

**Prepared Statement of**

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**before the**

**United States House of Representatives**  
**Committee on Foreign Affairs**  
**Subcommittee on Africa, Global Health, and Human Rights**  
**and**  
**Subcommittee on Terrorism, Nonproliferation, and Trade**

**on**

**“Assessing the Consequences of the Failed State of  
Somalia”**

**Thursday, July 7, 2011**  
**12:30 p.m.**  
**Rayburn House Office Building, Room 2212**  
**Washington, D.C.**

Chairman Smith, Chairman Royce, Ranking Members Payne and Sherman,  
Distinguished Members of the Subcommittees:

I would like to thank you very much for the invitation to appear before you today to contribute to your assessment of the consequences of the failed state of Somalia in general and, in particular, the policy of the United States towards the challenges that arise thereof.

As we meet, the situation in Somalia has reached a critical juncture. Two decades after the collapse of the last entity that can be plausibly described as “the government of Somalia” and no fewer than fourteen failed attempts to reconstitute such a centralized authority later, the country is still fragmented into multiple fiefdoms. The current “Transitional Federal Government” (TFG) is limping towards the August 20 expiration of its already

extended mandate with little indication that it has made any positive progress since the time I testified here two years ago that it was “not a government by any common-sense definition of the term: it is entirely dependent on foreign troops...to protect its small enclave in Mogadishu, but otherwise administers no territory; even within this restricted zone, it has shown no functional capacity to govern, much less provide even minimal services to its citizens.” While Islamist insurgency spearheaded by the al-Qaeda-linked *Harakat al-Shabaab al-Mujahideen* (“Movement of Warrior Youth,” al-Shabaab) has suffered a series of setbacks at the hands of the African Union Mission in Somalia (AMISOM)—to say nothing of recently increased strikes by unmanned aerial vehicles, presumably operated or at least coordinated by U.S. forces—it is far from defeated. Moreover, even allowing for the most optimistic interpretation of recent gains by the Ugandan and Burundian peacekeepers fighting in Mogadishu, the fact remains that their commanders claim to have secured barely half of the sixteen districts of the city and the area under their effective control today remains smaller than that which the departing Ethiopian forces relinquished to them just two years ago. Finally, with the fate of Yemen still very much undetermined, there is the specter of the already existent links between al-Shabaab and al-Qaeda in the Arabian Peninsula (AQAP) expanding and proving an even greater threat to regional and international security, to say nothing about the increasing threat posed by maritime piracy in the waters of the Gulf of Aden between the two countries and beyond.

Unfortunately, compounding its poor political and military prospects, Somalia currently also faces environmental challenges which only exacerbate the former. The failure of the May-June rains for the second year in a row in some areas are creating conditions that the largest Somali nongovernmental organization, SAACID, in a statement issued just this week, has qualified as “famine.” Beyond the humanitarian tragedy, the movement of clans which have lost between 80 and 100 percent of their herds in search of food and income in Mogadishu and other urban centers leaves entire Middle Shabelle districts like Adale and Raghe Elle to al-Shabaab.<sup>1</sup> The estimate released by the United Nations High Commissioner for Refugees (UNHCR) just two days ago that one-fourth of the total Somalia’s 7.5 million people have been driven from their homes by drought or violence to either centers within the country or refugee camps in neighboring states is even more dire when one considers that those displaced come almost exclusively from southern and central areas where the total population is actually less than half the figure cited by the refugee agency.

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<sup>1</sup> SAACID is also reporting a mass movement of families from Dinsoor District in Bay Region, and Qoryoley and Kurtun Warrey Districts in Lower Shabelle Region, to Mogadishu in search of food and employment, due to a loss of herds, crops and water in their home districts.

In this context, I would like to make five main points, before considering to U.S. policy:

1. Rather than a solution to the challenge of state failure in Somalia, the TFG has clearly shown itself to be part of the problem—in fact, a rather significant factor in the ongoing crisis.
2. AMISOM is neither sustainable as military operation nor viable as a strategy. Whatever short-term advantages the presence of the African Union force provides are more than offset by the long-term complications it causes, both in Somalia and for regional politics.
3. The resilience of al-Shabaab and other insurgent forces should not be underestimated, especially when the TFG and AMISOM continually fuel the fires of local discontent.
4. The process of devolution in the onetime Somali state continues inexorably and represents a trend which, after more than twenty years, has become irreversible.
5. A new approach is desperately needed if the worst consequences of Somalia's state failure are to be at least mitigated.

