral partners, non-governmental organisations (NGOs) and scholars. The respondents were chosen based on their knowledge of Somalia. For security reasons, the authors were not able to travel to Somalia and some of the interviews with individuals in Somalia therefore took place over the telephone. Other interviews were conducted during a visit to Nairobi. Another limitation is that it was not possible to talk to representatives of either the central government or the regional administrations.

Things are changing rapidly in Somalia. The present report is based on events up to the end of March 2014. The main focus is on the latest developments. This means that the report relies heavily on the interviews conducted. The opportunities to verify and triangulate the information received were limited, especially since the authors were not able to visit Somalia. The variety of sources consulted mitigates this problem to some extent, but the authors are aware that the information received might not represent the full picture.

The main focus of the report is South Central Somalia. Less attention is given to Puntland and Somaliland, with the exception of the sections which analyse their relationship with the central government. The issue of piracy has also been omitted from this study.<sup>2</sup>

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<sup>2</sup> For an in-depth analysis of piracy see Sörenson 2008 and 2011.

## 1.3 The New Deal, Peacebuilding and Statebuilding

As is mentioned above, the New Deal was launched in 2011 following an initiative by the G7+ countries. The New Deal, further elaborated in section 2.2.1, seeks to link peacebuilding and statebuilding activities, as they are seen as mutually reinforcing processes. In the process leading up to the launch of the New Deal, peacebuilding was defined as activities “targeted to reduce the risk of lapsing or relapsing into conflict by strengthening national capacities at all levels for conflict management, and to lay the foundations for sustainable peace and development”.<sup>3</sup> Key objectives include:

- preventing countries from lapsing or relapsing into violent conflict;
- establishing structures and incentives for peaceful mitigation of conflicts;
- incentivising elite commitment to peace processes, while laying the groundwork for those processes to be made more inclusive over time;
- establishing a framework for political, security and economic transition;
- jump-starting recovery; and
- demonstrating peace dividends by meeting the urgent needs of the population.<sup>4</sup>

Statebuilding in turn was seen as a “process to enhance the capacity, institutions and legitimacy of the state driven by state-society relations”<sup>5</sup>. Key state functions to be included are:

- delivery of security and justice;
- revenue and expenditure management;
- basic service delivery; and
- economic management.<sup>6</sup>

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<sup>3</sup> OECD 2010, p. 21.

<sup>4</sup> Ibid., p. 22.

<sup>5</sup> Ibid., p. 21.

<sup>6</sup> Ibid., p. 22.

The above definitions should be seen as two points on a continuum where the ends might be armed conflict or a consolidated democratic state. As such, the definitions under the New Deal initiative allow for an integrated, comprehensive approach to peacebuilding and statebuilding. However, although peacebuilding and statebuilding are reinforcing processes, there are also tensions between the two. One concrete example is when former warlords are included in a new government and granted an amnesty. This could be part of a statebuilding process but might be counterproductive to a peacebuilding process. Furthermore, there is still no consensus established on how to define peacebuilding and statebuilding. As the Somali Compact is the focus of this report, the above definitions are therefore used.

## **1.4 Outline**

Chapter 2 provides an overview of the main political and military developments since 2012. The focus is on policy development, the creation of regional administrations, the security situation and the security forces. Chapter 3 discusses and analyses the main challenges in implementing PSG 1 and PSG 2. The report's conclusions are presented in Chapter 4.

## 2 Political and Military Developments since 2012

### 2.1 Background

Somalia became an independent nation in 1960, when British Somaliland and Italian Somalia were merged into a single state. In 1969, Siad Barre seized power in a military coup. His use of violence to repress dissent in his authoritarian regime contributed to a fear of the state among the Somali population. The repressive regime also increased the sense of suspicion and hostility, which affected prospects of achieving unity between the different clans after the fall of Barre.<sup>7</sup> Exploitation of clan divisions had also been used during the colonial period by both Italy and the United Kingdom.<sup>8</sup> Barre was overthrown in 1991, and since then there has been no effective central government in control of the country.

As is noted above, there have been several initiatives to try to resolve the Somali conflict. Between 2001 and 2004 the Intergovernmental Authority on Development (IGAD) led peace talks that would eventually result in the so-called Transitional Federal Institutions (TFIs), the Transitional Federal Parliament (TFP) and the Transitional Federal Government (TFG). The mandate of the TFIs was supposed to expire in 2009. However, as a result of a new peace deal, the TFIs were reshuffled and their mandate prolonged for a further two years. As their terms of office came to an end in 2011, both parliament and government decided to extend their own mandate for another three years. Many actors in the international community had grown tired of the government's lack of results and the extension was not well received. After heavy international pressure the President of Somalia and the Speaker of the Parliament signed an agreement in June 2011, the Kampala Accord, which stated that a new President and Speaker should be elected no later than 20 August 2012. A roadmap for how the transitional period should end was also put in place.

The process leading up to the end of the transition became known as the Garowe process, and included Puntland, the Galmudug region and the group Ahlu Sunna Wal Jama'a (ASWJ). This made the process more inclusive than before, in that actors other than the government participated. At the same time, however, it was criticised for being too influenced by the international community.<sup>9</sup> The process

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<sup>7</sup> Menkhaus 2007, p. 78, 80.

<sup>8</sup> Marangio 2012, p. 5.

<sup>9</sup> Hammond 2013, p. 184.

was also rushed. Nonetheless, during the summer of 2012 a new parliament was elected by a Constituent Assembly. A new President, Speaker and Prime Minister were also chosen, all three of whom had very little connection to previous administrations. A new Provisional Constitution was also passed, which stated that Somalia would become a federation. However, the rushed process meant that the constitution was not thoroughly discussed before being approved.<sup>10</sup> The constitution remains provisional pending a more inclusive national dialogue, and the national elections planned for 2016. In September 2012, Somalia had a new government with greater legitimacy and potential than previous ones. However, the other signatories to the process – Puntland, Galmudug and the ASWJ – had been lost along the way, and the government was therefore not as legitimate as had been hoped.<sup>11</sup>

## 2.2 Policy Development

Shortly after his inauguration, President Hassan Sheikh Mohamud launched the government's six-pillar strategy to: 1) create stability in the country; 2) speed up economic recovery; 3) build peace and remove the main drivers of conflict; 4) vastly improve the government's capacity to respond to the needs of its people by improving service delivery; 5) increase international partnerships and create closer ties with neighbours and friends of Somalia; and 6) achieve unity at home.<sup>12</sup> However, to be able to deliver on its strategy, the government depended on the international community for economic and political support. The way in which the international development community planned to engage with Somalia was through the New Deal process and a Somali Compact.

### 2.2.1 The Somali Compact

Throughout 2013, much attention was given to the preparation of a Somali Compact in line with the New Deal for Engagement in Fragile States.<sup>13</sup> Official Development Assistance, or development cooperation, has increasingly been directed to conflict-ridden and fragile states, but with limited success in translating these resources into improved fulfilment of the Millennium Development Goals. As a complement and reaction to the *Aid Effectiveness Agenda* of the Paris Declaration and the *Accra Agenda for Action*, in 2008 a group of fragile states, the G7, which changed its name to the G7+ group as more countries joined, initiated a process to fundamentally change the way in which

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<sup>10</sup> Hammond 2013, p. 185.

