

the President faced numerous obstacles. Some of these obstacles included security issues in Somalia, the problem of relocation to the capital, Ahmed's tainted background as an authoritarian leader, the Greater Somalia question³ as well as unresolved territorial issues. Consequently, Ahmed's drive to shape Somalia into a peaceful and fledgling democracy appears to have been upset by these obstacles. This briefing paper therefore examines these obstacles so as to assess how they will shape the prospects of the latest peace initiative.

The Question of Relocation

Due to the security situation in Somalia, its government has been operating from neighbouring Kenya. It is this situation and the formation of the government outside Somalia last year that presents a difficulty in itself since it gives rise to the question of ownership and legitimacy of the new government. A solution to restore the statehood of a country from outside its own territory is probably being tried for the first time and the appointment of Prof. Ghedi as Prime Minister on 3

November 2004 was the first step to establish a Transitional Federal Government (TFG).

On 1 December 2004, the Prime Minister, in agreement with the President, appointed members of his cabinet. However, 12 days after the government was sworn in, Somalia's Transitional Parliament passed a vote of no-confidence in Ghedi's government, arguing that the cabinet was not inclusive enough and that Ghedi's appointment as Prime Minister had not been approved by the parliament as required by the Transitional Federal Charter. Eventually, on 23 December 2004 Ghedi and his reconstituted cabinet got the mandate to assume office by an overwhelming 168 against 78 votes in the parliament.

Although Ghedi and his cabinet got the mandate from the parliament, the composition of the cabinet raised numerous questions. One of the concerns about the new government is the size and composition of the cabinet. For a country heavily dependent on foreign funding*, the cabinet is too big. The cabinet of 42 ministers, 42 deputies and seven state ministers (a total of 91 cabinet ministers) was meant to include the different factions, warlords and

³ Ever since the emergence of unified Somalia in 1960, Somali leaders have attempted to enlarge the territory of the state by including all ethnic Somalis within its borders. The Greater Somalia would thus include the northern (Somaliland) and southern regions (Italian Somalia) of the republic and the "unredeemed territories" in Kenya's North Eastern Province, Ethiopia's Ogaden Province, and Djibouti.

* The AU, UN and EU and various donor organizations have funded the peace process during the past 3-5 years.

clans.⁴ Revealingly, out of the 91 appointees in the cabinet, only two are women, and these are in the Ministry of Women's Affairs and Family Welfare as Minister and Deputy Minister, respectively. In addition, the alliances and interests reflected in the cabinet are too many and too broad to make for a sustainable government. Despite the issues revolving around the cabinet's composition, the vote of confidence in Ghedi's cabinet was perceived as a go-ahead for the TFGs reconstruction agenda and to move the government back to Somalia. However, while getting the mandate was relatively easy, the relocation of the government has presented Ghedi with one of his most serious challenges.

In principle it would be in the interest of the TFG to relocate to Mogadishu as the *de-jure* capital. The Intergovernmental Authority on Development (IGAD) initially asked Ahmed to relocate to Somalia no later than December 2004. But this date passed and since then the exact date of relocation of the TFG has not been set. For example, while in January 2005, Yusuf Ahmed set the end of March 2005 as the deadline, Ghedi announced 21 February as the date for relocation of the government.

⁴ For more on Somali social system, clan politics and allegiance, see Timothy, Othieno "Somalia's Elections and Clan Politics: a new opportunity of temporary ceasefire? In Global Insight, Issue No 40, November 2004.

Despite uncertainty as to the exact date of permanent relocation, the President and his cabinet went back to Somalia on 24 February 2005 for a 10-day visit without visiting Mogadishu. When the entourage returned to Kenya, they cited major security concerns in the country that would need to be addressed before the government could settle in Somalia.