### **Somalia's Dysfunctional TFG**

Given all the diplomatic and political support they has enjoyed in recent years as well as the resources expended on training a Somali security force—to say nothing of the Ugandan and Burundian peacekeepers who have given their lives to defend them when most of them have lacked the commitment to put their own lives or those of their sons on the line—the utter failure of TFG head Sheikh Sharif Sheikh Ahmed and his ministers to extend the interim regime's writ beyond the grounds of Villa Somalia, the presidential compound in Mogadishu, is inexcusable. A report earlier this year by the International Crisis Group succinctly summarizes the sad state of affairs when it concluded that the TFG “has squandered the goodwill and support it received and achieved little of significance in the two years it has been in office. It is inept, increasingly corrupt and hobbled by President Sharif's weak leadership. So far, every effort to make the administration modestly functional has come unstuck.” And all this was before the quarrel between the TFG president and the parliamentary speaker, Sharif Hassan Sheikh Aden, broke into the open, only to be patched up, at least for the moment, when both men agreed to award themselves another year in office—by what legal authority no one knows—as well as to oust Prime Minister Mohamed Abdullahi Mohamed, a.k.a. Farmajo, to avoid having to continue sharing spoils with him.

Moreover, what we are confronting is not just political incompetence, but outright criminality. Last year the United Nations Security Council's Sanctions Monitoring Group for Somalia exhaustively documented how senior TFG officials, including the deputy prime minister and other members of the cabinet, were directly involved in visa fraud including, in one incident, the facilitation of travel to Europe by two suspected al-Shabaab cadres. More recently, the report of the auditors reviewing the TFG's books for the years 2009 and 2010 reveals that while during the relevant period bilateral assistance to the regime totaled \$75,600,000, only \$2,875,000 could be accounted for. The auditors determined that the balance, which represents more than 96 percent of international aid to the TFG, was simply "stolen" and specifically recommended forensic investigations of the Office of the President, the Office of the Prime Minister, the Ministry of Finance, and the Ministry of Telecommunications, as the most egregious offenders.

As to recently ousted Prime Minister Farmajo, the spin put out by the public relations firms he hired with international donor assistance notwithstanding, he was no reformer. When political commentators said he came with "no political baggage," it was a polite way of saying that he had no experience of Somali politics on the ground—he had not been in the country for a quarter of a century at the time of his appointment—and no base from which to lead. That is not to say that he did not learn quickly from his colleagues in the TFG. He held the post less than a year, but the auditors could not account for \$648,000 from the salary account of the Office of the Prime Minister. He also awarded his old boss, a former county executive from upstate New York with no evident foreign policy credentials, to lobby the U.S. State Department on his behalf. Given that Farmajo is a U.S. citizen and at least some of the "missing" or otherwise misspent funds undoubtedly derive from assistance funded by American taxpayers, perhaps the Department of Justice could be encouraged by the Subcommittees to take a closer look into the matter and determine whether any laws have been broken and, if so, what civil remedies might be sought or criminal prosecutions possibly brought.

Anyway, is it any surprise that such an outfit has had little success in rallying even minimal public support behind it, much less accomplishing any of the basic tasks—the fulfillment of which was the very *raison d'être* for its creation in the first place—including laying the reaching out to various segments of society, drafting a permanent constitution, conducting a census, holding elections, and, in general, reestablishing the foundations for Somali statehood?

There is perhaps no more telling indicator of the TFG's dismal prospects than the fact that no fewer than three different Western initiatives—a United States-funded training program using private contractors, a European Union military mission, and a French operation—have recruited, trained, and armed

more than 9,000 troops for the TFG and yet fewer than 1,000 of these recruits have remained loyal to the regime. To make matters worse, some of the personnel have gone over to the insurgents, taking with them invaluable tactical knowledge as well as their weapons.

## **The Challenge of AMISOM**

To its credit and that of its international partners like the United States, AMISOM is certainly in much better shape than it has been at any other time in its more than four years of existence. Recently, at not insignificant sacrifice, AMISOM has managed to extend its operational reach enough for the force commander, Ugandan Major General Nathan Mugisha, to announce that it is now present in thirteen of Mogadishu's sixteen districts, although he acknowledged that its soldiers "dominate" in just "more than half of these."