<sup>11</sup> Bryden 2013, p. 6.

<sup>12</sup> Mohamud 2012.

<sup>13</sup> For more background see for example Grieger 2013.

the international development community engages with such states. The idea is to link peacebuilding and statebuilding activities, treating them as mutually reinforcing processes.

The foundation of the New Deal is five Peacebuilding and Statebuilding Goals (PSGs), together with nationally owned and led processes and development plans, and donor alignment according to these plans and processes. The five PSGs are generic and in Somalia's case were formulated as Inclusive Politics, Security, Justice, Economic Foundations, and Revenues and Services.<sup>14</sup> The PSGs are spelled out in a compact. Inclusive Politics include priorities such as: (a) an inclusive political dialogue between the federal government and the regional administrations to clarify their relations; (b) finalising the constitution; and (c) holding elections. Security, on the other hand, focuses on (a) strengthening security institutions to recover territory, stabilise and provide basic safety and security; (b) integrating the security forces into federal institutions; (c) a programme for disengaged combatants; and (d) a maritime security strategy.<sup>15</sup>

The FGS and its international development partners endorsed the Somali Compact in Brussels on 16 September 2013. This marked a new step in Somalia's struggle to achieve peace and legitimate state institutions.

### The Fragility Assessment

Of key importance for the establishment of a country compact under the New Deal is the fragility self-assessment, which is the joint baseline agreed between the government and the development community. This is imagined as an inclusive consultative process that should include all relevant stakeholders in the country. In Somalia, this exercise took place in July to September 2013,<sup>16</sup> but was unfortunately cut short for both domestic and external reasons.

Domestically, the process was inhibited due to a combination of security concerns and the unpreparedness of the FGS to engage in open dialogue with regions where it was likely to face criticism and places where it realised that it would be unable to deliver any substantial development in the foreseeable future. The external factors were mainly linked to the need to be ready in time for the EU-led Somali New Deal Conference in Brussels on 16 September 2013, where the Somali Compact was endorsed. It is ironic that the basis for the compact, an inclusive consultative national process, had to be cut short to meet the demands of the donor community – the same donor community that in the name of the

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<sup>14</sup> The Federal Republic of Somalia 2013.

<sup>15</sup> Ibid.

<sup>16</sup> Fragility Assessment, 10 September, 2013. Prepared by Abdiweli Garad.

Somali Compact and PSG 1 aims to support inclusive politics.<sup>17</sup> This also illustrates the complexity of the Somalia process. The short-term advantage of maintaining the momentum of the dialogue between the FGS and the international community may at that point have been more important than the long-term benefits of having completed a fully inclusive fragility self-assessment. At least this seems to have been the judgment call of at least the international community and possibly also the FGS.

### 2.2.2 A Process on Hold

The process of moving the compact forward lost momentum after the Brussels conference. It was put on hold for two main reasons: a disagreement within the government and the resignation of the governor of the Central Bank.<sup>18</sup> Due to the lack of a fully inclusive process at the design stage of the compact, the FGS was also faced with low level of buy-in from other sections of the society, for the implementation of the same.

In November 2013, a dispute arose between the President and the Prime Minister, reportedly over who had the right to appoint cabinet ministers.<sup>19</sup> The Prime Minister was forced to resign after he lost a vote of confidence in parliament. This could have been a blow to the relative stability of the FGS, but the crisis was handled in a more mature way than similar disputes in previous administrations. It nonetheless hampered the government's ability to move the political process forward. By December, a new Prime Minister had been appointed and the new Cabinet was approved by parliament in January 2014.

The governor of the Central Bank, Yussur Abrar, resigned after only two months in the job, claiming that she had been pressured to authorise improper transactions. Previous administrations in Somalia have been plagued by corruption and, according to the Somalia and Eritrea Monitoring Group (SEMG), the misappropriation of public resources continues according to past practices and patterns.<sup>20</sup> At least 80 per cent of the money withdrawn from the Central Bank was used for private purposes rather than governmental ones.<sup>21</sup> In Transparency International's Corruption Perception Index, Somalia scores just 8 – the lowest score in the world, together with Afghanistan and North Korea.<sup>22</sup>

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<sup>17</sup> Interview 9, World Bank staff; interview 13, UN staff; interview 15, bilateral partner; interview 19, UN staff.

<sup>18</sup> Interview 13, UN staff; interview 16, bilateral partner; interview 18, EU staff; Interview 19, UN staff.

<sup>19</sup> Sheikh 2013.

<sup>20</sup> Somalia and Eritrea Monitoring Group 2013.

<sup>21</sup> Somalia and Eritrea Monitoring Group 2013.

<sup>22</sup> Transparency International 2013.

Corruption is at such a level that it makes economic development very difficult and therefore also poses a serious threat to the overall security and stability of the country. The need to appoint a new Cabinet hampered the ability of the government to make progress with the implementation of the compact, and the resignation of the Governor of the Central Bank left the international community with a new scepticism towards the government.<sup>23</sup>

### 2.2.3 The Vision 2016

By the beginning of 2014, work on the compact had started to pick up more pace, but little had been achieved in terms of implementation as of March 2014. The government has started to develop its so-called Vision 2016 Roadmap – a plan and timetable for the process of state formation, finalising the constitution and holding elections by 2016. These are the priorities in line with PSG 1 of the compact. However, as of March 2014 the process had not been inclusive but Mogadishu-centric, which might reduce the sustainability of these efforts.<sup>24</sup>

## 2.3 The Creation of Regional Administrations

The Provisional Constitution states that Somalia is to become a federation. The only state recognised so far within a future federation is Puntland. How the other states are to be established is less evident and the constitution leaves a lot of room for interpretation. According to the constitution, it is the parliament that will decide on the number and demarcation of the federal states.<sup>25</sup> The provisional constitution also states that until a “region merges with another region(s) to form a new Federal Member State, a region shall be directly administered by the Federal Government for a maximum period of two years”.<sup>26</sup> Thus, the parliament and the government also have roles to play. To complicate the situation even further, existing Federal Member States must also be consulted regarding the federal system.<sup>27</sup> All in all, this has led to strained relationships between the FGS and the regions, where the FGS is perceived to be not doing enough to move the process forward.<sup>28</sup> This has meant that several, sometimes competing, regional initiatives have emerged in south-central Somalia to form regional administrations.

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<sup>23</sup> Interview 16, bilateral partner.

<sup>24</sup> Interview 7, bilateral partner; interview 16, bilateral partner.

<sup>25</sup> Provisional Constitution, article 49.

<sup>26</sup> *Ibid.*, article 48(2).

<sup>27</sup> *Ibid.*, article 142(2).