Reconstruction and Security

The relocation of the TFG, however, would appear to be one of its lesser challenges compared to the overwhelming security concerns. If relocated, the new government faces the insurmountable task of rehabilitating dilapidated infrastructure destroyed by years of war dating back to 1991. It will also have to create a new security and police force from scratch that would probably incorporate militia elements hitherto holding various parts of the country. Furthermore, Somalia's key ports will require substantial amounts of investment and manpower before they can start operating and generating revenue for the government. To establish control over these ports and to facilitate relocation, the TFG has requested 20 000 African peacekeeping troops as well as US \$ 76m from the international community for financing the new government. Of the amount required, donors have so far pledged US \$ 8m. The United Nations (UN) on the other hand estimates that US \$ 5bn will

be needed to rebuild Somalia as a whole. Lack of security explains the government's reluctance to relocate. The UN-imposed arms embargo on Somalia that has been in place for the last 12 years has increasingly been violated since the beginning of this year. Reports indicate large-scale violations of the arms embargo, not only by extremist groups and militias, but also by some current Members of Parliament. There has been the importation and proliferation of not only small arms but also explosives and heavy weapons (tanks, artillery, anti-aircraft guns, multi-barrelled rocket launchers and heavy mortars), which pose a more immediate threat to peace in Somalia.⁵

As a result, parts of Mogadishu are under the control of various militias who need to be disarmed. The estimated 60 000 militia who pose a serious threat to peace and stability in Somalia can be categorised into three groups: small marauding bands armed and responsible for terrorising citizens; large groups with links to warlords who control specific territories; and militia sub-contracted to protect particular business interests operating around Somalia's ports and trade routes.

The disarming, demobilization and reintegration of all these militia groups is paramount if security is to be

established in Somalia.⁶ The security threat posed by the militia is demonstrated by the recent killings in January and February 2005: the Mogadishu Police Commissioner, a British Broadcasting Corporation (BBC) journalist and high-profile assassinations of senior officials from various factions.

The murder of the Mogadishu Police Commissioner, Gen Yusuf Ahmed Sarinle, in January 2005 in Mogadishu can probably be explained by the fact that he favoured the deployment of a foreign peacekeeping force in Somalia. Since Sarinle was the TFG's coordinator for the relocation of the new government from Kenya, his death can also be attributed to his association with the TFG which is not viewed kindly by the warlords in the capital. On the other hand, the murder of BBC producer Kate Peyton outside the *Sahafi Hotel*, in Mogadishu within hours of her arrival may have been meant to serve a number of goals: firstly, to highlight the level of insecurity in Somalia and secondly, to prod the international community to speed up deploying foreign troops in Somalia. Whatever the case, Peyton's murder underscores the insecurity and lawlessness that grips Mogadishu and other parts of Somalia.

⁵ The origin of these weapons includes Yemen and Ukraine.

⁶ Related to the disarming, demobilization and reintegration of the militia, there is the question of how to address the issue of the 2.5 million small arms circulating within Somalia.

The state of insecurity and lawlessness in Somalia has largely contributed to the violation of human rights by all parties in the civil war. In view of the security situation in Somalia and the upheavals the country has undergone over the last 15 years, the onus is now on the government to establish law and order, and adopt a constitution within which human rights should feature prominently in order to guarantee the long-term stability of the country. This agenda would also involve the integration of all the militia in the society. In addition, a culture of upholding the rule of law as well as the respect of human rights⁷ needs to be developed and the process of reconciliation in Somalia has to begin as soon as possible.

Although the government has concerns regarding the security situation in Somalia, its recent focus has been directed towards its relocation to the capital. However, the status of Mogadishu as the capital of Somalia and the seat of government does not seem to have been determined yet. Since the capital remains the most fractured and violent city in Africa and under the control of warlords hostile to Yusuf Ahmed, the new government is

unlikely to establish itself in Mogadishu. A significant number of people in the new administration are reluctant to relocate to Mogadishu, preferring to move the seat of government to a safer town such as Baidoa in the north. Ahmed himself is non-committal about Mogadishu as the seat of the new government. Since he came to power, he has never referred to Mogadishu as the seat of government when talking about the relocation of the TFG to Somalia. This is seen by some as a significant and telling omission on his part. Furthermore, Ahmed seems to favour moving the capital to Baidoa. The town, unlike Mogadishu, is near Ethiopia, which has been Ahmed's ally and would be able to help shift the balance of power in the new government to his advantage if needed.⁸

On the other hand, Prime Minister Ali Mohammed Ghedi, who hails from the *Hawiye* clan that is dominant in the capital, insists he is moving the government to Mogadishu as soon as possible. This move would definitely be welcomed by the warlords in the capital who would like to exercise some

⁷ This would include among other things women's and children's rights, prison conditions, the rule of law, the establishment of independent human rights

commissions and the situation of internally displaced persons (IDPs).