Nonetheless, AMISOM remains limited in which it can accomplish by lack of manpower and materiel. It took four years for the force to reach its original authorized strength of 8,000 peacekeepers. And while additional deployments from Burundi and Uganda have brought the current troop strength up to just over 9,000, there is no indication of where personnel will be found to bring the numbers up to the new ceiling of 12,000 authorized by the UN Security Council in December 2010. Even if the troops are raised and the international community, acting through the UN, the AU, or the subregional Inter-Governmental Authority on Development (IGAD), was to actually adequately equip the enlarged force, it would still be beyond delusional to think that a 12,000-strong contingent—or even the 20,000-strong force some blowhards at the AU summit last weekend were talking about—would succeed where the infinitely more robust and better trained and armed UNITAF and UNOSOM II forces, with their 37,000 and 28,000 personnel respectively, failed so miserably just a decade and a half ago against a far less capable opposition than the current Islamist insurgents.

If one looks at a successful model of counterinsurgency, the "surge" in Iraq during 2006 and 2007, the United States committed more than 160,000 troops to Iraq, backed by a further 100,000 service men and women deployed elsewhere in the region to provide rear support. This translates into one pair of boots on the ground for every 187 Iraqis. AMISOM, in contrast, is tasked with doing much the same job with one soldier for every 500 Somalis—and this if it limits its ambitions to just southern and central Somalia.

AMISOM's problem is, unfortunately, an all-too-familiar one: Its political architects gave very little thought as to what they hoped to achieve in Somalia, how they intended to do so, and what their exit strategy might be. Instead, what we have is nothing more than a charade whereby the international community pretends to be doing something while it really does

very little, all the while throwing increasing, but nonetheless inadequate, numbers of African soldiers into a conflict that they cannot hope to “win.” One of few things, aside from their noxious ideology, that unites the various Shabaab factions among themselves, is opposition to the TFG and its AMISOM protectors. The opposition to the presence of the AU force is one of the few advantages that al-Shabaab has to rally support from a Somali populace that otherwise has little time for its alien strictures, the ham-fisted tactics which AMISOM has often adopted in response to attacks by the insurgents having fanned the long-smoldering Somali resentment of the foreign intervention into veritable flames.

One might also observe that our reliance on AMISOM causes difficulties for our policy objectives elsewhere in Africa. Take for example the lamentably ham-fisted way in which the regime in Uganda has dealt with political opponents in recent months. President Yoweri Museveni knows that as long the international community continues to back the corrupt and ineffective TFG, it will be constrained insofar as bringing any meaningful pressure on him, since the soldiers of the Uganda People’s Defence Force are ultimately all that stand between the TFG and its inevitable fate.

### **Al-Shabaab’s Resilience**

Despite the setbacks they have suffered in recent months, unlike the TFG, the insurgents opposing it have proven to be rather flexible and well adapted to the type of campaign they are fighting.

In the aftermath of its losses in last year’s Ramadan offensive, al-Shabaab reshuffled its leadership with Ibrahim Haji Jama, a.k.a. al-Afghani, a militant who trained and fought in Afghanistan and Kashmir before returning to Somalia, emerging as nominal leader of the group. More significantly, al-Shabaab has apparently formally adopted a decentralized system whereby various leaders have assumed command in their home areas, where they are most likely to garner support from fellow clansmen: the erstwhile emir, Ahmed Abdi Godane, a.k.a. Mukhtar Abu Zubair, has assumed control of operations in Somaliland; Fuad Mohamed Qalaf “Shongole” is in charge in Puntland; Mukhtar Robow Ali, a.k.a. Abu Mansur, in the Bay and Bakool regions of southern Somalia; Hassan Abdullah Hersi “al-Turki” continues to hold sway over the Middle and Lower Jubba Valley with his *Mu’askar Ras Kamboni* (“Ras Kamboni Brigades”) now more integrated into the al-Shabaab organization; and Ali Mohamed Raghe “Dheere” doing the same in Mogadishu with the assistance of the Comoros-born al-Qaeda in East Africa chief Fazul Abdullah Mohammed until the latter was slain last month. Having been forced at the very end of last year to fold his *Hizbul Islam* (“Islamic Party”) into al-Shabaab, Sheikh Hassan Dahir ‘Aweys has been given command of the insurgency in his native Hiiraan region in central Somalia. It

should be recalled Hizbul Islam's primary difference with al-Shabaab was in emphasis, rather than ideology, its two principal demands being focused on the implementation of a strict version of *shari'a* as the law in Somalia and withdrawal of all foreign troops from the country, rather than a more global jihadist agenda.

The shuffle in the extremist group's leadership as well as what appears to be a heightened campaign of drone attacks by U.S. counterterrorism forces may well have the effect of advancing more nationalist elements within the Islamist insurgency, thus rendering it actually more attractive to Somalis, both in Somalia and in the diaspora.