<sup>28</sup> Interview 3, analyst; interview 4, analyst; interview 7, bilateral partner; interview 8, bilateral partner; See also Bryden 2013, p.7.

Of particular interest is the Interim Jubba Administration (IJA). Efforts to create a regional administration in the southern-most part of Somalia, consisting of the regions Lower Juba, Middle Juba and Gedo, began in 2010. Kenya has played a crucial role as it wants to create a more stable buffer zone between itself and Somalia. Ethiopia has also been involved and is supportive of the initiative provided that the leadership of the new region does not support the Ogaden National Liberation Front. IGAD has also played a significant role. The FGS, has however, considered the process unconstitutional and as something being imposed on the population.<sup>29</sup> There was also a fear that a Jubbaland would become too autonomous, especially with regards the resources generated by controlling the port of Kismayo. Nonetheless, in August 2013 an agreement was reached establishing the IJA for two years with the aim of becoming a federal state thereafter. The administration was officially inaugurated in January 2014. As part of the deal, control of the port and airport at Kismayo is to be transferred to the federal government within six months and the Ras Kamboni militia, the militia loyal to the IJA president, is to be integrated into the SNA.<sup>30</sup>

The IJA however, was challenged right from the start. The IJA is seen by some as an attempt to reward certain groups that supported Kenya and Ethiopia in their operations against al-Shabaab, rather than being representative of the wishes of the population. Therefore, a council of traditional elders from the Digil and Mirifle clans stated that they had not been adequately represented in the negotiations leading up to its establishment and made their own proposal for a south-western state made up of the six regions of Gedo, Middle and Lower Juba, Bay, Bakool and Lower Shabelle.<sup>31</sup> The south-west six-region state initiative also elected a president and adopted a constitution. The FGS opposed this and called it unconstitutional. Instead, the government and the international community supported an initiative, led by former Speaker Sharif Hassan, to create a south-west state comprised of just three regions, Bay, Bakool and Lower Shabelle, which would not conflict with the IJA. Yet another proposal has been made to create a Shabelle state consisting of Lower and Middle Shabelle. In June 2014 an agreement was reached to create an interim administration for the three regions of Bay, Bakool and Lower Shabelle. However, Somalia's Minister of Interior and Federal Affairs soon protested the new agreement, calling it illegal.<sup>32</sup> The situation therefore remains extremely complex.

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<sup>29</sup> IRIN 2013.

<sup>30</sup> Agreement between the Federal Government of Somalia and Jubba Delegation, 27 August 2013, article 12, 16.

<sup>31</sup> Report of the Secretary-General on Somalia, S/2013/709; interview 16, bilateral partner.

<sup>32</sup> AMISOM 2014a.

### 2.3.1 Puntland

Puntland's relationship with the central government has long been strained and deteriorated further during the autumn of 2013. In August 2013 the President of Puntland decided to suspend its cooperation with the FGS, stating that it was not complying with the provisional constitution and not sharing power, resources and foreign aid. Another contentious issue was the question of federalism and of a decentralised system of governance.<sup>33</sup> In January 2014, Puntland elected a new President, Abdiweli Mohamed Ali Gaas, who may have a positive impact on the relationship with the central government. As the Prime Minister of the TFG between 2011 and 2012 he played a crucial role in establishing the roadmap which eventually led to the establishment of the FGS. There are indications that he will try to repair relations with the central government.<sup>34</sup>

### 2.3.2 Somaliland

Somaliland does not consider itself to be part of a federal Somalia, but rather as an independent state. Somaliland was not a signatory to the roadmap, but several rounds of talks have taken place between Somaliland and the FGS. Somaliland has its own special arrangement within the Somali Compact, and this serves as a basis for engaging with Somaliland. The special arrangement does not include a PSG on security. Interestingly, PSG 1 – inclusive politics – does not prioritise dialogue with the FGS on state formation. This means that the two sides come to the negotiation table from opposite positions, reunification and separation, and there are few signs that the two parties will overcome their differences. Elections in Somaliland are scheduled for 2015.

## 2.4 The Security Situation

During the initial period of the new government the security situation in the country seemed to improve somewhat, largely due to the fact that al-Shabaab had been pushed out of the major cities. Al-Shabaab lost control of Mogadishu in 2011 after an AMISOM offensive. Since 2012, it had also lost control over several major towns in south-central Somalia, Kismayo the most prominent among them. However, al-Shabaab still controlled the majority of south-central Somalia. Al-Shabaab had also changed its modus operandi. It has always used unconventional methods, but in 2013 asymmetrical warfare became its most frequently used tactic to attack its opponents. It has used improvised explosive

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<sup>33</sup> Report of the Secretary-General on Somalia, S/2013/521; Report of the Secretary-General on Somalia, S/2013/709.

<sup>34</sup> Balthasar 2014.

devices (IEDs), ambushes, mortar shelling, grenades and hit-and-run tactics, claiming responsibility for hundreds of attacks.<sup>35</sup> In the summer of 2013 there were twice as many grenade attacks and three times more bombings than at the beginning of the year. Targeted killings occurred almost on a daily basis.<sup>36</sup> An al-Shabaab car bomb with subsequent suicide bombings and shootings killed at least 15 people at the UN compound in June 2013. In July an IED directed at an AMISOM convoy killed at least 17 civilians,<sup>37</sup> and in September a suicide attack against a popular restaurant in Mogadishu killed 15 people.<sup>38</sup> In February 2014 al-Shabaab carried out two high-profile attacks in Mogadishu. First, it attacked UN vehicles with a car bomb just outside the heavily guarded airport. Then, on 21 February, the presidential palace, Villa Somalia, was attacked in an attempt to capture or kill the President.

In March 2014 AMISOM and the SNA launched a new offensive against al-Shabaab. By the end of March this had resulted in al-Shabaab losing control of certain strongholds and urban centres in Bakool, Gedo, Hiran and Galguduud.<sup>39</sup> Ethiopia, which joined AMISOM in 2014, is the driving force behind the offensive. Taking over cities has been a relatively easy task for AMISOM and the SNA as al-Shabaab does not put up a fight, realising that it cannot defeat AMISOM using conventional warfare. Instead, its members have melted back into the population after destroying infrastructure such as wells and threatening the population with reprisals if it cooperates with AMISOM or the government. They have also continued with asymmetric warfare, which has resulted in a worsening security situation in Mogadishu, something that several interviewees predicted.<sup>40</sup> There have also been reports of al-Shabaab re-entering cities as the SNA and AMISOM move on.<sup>41</sup> This makes the sustainability of the offensive questionable, something that is further discussed in section 3.2.1 on stabilisation. In sum, several interviewees highlighted a decrease in security in the first months of 2014.<sup>42</sup>

Al-Shabaab is not the only threat to security. The relationship between the FGS and the regional administrations represents a danger from both a political and a security perspective. There have been clashes between different militias aligned with the government and the IJA, respectively, over control of Kismayo, presumably because this port city is a major source of revenue for anyone who

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<sup>35</sup> Somalia and Eritrea Monitoring Group 2013, p.11.