⁸ Further evidence of Ahmed's leaning away from the current capital has been demonstrated by the President's recent 10-day visit to Somalia where he toured various areas of the country, visiting Baidoa but not Mogadishu.

influence over the President and TFG.⁹ It appears that both the President and his Prime Minister will find it difficult to strike a compromise on this matter which could have a direct bearing on the transition and reconstruction process.

The choice of Yusuf Ahmed as President of the TFG

The choice of Yusuf Ahmed as the country's Head of State in October 2004 is in itself controversial and does not bode well for democracy in Somalia. Ahmed's rule in *Puntland* bore the hallmarks of his authoritarian tendencies. Since *Puntland*¹⁰ declared its semi-autonomous status from Somalia in 1998, it has been in a state of war with the rest of Somalia. In addition, Ahmed's ruthlessness as a leader is well known in the entire Horn of Africa. Reports suggest that Ahmed

eliminated all potential rivals in *Puntland* following his appointment as leader in 1998. Furthermore, despite promises to serve a three-year term, deliver a new constitution and hold elections, he reneged on all these agreements and subsequently refused to relinquish power on the grounds that *Puntland* required a strong leader to deal with the threat of terrorism.

Although Yusuf Ahmed pledged to promote reconciliation and national reconstruction, his request to the international community (more specifically the African Union and IGAD) to provide peacekeepers to secure Mogadishu¹¹ and Somalia is seen as an attempt to consolidate his personal power and to establish control of the capital Mogadishu.¹² This seems to be creating mistrust between the President and the members of his government which could be a source of conflict in the near future. The mistrust is further exacerbated by the fact that Ahmed has the financial and military backing of Ethiopia. This raises the question of Ahmed's motives for requesting foreign troops prior to his arrival in the capital since this creates the impression that

⁹ One thing that contributes to the problem of relocation is the unavailability of government buildings. The state houses and other buildings in Mogadishu remain intact and are maintained; however, one of the warlords and a member of the cabinet, Mohamed Aided, who has been occupying them over the years, wants the new government to pay him US \$ 3m for his expenses in maintaining the former government buildings. How this issue will be resolved remains to be seen.

¹⁰ *Puntland* is a semi-autonomy region that has never clamoured to secede from Somalia even though they have their own militia, parliament and president. It seeks to form part of a federal division of a united Somalia. The inhabitants of *Puntland* belong to the *Harti* sub-clans of the *Darod* family clan. The largest *Harti* clan is the *Majerteen*, followed by the *Dhulbahante* and *Warsengeli*.

¹¹ Mogadishu and the surrounding districts are largely occupied by the *Hawiye* clan. Prime Minister Ali Ghedi hails from the *Hawiye* clan, hence by appointing him, Ahmed wanted to gain the support of the powerful *Hawiye* clan – one of Somalia's two biggest clans.

¹² Most Somalis, warlords and particularly Members of Parliament in the TFG do not want foreign troops to be deployed as peacekeepers in Somalia let alone the capital

he intends to use these foreign (particularly Ethiopian) forces to control Somalia. The point is that any foreign troops from the neighbouring countries are not welcome because of perceived agendas and interests. This is because during the civil war, Kenya, Ethiopia, Djibouti backed various factions and warlords to address their national interest. Despite these reservations, an emergency session of the African Union Peace and Security Council in Addis Ababa at the beginning of 2005 mandated IGAD to send 7 500 troops upon a request from Ahmed. The troops will help in demobilising, rehabilitating and integrating militias back into society as well as securing the country's entry points and key roads.