<sup>36</sup> Report of the Secretary-General on Somalia, S/2013/521.

<sup>37</sup> Ibid.

<sup>38</sup> Report of the Secretary-General on Somalia, S/2013/709.

<sup>39</sup> See AMISOM 2014b; AMISOM 2014c.

<sup>40</sup> Interview 16, bilateral partner.

<sup>41</sup> Interview 6, UN staff; interview 8, bilateral partner; interview 14, NGO staff.

<sup>42</sup> Interview 4, analyst; interview 7, bilateral partner; interview 8, bilateral partner; interview 11, bilateral partner; interview 13, UN staff.

controls it. During clashes in June 2013 at least 70 civilians were killed and 300 injured.<sup>43</sup> There is now an agreement between the FGS and the local authorities on the creation of the IJA, but tensions remain. There was also an outbreak of violence in Baidoa in March 2014 between groups supporting different regional initiatives for state formation. The situation regarding the formation of regional administrations remains volatile and could lead to further violence.

The conflict is heavily affecting the civilian population. The population faces security threats from al-Shabaab, clan militias, the state security forces and criminals. There is an indiscriminate use of force in civilian populated areas. As of March 2014 an estimated 2.9 million people were in need of immediate life-saving and livelihood support.<sup>44</sup> The offensive had by the end of March led to the temporary displacement of over 40 000 people.<sup>45</sup> The situation is especially dire for women and children. In the first half of 2013, 800 cases of sexual and gender-based violence were reported in Mogadishu alone.<sup>46</sup> The real numbers are probably much higher as not all crime is reported. About one-third of the victims of sexual violence are children.<sup>47</sup>

There is also a risk that too much attention is paid to al-Shabaab, even though it currently represents the most imminent security threat. Al-Shabaab is a symptom of problems existing before the organisation emerged and these will remain even if the organisation is defeated. The conflict is constantly evolving and will continue to do so as long as the drivers of the conflict are not dealt with. These include an environment in which the young see no other option than to join an armed group, conflicts over the power of the state and its resources, resource scarcity, land disputes, unresolved grievances arising from the conflict, the interests of some individuals in maintaining the status quo for their personal economic benefit, wide access to small arms and the involvement of external actors.<sup>48</sup>

## 2.5 The Somali Security Forces

According to Bryden, “Al-Shabaab’s successes have relied less on the movement’s inherent strengths than on the vulnerabilities of its adversaries”.<sup>49</sup> In this light, the capacities of the Somali security forces are of the utmost importance. The SNA is estimated to have around 20 000 personnel, including

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<sup>43</sup> Report of the Secretary-General on Somalia, S/2013/521.

<sup>44</sup> United Nations Office for the Coordination of Humanitarian Affairs 2014.

<sup>45</sup> Ibid.

<sup>46</sup> United Nations 2013.

<sup>47</sup> Human Rights Watch 2014a.

<sup>48</sup> Menkhaus 2014, p. 7; interview 12, AU staff; interview 14, NGO staff; interview 19, UN staff.

<sup>49</sup> Bryden 2013, p.12.

militias allied to the government.<sup>50</sup> There have been several initiatives to train and equip them. For example, the European Union Training Mission (EUTM) Somalia contributes with training and advisory services. Officer cadets are enrolled in a 12-month course at Uganda's Military Academy, and AMISOM, the US and Turkey also provide training. The training activities are coordinated through a Somali-led steering group consisting of lead trainers from Somalia, the EUTM, Turkey, Ethiopia and Bancroft Global Development. The United Nations Assistance Mission in Somalia (UNSOM) facilitates the coordination measures.<sup>51</sup>

Despite such efforts to enhance the capacity of the SNA, the forces face several challenges. First, creating a nationally unified army is a real problem. In reality the security forces have remained clan militias loyal to individual commanders.<sup>52</sup> One reason for the lack of unity is that the regions have wanted to stay in control of their own groups.<sup>53</sup> Another aspect that might fuel the sense of division is that the soldiers trained by the EUTM are mainly from the Mogadishu area, and thus do not represent the whole country.<sup>54</sup>

Another area of concern is the behaviour of the security forces. The forces have problems with discipline, sometimes clashing with one another, and the rate of desertions has increased.<sup>55</sup> According to Human Rights Watch, the Somali security forces and allied militias have committed serious abuses, including rape and looting.<sup>56</sup> Awareness of and training in human rights are poor even though the SNA is required to undergo basic human rights training before being provided with logistics support by the UN.<sup>57</sup> Pay is another crucial issue. Soldiers who are paid regularly – and not all are – can collect a USD 100 stipend. Not getting paid or being paid too little is a security risk since this threatens loyalties. Establishing a system that ensures reliable payment is therefore of the utmost importance.

The SNA continues to lack equipment. One way to try to resolve this problem has been to grant an exemption to the arms embargo established by the Security Council in 1992 for “weapons or military equipment or the provision of advice, assistance or training” intended for the development of the security forces.<sup>58</sup> However, according to a report from the SEMG, there have been systematic

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<sup>50</sup> Report of the Secretary-General on Somalia, S/2013/521.

<sup>51</sup> Ibid.

<sup>52</sup> Interview 2, UN staff; interview 4, analyst; interview 14, NGO staff; interview 15, bilateral partner; interview 22, EU staff.

<sup>53</sup> Interview 2, UN staff.

<sup>54</sup> Interview 16, bilateral partner.

<sup>55</sup> Report of the Secretary-General on Somalia, S/2013/521.

<sup>56</sup> Human Rights Watch 2014b.

<sup>57</sup> Interview 2, UN staff.

<sup>58</sup> United Nations Security Council, S/RES/211(2013).

abuses in the FGS's management and distribution of weapons and ammunition. Two clan networks, Abgaal and Habar Gedir, are accused of being involved in the diversion of weapons and ammunition. Abgaal is the clan to which the president belongs. As a consequence, the SEMG recommended that the arms embargo should be reinstated.<sup>59</sup> Nonetheless, the partial suspension of the embargo was extended to 25 October 2014.<sup>60</sup>

## 2.6 Summary

The new federal government, in place since September 2012, is seen as the best opportunity that Somalia has had for a long time. The Somali Compact has been developed. The international community, however, is growing increasingly weary of the perceived lack of progress. The security situation remains precarious, and al-Shabaab has returned to asymmetrical warfare. The state formation process could fuel additional conflict and the security forces do not have the capacity to provide peace and security. All in all, Somalia continues to face serious challenges, some of which are elaborated further in Chapter 3.

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<sup>59</sup> Somalia and Eritrea Monitoring Group 2014.

<sup>60</sup> United Nations Security Council, S/RES/2142(2014).



## 3 Challenges Facing Somalia

Despite the progress made by the government since 2012, there are still many challenges to be addressed. As is noted above, only limited progress has been made with the implementation of the Somali Compact. Remaining urgent challenges include the development of a federal system, the constitution, preparations for elections, safety and security, and the development of the security forces.

### 3.1 PSG 1: Inclusive Politics

The main focus of PSG 1 is to create a federal Somalia that is stable and peaceful. Through an inclusive political process, relations between the FGS and the different regional administrations should be jointly formulated, a new constitution adopted and elections held no later than 2016.<sup>61</sup>

#### 3.1.1 Federalism and Administration of Regional States

Options for statebuilding in Somalia have been discussed and researched in great detail over the years.<sup>62</sup> In the current Provisional Constitution, it is stipulated that Somalia will be a federal state. Article 1 states that:

Somalia is a federal, sovereign, and democratic republic founded on inclusive representation of the people and a multiparty system and social justice.

A discussion of other possible formations than a federal solution may therefore be unrealistic. However, even though the Provisional Constitution is clear on the federal character of the state, there may not be a consensus on what federalism should entail – or even on whether there should be a federal system at all. For example, the parliament is divided on this issue.<sup>63</sup> Concerns have been raised that federalism may not be an appropriate model. Somalis are a homogenous group, and federalism is seen as potentially divisive for the country.<sup>64</sup> The donor community may see federalism as a realistic but not necessarily the best alternative to a unitary state, and Kenya and Ethiopia see clear advantages in a federal system for their own geopolitical purposes, but there are also proponents of a decentralised system.

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<sup>61</sup> Federal Republic of Somalia 2013.

<sup>62</sup> See for example Bereketeab 2011; Kaplan 2009; Menkhaus 2007.

<sup>63</sup> Ainte 2014.

<sup>64</sup> Böckenförde 2012, p.111-112; Ainte 2014.

According to Elmi, decentralisation is favoured by many Somalis in relation to statebuilding. Political decentralisation, also known as a devolved political system, has some advantages over a unitary or federal solution. In Somalia, a unitary state is strongly associated with an authoritarian state.<sup>65</sup> As for federalism it may be less effective in responding to security threats, has a slow and complicated decision-making process, may entrench divisions between subunits and complicates accountability.<sup>66</sup>

There are several drivers, both internal and external, for a decentralised system in Somalia. These include lack of trust in the political elite, opportunities for enhanced participation and representation, the potential for greater access to government services and increased opportunities for the redistribution of wealth to the country outside Mogadishu.<sup>67</sup> A decentralised system could therefore be one way forward, as is indicated in several interviews conducted for this study.<sup>68</sup>

One option could be a unitary state with strong local governance in a devolved political system. Devolution, or democratic decentralisation, rests on three essential components:<sup>69</sup>

- Substantial and clearly defined powers must be provided to elected bodies at sub-national levels;
- Substantial resources – human and especially financial – must be provided; and
- Strong accountability mechanisms must exist to ensure accountability of elected officials to voters and accountability of bureaucrats to elected officials.

In comparison, federalism is a multilevel governance arrangement where not just power is shared, but also sovereignty. Legal sovereignty is shared between the federal or national government, and the subunits – states or provinces. In a federation, neither tier can abolish the other; this protected position of the subunits separates a federation from a unitary state.<sup>70</sup>

Regardless of whether Somalia opts for federalism or democratic decentralisation in the future, local governance units (districts or similar) will be part of the solution. The three components above are essential for any democratic local

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<sup>65</sup> Elmi 2014; see also interview 20, researcher.

<sup>66</sup> Hague and Harrop 2013, p. 262.

<sup>67</sup> Elmi 2014.

<sup>68</sup> Interview 7, bilateral partner; interview 19, UN staff.

<sup>69</sup> Manor 2011.

<sup>70</sup> Hague and Harrop 2013, p. 255.

governance system to work well and should therefore be regarded as guiding principles for institutional set-up.

While the federal option may be unavoidable due to ongoing initiatives beyond the control or influence of the central government – such as the existence of Puntland and the IJA – there are considerable risks involved in this solution. First, the ongoing process is an ad hoc process with no mutual agreement between the emerging federal units and the FGS. There is also a risk that all that will be achieved is an agreement between narrow elites in the regions (in some cases influenced by Kenya or Ethiopia) and the central government political elite. This could clearly become elite capture, and a solution based on personal loyalties and connections. According to how peacebuilding objectives are defined (see section 1.3), engaging the elite is part of the process but the process must be made more inclusive over time.<sup>71</sup> This is however a very fragile foundation for a statebuilding process.

The emerging federal solution will also reinforce rather than diminish clan politics, although this could potentially also be the case with a system built on strong democratic decentralisation and a unitary state. Previous regional and local administrations have been used by a dominant clan against others. According to Menkhaus, “political decentralization has the potential to degenerate into armed conflict or even ethnic cleansing if not executed with considerable sensitivity to local realities”.<sup>72</sup> Engaging with certain actors runs the risk of being perceived to take sides, a worry that was raised during the interviews.<sup>73</sup> This must be kept in mind when engaging with different political entities. Polarisation is also likely to be reinforced through the use of clan-based brigades in the federal units, which will probably be the structure of the SNA in the years to come (see section 3.2.2). These potentially clan-reinforcing factors may in the near future provide fuel for serious conflict in Somalia, not only between regions or federal units and the central state but also between neighbouring regions/federal units.

The merits of a solution based on democratic decentralisation may include a greater possibility of achieving national unity, and maintaining a well-functioning central state and a legitimate presence of the state at the local level, as well as the possibility of ensuring strong local ownership and development, and importantly an opportunity to neutralise some of the impacts of clan politics and traditions at the local level – not least for women in Somalia. If the federal solution ultimately proves untenable, opting for democratic decentralisation might therefore offer a potential alternative.

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<sup>71</sup> OECD 2010.

<sup>72</sup> Menkhaus 2007, p. 85.

<sup>73</sup> Interview 11, bilateral partner; interview 16, bilateral partner; see also Menkhaus 2007.

One also has to remember that what has been described is an ideal type of governance. There should be realistic expectations about what could be attained in Somalia during the current circumstances. In practise this may mean that an asymmetric process – where different solutions for different regions or entities are sought – has to be accepted. While opting for a decentralised system, different levels of autonomy could be given depending on the conditions in a certain region.

### 3.1.2 The Constitution

Another important part of the state formation process is the constitution. Adopting the Provisional Constitution was part of the roadmap leading to the establishment of the FGS, but the process had been initiated long before that.<sup>74</sup> Its legitimacy has been questioned, however, as the process was not inclusive enough and seen as somewhat externally imposed.<sup>75</sup>

Many substantial and institutional issues require attention. Some of these issues can be accommodated in an interim constitution or through legislation pending the final version of the constitution, but others are of critical importance in the short term. These include the process of creating the federal states and how power should be divided between the FGS and the regions, as discussed above. Other issues that eventually need to be resolved include whether Sharia should be *a* source of law or *the* source of law, the status of Mogadishu and whether the constitution will apply to Somaliland.