The Somali 'national question'

Somalia's fragile peace also risks being endangered by the sensitive question of territory that dates back to the colonial period. A major sore point in Somali politics has always been the Somaliland¹³ question. Formerly under British rule from 1884 to 1960 and known as the British Somaliland Protectorate, Somaliland together with Italian Somalia came to form the

since they are bound to lose control of the areas they control.

¹³ This territory is inhabited mainly by the *Isaaq* clan who comprise about 66% of the population of

Republic of Somalia at independence in 1960. This union lasted till 1991 when Siad Barre was deposed and Somaliland declared its independence from Mogadishu.¹⁴

Although not recognised internationally, Somaliland today enjoys relative peace. The major problem is that the Transitional Federal Charter of the Somali Republic adopted in February 2004 sees Somaliland as a part of Somalia, compounded by the fact that Ahmed has never had cordial relations with Somaliland. In fact, since *Puntland* declared its semi-autonomy in 1998, it invaded the Somaliland territories of *Sool* and *Sanaag*¹⁵ on numerous occasions. The general perception is that once things are settled in Somalia and more so in Mogadishu, Ahmed will 'resolve' the Somaliland question once and for all by either negotiating with Somaliland or alternatively invading or attacking Somaliland in order to divert attention from other internal Somali problems and thereby attempt to unite

Somaliland while the sub clans of the *Darod* constitute 19% and the *Dir* 15%.

¹⁴ The mainly *Isaaq* inhabitants of Somaliland did not benefit from being a part of the government under Barre and the region later experienced a major civil war as the government bombed the towns of Hargeysa and Burco into rubble in retaliation for the *Isaaq* dominated Somali National Movement (SNM) attack on the two towns as part of the SNMs agenda to overthrow the Barre regime in the late 1990s.

¹⁵ The major inhabitants of *Sool* and *Sanaag* belong to the *Harti* Sub-clans (Dhulbahante and Warsengeli) of the *Darod* clan who resent the Hargeisa government for not honouring their agreement to include them in the Somaliland government. Hence, they have looked to

(even if temporarily) the different factions and clans in Somalia. Ahmed's agenda is bound to cause further bloodshed and division in Somalia as independence is still supported by Somaliland *Isaaq* clan and consequently, taking control of Somaliland would necessarily entail the use of force. The *Sool* and *Sanaag* dispute is also not over and the on-going confrontation between Somaliland and *Puntland* over control of these regions remains a serious concern as the two sides continue to deploy troops in the area.

Yet another source of problems is the *Mudug* region of Somalia that is occupied by *Puntland* forces as well as those of the various Somali militia groups. Geographically, *Puntland* is supposed to cover the former Somalia territories of *Bari* and *Nugaal* but *Puntland* has also annexed part of *Mudug*, including the town of *Gaalkayo*. *Puntland* has controlled this area over the last seven years as part of its semi-autonomous territory.¹⁶ It remains to be seen how the Ahmed administration will deal with these territorial questions, given that any attempt to return these regions to Somalia is bound to provoke serious tensions, hostility and possibly resistance.

their *Darod* 'brothers' in *Puntland* for allegiance and support.

¹⁶ See annex for a map of the regions under dispute.

The Greater Somalia Nation

Somalia's past unwillingness to recognize political boundaries that were drawn by the British, French and Italian colonists will also be assessed by the new government. This is because since independence, successive Somali governments have sought to reincorporate the Somalis living in Ethiopia, Kenya, and Djibouti into the Greater Somalia.¹⁷ In 1960-64, for example, guerrillas supported by the Somali government battled local security forces in Kenya and Ethiopia to get control over Somalia's claimed territories. Then, in 1964, Ethiopian and Somali regular forces clashed once again over the Ogaden. By late 1964, it had become obvious that the initial campaign to unify all Somalis had failed. Ethiopian forces had established control over the Somalis in the Ogaden by relying on their air superiority. In Kenya, the government was forced to rely on assistance from British counterinsurgency experts to control Somali guerrillas in the former Northern Frontier District (NFD). In late 1964, Kenya's President Jomo Kenyatta and Ethiopia's Emperor Haile Selassie signed a mutual defence agreement aimed at containing Somali aggression.