When plans move ahead for the final adoption of the constitution, they could provide an opportunity for an inclusive process of building national unity and a sense of citizenship among the Somali population. The fragility assessment process in the Somali Compact was a missed opportunity in this regard, and it would be very unfortunate if gaining agreement on the new constitution became a non-inclusive, top-down process. There are signs that the FGS may decide that it is important for the final version of the constitution to be endorsed by parliament before the elections scheduled for 2016. This would be a move forward for a government that has lacked progress. However, this could also prevent inclusivity since once again the process would have to be rushed. Another option would be to hold elections under the Interim Constitution, as was the case, for example, in South Africa in 1994. The advantage of this alternative would be to allow time for a more inclusive, consultative and legitimate process in which the population can participate, as well as endorsement by a more

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<sup>74</sup> For an overview of the development of the constitution see Ainte 2014.

<sup>75</sup> Interview 3, analyst; interview 20, researcher; Hammond 2013.

democratically legitimate parliament following the planned national elections in 2016.

### 3.1.3 Elections

Somalia does not have an Electoral System Act or a Political Parties Act. Other vital components of a multiparty system such as an independent electoral commission and electoral management bodies are also yet to be established. With national elections planned for 2016, time is short to put all these state functions and institutions and the related legislation in place. In addition, political parties need time, resources and media access to be able to campaign and reach out to the population. The timing of elections has been hotly debated in Africa, and alongside the lesson learned that democratisation through elections has proved successful, it is also critical to remember that the timing of elections is highly contextual.<sup>76</sup> Somalia, virtually stateless and conflict-ridden for so long, requires specific attention paid to context.

The elections in 2016 are therefore highly likely to be an imperfect process. Some respondents believe that there will be no elections in 2016, or at least that they will be somewhat delayed.<sup>77</sup> Others feel that hybrid elections – taking different forms in different parts of the country – are a more realistic scenario.<sup>78</sup> Still others warn, however, that implementing different electoral solutions across the country could seriously undermine the legitimacy of the entire electoral process.<sup>79</sup>

The above indicates that the planned elections hold many risks, such as their less than fully democratic implementation and management. Indeed, holding elections prematurely has been heavily criticised as it could exacerbate conflict rather than diminish it, should there not be the necessary institutions in place capable of managing electoral competition.<sup>80</sup> However, there are also risks associated with postponing the elections, and thereby extending the current parliament and government by any length of time. Some respondents felt strongly that such a delay in the political process would lead to confusion, suspicion and possibly also real conflict. Extending the present government's time in office would also take the pressure off implementation of the many necessary institutional reforms outlined in the Vision 2016 document and the Somali Compact's five PSGs. Furthermore, it is essential that the process of elections takes place, putting the question to the Somali people so that more

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<sup>76</sup> Lindberg 2009, Reilly 2004.

<sup>77</sup> Interview 4, analyst; interview 5, NGO staff; interview 6, UN staff; interview 11, bilateral partner.

<sup>78</sup> Interview 12, AU staff; interview 18, EU staff; interview 20, researcher.

<sup>79</sup> Interview 17, NGO staff.

<sup>80</sup> See for example Reilly 2006, and Paris 2004.

legitimate and inclusive politics can be sustained. This is essentially what the next couple of years will be about, in terms of politics in Somalia. The people of Somalia have the right to decide on the government they want to lead the country from peacebuilding to statebuilding, and ultimately this can only be achieved by elections that are as democratic as possible. Before this can be realised, however, a number of things must happen.

First, there needs to be an environment conducive to holding elections. The security situation is currently the main impediment and must improve. This is why hybrid elections have been suggested as a way to hold elections in those places where the security situation allows. The AMISOM offensive can contribute to this, even though, as is discussed below, it should be paired with other measures than just the purely military. Second, a regulatory framework must be adopted. Third, there need to be political parties in place. Today, political parties do not exist in any formal, legal sense and there are very few party associations that can be considered stable.<sup>81</sup> Many political associations are unlikely to make the transition to national political parties. There is also little known about party formation in the regions.

In the FGS Vision 2016 document of September 2013, which can be read as a more detailed outline for the implementation of the Somali Compact PSG1, it is specified under the section 3, *The Electoral Process and Party Politics*, that the Political Party Law shall be passed within one year and that “political parties shall have a national character, and shall not be based on clan, hate and/or violent extremism”.<sup>82</sup> This statement is in line with a wider trend in Africa today, where the regulation of political parties is becoming increasingly restrictive.<sup>83</sup> To avoid conflict between political parties along ethnic, regional or religious lines, legislators impose restrictions on party formation, which usually means that parties have to be of a national character. This means that parties have to demonstrate a national presence in terms of offices, members, signatories, and so on, across more than one region of the country. In this way, it is hoped that there will be fewer parties and that parties cannot use potentially divisive politics to mobilise members. There are however risks associated with this approach. It tends to favour more resource rich sections of society because setting up national parties is expensive, it takes away many of the genuine political issues that voters feel are important to them, and it is a time-consuming process to put such parties in place. Given the security situation in Somalia combined with regional divisions, it is not hard to see how complicated it will be to establish such parties in time for elections in 2016. Allowing for a more unrestricted formation of

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<sup>81</sup> Interview 5, NGO staff; interview 17, NGO staff.

<sup>82</sup> Vision 2016: Principles and Recommendations.

<sup>83</sup> See Nordlund and Salih 2007, and Riley and Nordlund 2008 for an elaboration on political parties in Africa and regulation of political parties.

political parties could allow for the speedier establishment of political parties, but might also lead to more divisive politics along regional and clan lines.

### 3.1.4 The Inclusiveness of the Process

As is discussed above, a statebuilding process is about getting the institutional framework in order, for example, legislation on elections, political parties, electoral management bodies, and so on, but also ensuring that the more discursive elements of democracy are pursued – dialogue, building a common identity, citizenship and tolerance among various sections of society. A broad dialogue on these important issues has been lacking. Unfortunately, the two processes that could have made a difference in this regard – the fragility assessment and the constitutional dialogue processes – have both been put on hold. The discussion on the creation of regional administrations has also not been inclusive and could potentially fuel conflict.

Another issue to consider is the representation of women. Somali society and its clans are patrilineal and patriarchal, and this means that politics have been dominated by men. It is likely that this situation will remain the same for the foreseeable future.<sup>84</sup> It would therefore be advisable to engage with women, through for example civil society organisations, to allow them to take part in the political discussion and gain access to important formative processes such as the constitutional process. Apart from the issue of having a parliament and government that is representative of the whole population, women might also be able to play a constructive role in diminishing clan politics. A woman continues to belong to her father's clan after marriage, making it possible for women to represent two clans. Modernisation and the return of the Somali diaspora may be other factors that could further strengthen the empowerment of women in the country. At present, however, it is important to keep in mind that women in Somalia experience greater poverty, violence, and lack of rights and capabilities than in most other countries in the world. This remains an acute challenge for both peacebuilding and statebuilding in Somalia.