¹⁷ Under the Siad Barre regime, the five-pointed star on the Somali flag represented the northern and southern regions of the republic and the "unredeemed territories" in Kenya's North Eastern Province, Ethiopia's Ogaden Province, and Djibouti.

As a result of the continued threat of aggression, the two countries renewed the pact in 1979 and again in 1989. This military alliance coupled with the resistance from the now defunct Organization of African Unity to Somali expansionism, and costs of its military ventures eventually forced Mogadishu to reconsider its territorial ambitions. The question is whether Yusuf Ahmed will resist the urge to unite Somalis within Somalia's boundaries and pursue the ambition of a Greater Somalia again. He will have to reconsider his ambition of building a genuinely united Somalia in which he controls power, against the danger of plunging the country back into a civil war.

Conclusion

After years of turmoil, Somalia has a fragile 'peace' that will require major political, economic and social rehabilitation. One of the most effective ways of healing this country would be through a truth and reconciliation process. However, the dynamics of Somali politics does not make this a viable option as it could ignite the simmering hostility among the different factions and clans.

The precondition for the building of statehood in Somalia is the relocation of the government from Kenya back to Somalia. This move should not be

postponed any further. Additionally, the question of territorial integrity needs to be tackled with some delicacy. A diplomatic, rather than a military solution, would be the best option to resolve this quandary. But most importantly, there is a need for caution and restraint as regards the Greater Somalia ambition. The continued pursuit of this aspiration by any Somali government is a definite recipe for a major regional conflict since any renewed territorial claims would spur strong opposition from Ethiopia, Kenya and Djibouti.

In addition, the new government will be assessed on how it deals with the critical issues of human rights, democracy, rule of law and socio-economic development that has been neglected over the past 15 years. These are overwhelming challenges indeed, maybe too big for a former self-proclaimed leader of *Puntland* if his efforts are not backed by the Somali people. Lack of this support will result in the immediate and long term goals of the TFG not being realised. The new government needs to do all it can to ensure that peace in Somalia is sustained but this will probably only be possible if personal agendas of the politicians are put aside in the interests of confronting the daunting challenges of nation-building.

Policy Considerations

a) *To the African Union and United Nations*

(i) The AU and UN peacekeeping forces in Somalia need to be drawn from 'neutral' (non-IGAD states i.e. from Southern Africa, Tunisia, Mauritania and Libya) countries that have minimal interests, or no stake or agenda in present Somalia. This would obviate any resentment that may arise from the different Somali factions. In addition, AU and UN pressure needs to be applied to IGAD states not to supply troops for peacekeeping in Somalia.

(ii) AU/UN peacekeepers going into Somalia need to secure the capital and make it a neutral zone free from any faction(s) by disarming and demobilising all the militia and integrating them into the society while facilitating the establishment of key institutions.

(iii) Pressure needs to be put on the Somali government-in-exile to relocate to Mogadishu as soon as possible which would then give the government no opportunity for another postponement.

(iv) Pressure needs to be put on IGAD to support initiatives that would see non-IGAD peacekeeping forces deployed in Somalia.

b) *To the Somali Government*

(i) The new government needs to establish its own security apparatus in order to normalise the security situation in the country, deal with the militia problem as well as create some semblance of law and order.

(ii) The new government needs to revamp its legislative regime by introducing a binding human rights charter, and review existing legislation and institutions. This may include the establishment of an independent human rights body with judicial powers that will oversee respect for human rights in Somalia. This body would bring the violations to the attention of the government and international community.

(iii) The new government will have to seek either a regional or a multilateral diplomatic solution to the Somaliland territorial question. This process might include negotiations by both Somalia and the region of Somaliland or by AU initiatives such as the AU chairman's, 5 Jan 2005 announcement of an AU fact-finding mission to Somaliland. The cessation of hostilities should be a first step to negotiations. Lack of a diplomatic solution will lead to a return to the conflict and lawlessness that the country has known over the last 15 years.

Suggested Reading

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