In sum, the challenges to moving the political process forward as spelled out in PSG 1 are immense and there is a long way to go before agreement is reached on the relationship between central government and the regions, the constitution and the holding of elections in 2016. At the same time, it is important to be realistic about what can be achieved in such a complex environment and precarious security situation, and even the slightest progress is a step forward.

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<sup>84</sup> Interview 4, analyst.

## 3.2 PSG 2: Security

PSG 2 of the Somali Compact, Security, focuses on the establishment of national security institutions to provide basic safety and security for Somalia's citizens. This includes the ability to recover territory and stabilise the country. At the moment, security is mainly provided by AMISOM in cooperation with the SNA. The main focus below is therefore on the AMISOM/SNA offensive.

### 3.2.1 The Offensive and Stabilisation Challenges

According to Collinson et al., "International interventions seeking to 'stabilise' and mitigate perceived security threats posed by weak and fragile states typically involve integrated 'hard' and 'soft' forms of intervention, both military and civilian".<sup>85</sup> In general, stabilisation is a combination of military, political, development-related and humanitarian activities to stabilise the situation in a given area. The AMISOM/SNA offensive can thus be seen as the military part of a stabilisation operation. What exactly is meant by stabilisation, however, can include both short-term measures as part of a counterinsurgency or counterterrorism operation or be linked to long-term strategies of peacebuilding and statebuilding.<sup>86</sup> In the case of AMISOM and the SNA, the offensive clearly constitutes a counterinsurgency or counterterrorism operation and the offensive has been planned from a military perspective. This creates problems from a peacebuilding and statebuilding perspective if there is nothing to fill the void when AMISOM eventually leaves the so-called newly liberated areas.

In the past, the government failed to create a presence when al-Shabaab was forced to give up territorial control.<sup>87</sup> In Kismayo and Baidoa, Kenya and Ethiopia were instead heavily involved in the establishment of new forms of administration after these cities were taken from al-Shabaab. This time, the plan is that AMISOM will be present in the different areas for around four weeks, which would then be followed by some form of caretaker administration of four to six months.<sup>88</sup> Exactly who will make up this administration and who should train them is not clear, and there is a worry that such administrations will be parachuted in from Mogadishu and thus not representative of or legitimate in the eyes of the population.<sup>89</sup> It is important that the caretaker administrations are local and that they are able to improve the security situation and deliver a

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<sup>85</sup> Collinson et al. 2010, p. 276.

<sup>86</sup> Ibid.

<sup>87</sup> Interview 3, analyst; interview 23, researcher.

<sup>88</sup> Interview 11, bilateral partner; interview 12, AU staff.

<sup>89</sup> Interview 7, bilateral partner; interview 8, bilateral partner; interview 11, bilateral partner; interview 18, EU staff.

minimum level of rule of law and services. This has to be done fairly quickly in order to avoid creating a vacuum into which al-Shabaab can return. Otherwise, there will be the risk of missed opportunities and an offensive carried out in vain. Even worse, it might undermine the legitimacy of the state as the offensive might create expectations among the population regarding security and service delivery that, if not met, will reduce trust in the government. In such a scenario, the offensive would not only have been carried out in vain but even have been counterproductive to its own aims.

That said, stabilisation remains a controversial issue as its aims and means can vary between counterinsurgency and peacebuilding and statebuilding activities.<sup>90</sup> There is also a risk of unintended consequences. To invest in the newly liberated areas is a risky business. One major concern is how to find implementation partners that can work in such a volatile environment.<sup>91</sup> Furthermore, analysis of the political, social and economic context is often weak in stabilisation operations.<sup>92</sup> If carried out without a proper assessment of the structures or individuals to be supported, assistance could be provided to a group or militia that is unrepresentative or has a violent past. In Somalia, stabilisation has often taken place by engaging with actors, both local and national, that have contributed to insecurity by engaging in violence and corruption.<sup>93</sup> Furthermore, development assistance can contribute to instability by providing legitimacy to one party over another.<sup>94</sup> It is important not to fuel a war economy when distributing resources. An analysis of unintended consequences must therefore be carried out as part of any stabilisation activities. These issues were highlighted by the offensive of 2012,<sup>95</sup> and there should be lessons to learn from how things were handled – or not handled – then.

Another important aspect is that stabilisation should not be militarily driven even though military issues constitute an important part of a stabilisation operation. As a concrete example, al-Shabaab will probably not be defeated by the type of conventional warfare used in such offensives. In the cities taken so far, al-Shabaab did not put up a fight but instead melted into the population. There has been a related increase in unconventional warfare. There might therefore be a need for other or at least complementary strategies. Hammond argues that taking control of more rural areas might have to be achieved by means other than military. She argues that “negotiations with clan leaders and extension of

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<sup>90</sup> Collinson et al. 2010, p. 280.

<sup>91</sup> Interview 7, bilateral partner; interview 11, bilateral partner; interview 18, EU staff; interview 19, UN staff; interview 21, bilateral partner.

<sup>92</sup> Collinson et al. 2010, pp. 285-286.

<sup>93</sup> Menkhaus 2010.

<sup>94</sup> Goodhand and Sedra 2010.

<sup>95</sup> See Hagstöm Frisell et al. 2012, p. 47.

effective alternative governance into rural areas in the hopes that others will join once their confidence in the legitimacy and effectiveness of the government has been bolstered” might be a way forward.<sup>96</sup> This points to an inclusive process where dialogue is promoted, something that until now has been fairly limited. It also suggests that the administrations need to be locally rooted. The process of establishing local administrations needs also eventually to be linked to the broader process of state formation. The offensive and what comes afterwards is therefore an ultimate test for linking peacebuilding and statebuilding activities. However, the security situation seems to be the main impediment to any type of follow-on activity – the very thing that the stabilisation efforts are trying to come to terms with.

### **3.2.2 Building a National Army**

A main focus of PSG 2 is strengthening the capacity and accountability of the security institutions.<sup>97</sup> As noted above, there are several ongoing initiatives to enhance the capabilities of the SNA. This is necessary in order for AMISOM to be able to hand over responsibility for security to national structures.

The SNA is currently not much more than different local militias fighting al-Shabaab without a unitary command and control structure. The structures that have been developed at most control the forces trained in Mogadishu. The EUTM provides training for these forces, but again this only applies to the forces from Mogadishu. In practice, this means that only the soldiers from one clan, the Hawiye, are being trained. This is something that was raised with one of the authors during interviews in 2011, and is thus not new. The formation of regional administrations, however, might make this division increasingly problematic. Promoting an ethnic balance is a key issue in defence reform.<sup>98</sup> In a worst case scenario, the EUTM could be training troops to be used against the regions if the conflict between the government and the regional administrations continues. This means that from a sustainability and legitimacy perspective, the EUTM will need to investigate how to conduct training in other regions or at least how to include soldiers from other regions. This is also an important aspect of how the SNA is perceived by the population. For a state to be legitimate, its armed forces need to have the trust of the majority of the population.<sup>99</sup> One way of creating legitimacy is to have armed forces that are representative of all groups in society and their security needs.<sup>100</sup> In Somalia, this means that it is important that the soldiers are

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<sup>96</sup> Hammond 2013, p. 189.

<sup>97</sup> Federal Republic of Somalia 2013.

<sup>98</sup> OECD/DAC 2007.

<sup>99</sup> Nilsson and Zetterlund 2012.

<sup>100</sup> Hutton 2009.

seen to come from all the different regions in order to gain the population's trust. Failure to include people from different regions in the training risks becoming counterproductive to the intention of creating a national army.

Another focus of PSG 2 is to integrate the different security forces into the federal institutions.<sup>101</sup> The idea is to set up regional brigades in the structure of the army.<sup>102</sup> In the IJA, for example, this could mean that the Ras Kamboni militia constitutes the basis for a regional brigade. This would also be in line with the agreement establishing the IJA, which states that Ras Kamboni will become part of the SNA. This might be one way of including the different regions within a single army and making it more representative. At the same time, it would reinforce clan and regional divisions and therefore contribute to the cementing of differences in the country. The risks posed by brigades based on clans constitute a serious long-term challenge for the country. There is an inherent conflict between creating an army that the population perceives as legitimate and one that will not clash with itself. Due to the security situation, there might not currently be a viable alternative option to creating regional brigades. Creating unity among the brigades might therefore need to come second. Nonetheless, in choosing such an approach it is important to be aware of the potential risks that might be involved, and that it could be counterproductive in the long run.

### 3.3 Summary

Returning to the continuum of peacebuilding and statebuilding formulated in the Somali Compact, what can be said about the process in Somalia today? We have established that the process suffers from an incomplete fragility assessment, truncated consultation and analysis, and the risk that formulation of the constitution will not be sufficiently inclusive. Most of the PSG 1 goal formulations and the Vision 2016 roadmap have not yet been achieved. Although there has been progress in terms of setting up the structures and processes for implementing PSG 1, results are yet to be realised.

Security is still mainly provided by AMISOM as the security forces do not have the capacity to do so. Several initiatives are in place to enhance the capability of the security forces, but the SNA remains a collection of clan militias and there is a risk that the divisions between different groups will be reinforced by the training methods currently being used.

There is a parallel implementation under way of both the inclusive politics and the security PSGs, including both peacebuilding and statebuilding activities.

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<sup>101</sup> Federal Republic of Somalia 2013.

<sup>102</sup> Interview 12, AU staff; interview 23, researcher.

However, much is affected by the security situation. It therefore remains a valid question whether the security situation is still too problematic for peacebuilding, let alone statebuilding, to meet the ambitious targets for 2016. That is not to argue that activities should take place in a sequential manner. Peacebuilding and statebuilding can indeed take place in parallel, but there are limits, and places where the security situation might be so dire that very few activities, no matter what kind, can take place.

## 4 Conclusions

There has been some progress in Somalia over the past year and a half. The federal government is in place, the security forces are being trained, an offensive is pushing al-Shabaab out of key urban areas and there is a Somali Compact to guide the international community's engagement with Somalia. However, the challenges facing Somalia continue to be immense. Al-Shabaab is losing territory but is by no means defeated. By using asymmetric warfare, it continues to haunt the government and the population as well as the international community, making the security situation extremely volatile. To be able to move things forward, improving the security situation in the country is key. The AMISOM and SNA offensive is an attempt to do so, but might be in vain if not paired with other measures to stabilise the situation – as al-Shabaab is highly unlikely to be defeated using conventional warfare alone. Al-Shabaab will only be marginalised or defeated when there are genuine options for stability, security and political representation in place. A too narrow view of what constitutes security might therefore be counterproductive.

The FGS is not representative of the whole country. PSG 1 has so far not created an inclusive process and pressure must be put on the government to take this issue seriously. Only an inclusive, countrywide process can move things forward in a sustainable way. This means engaging not only the elites in their respective regions but also civil society and the population at large. If this is not done properly there is a risk that the state formation process could lead to further violence. This means that it is premature to conclude that federalism is the only way forward, as Somalis have not yet had an opportunity to voice their opinions on state formation. Furthermore, if a government lacks legitimacy this also becomes true for any process that it is leading. This could therefore affect the population's view of the Somali Compact, elections and the proposed constitution.

An inclusive process should include the whole population. It is therefore important to engage with women, for example through civil society organisations, to allow them to take part in the political discussion and gain access to important formative processes such as the constitutional process. It is telling that very few of the respondents reflected on the role of women in politics and as part of the solution to the ongoing conflict.

Clan structures complicate the picture even further. It is clear that clan matters and that clan identity influences politics and the state formation process. This is also true of the security forces. It is important to bear in mind that federalism and regional brigades may reinforce divisions between clans. Clans are part of Somali society and it is crucial to find a way for clan structures to play a constructive role in peacebuilding and statebuilding in Somalia.

Little progress has been made so far with the Somali Compact. The main focus of all the parties involved seems to be on the security situation. The New Deal is intended to be implemented in conflict-ridden and fragile states where the security situation is a complicating factor. In the case of Somalia, however, one has to ask whether the conditions for implementing a compact really exist. In Somalia the process started with a fragility assessment, but this was cut short. Hence the process for establishing the compact was compromised from the start. Furthermore, the main focus of the New Deal is on peacebuilding and statebuilding. Peacebuilding activities should reduce the risk of lapsing or relapsing into conflict. Using this definition, Somalia might not even be in a peacebuilding phase due to the severity of the ongoing conflict and the lack of security in the country. That is not to say that no such efforts should take place, but it is important to be realistic about what can be achieved in a conflict environment, and to understand that there is a high risk of unintended consequences. One such factor is who is being supported in the quest for security and stability. The training of the security forces provides just one example of this problem.

At present, the international community is mainly focused on the problems pertaining to al-Shabaab. There are however several underlying drivers of conflict that must not be forgotten. Even if AMISOM and the SNA succeed in defeating al-Shabaab, something that is highly questionable at the moment, there are no guarantees of peace in Somalia. The state formation process has been mentioned above as a possible driver of conflict, but there are also issues pertaining to resource scarcity, gender inequality, land disputes and the unresolved grievances of internally displaced persons that could lead to conflict. These will not be resolved without engaging local communities in dialogue on their future vision for Somalia.

The main focus of this report is on developments in Somalia, and more specifically south-central Somalia. These developments however are very much influenced by Somalia's neighbours, especially Ethiopia and Kenya. Whatever path Somalia chooses to take, when it comes to resolving the conflict and moving the state formation process forward it is unlikely to be sustainable in the medium to long term unless accepted by its neighbours. Any solution to the Somali conflict therefore needs to be a regional one.

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## List of Interviews

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The main purpose of this study is to analyse the political and security challenges facing Somalia. It examines the Somali Compact, which identifies certain peacebuilding and statebuilding goals to be achieved in the coming years.

The report focuses on the goals “Inclusive Politics and Security”. The main challenges discussed are the establishment of a federal state system, the adoption of the constitution, the holding of elections, the stabilisation operation and the building of a national army.