If I may be permitted a word about al-Shabaab and its place among international terrorist networks as there is not inconsiderable confusion and misinformation apropos. In March 2008, the U.S. State Department formally designated al-Shabaab an international terrorist organization. Three months later, then-Shabaab leader Godane responded by praising Osama bin Laden and his deputy, Ayman al Zawahiri—implying that the group had become part of al-Qaeda—and explicitly declaring al-Shabaab's intention to attack the United States. Four months later, al Shabaab released a video that pledging loyalty to al Qaeda and urged young Muslims to join its cause. The following year, al-Shabaab released a video entitled *At Your Service, O Osama*, renewing its pledge of allegiance to bin Laden. Similarly, last year al-Shabaab's leaders issued a statement that linked their fight in the Horn of Africa to al-Qaeda's global jihad led by bin Laden.

Al-Qaeda has likewise been signaling its support for the al-Shabaab since at least June 2008, when a 19-minute video from one of its most senior commanders, Abu Yahya al-Libi, formally commended al-Shabaab and its cause to Somalis. During 2009, all three top leaders of al-Qaeda issued statements praising al-Shabaab's actions in Somalia, even going so far as to elevate them to the same level as the jihads in Afghanistan and Iraq. While Osama bin Laden released only five statements that entire year, he nonetheless devoted one of them entirely to Somalia, heralding al-Shabaab as "one of the most important armies in the Mujahid Islamic battalion, and are the first line of defense for the Islamic world in its southwest part" and declaring that "the war which has been taking place on your soil is a war between Islam and the international Crusade."

Despite these statements, however, most analysts do not believe that al-Shabaab is quite yet a branch of, much less under the operational control of al-Qaeda. However, most acknowledge—as does the most recent edition of the U.S. State Department's Congressionally mandated *Country Reports on Terrorism*—that there are many links between the two organizations. Certainly there is evidence dating back to at least 2007 of operational links—including transfers of knowledge and equipment—between al-Shabaab in

Somalia and what eventually emerged as AQAP in Yemen. Those same links seem to be at work in the case of Ahmed Abdulkadir Warsame, a mid-level al-Shabaab militant captured by U.S. forces several months ago as he was shuttling between Somalia and Yemen, whose nine-count indictment on terrorism charges by a grand jury in the U.S. Federal Court of the Southern District of New York was unsealed on Tuesday; the evidence obtained from his questioning by the High-Value Interrogation Group are said to provide some of the clearest evidence to date of deepening relationship between al-Shabaab and AQAP. And while, unlike the other major group of violent Islamist extremists in Africa, al-Qaeda in the Islamic Maghreb (AQIM), al-Shabaab was never formally admitted as a branch of al-Qaeda during Osama bin Laden's lifetime, that may well change as his successors seek to establish a name for themselves by carrying out attacks wherever they can, but especially in the West.

Whatever its shortcomings as an organization and its seeming endless internecine strife, al-Shabaab has developed an effective media recruitment program that has been rather successful in reaching the large Somali diaspora in Europe, North America, the Middle East, Africa, and Australia. While the number of Somali recruits is tiny compared to the estimated two million Somalis in the diaspora, the relative success of the recruitment program has focused considerable international attention, by both terrorist networks and law enforcement officials, on al-Shabaab's potential capabilities, especially the reach the extremist group clearly enjoys into diaspora communities, including those in the United States.<sup>2</sup>

## **Somalia's Inexorable Devolution**

If there is a silver lining at all in this otherwise dismal landscape, it is the realization that just because the TFG under Sharif Ahmed is in even more disarray than it was under his irascible predecessor, the Darod warlord Abdullahi Yusuf Ahmed, does not mean that there is a complete absence of political progress among the Somali. Quite to the contrary, Somalis have been quite busy building alternatives to the faction-ridden, questionably

<sup>2</sup> While there is considerable disagreement among analysts as to the scope and nature of operational links between al-Shabaab and Somali pirates or if such even exist, there is also increasing agreement that at least some of the ransoms paid to the latter are being transmitted to the former in the form of a "tax" for license to operate in areas under the control of the Islamist group. According to a Reuters investigation at least tacitly endorsed by officials with the office of the United Nations special envoy for Somalia and the UN Office on Drugs and Crime (UNODC), between February and May of this year, al-Shabaab's "marine office" in Xarardheere received some \$1,146,000 from ransoms paid for six hijacked vessels.



legitimate, and generally useless “national government” that is still, perplexingly, the international community’s preferred interlocutor with its fractious and corrupt denizens treated as if they were somehow statesmen, rather than the parasites their own auditors declare them to be.

The peaceful presidential election in the northwest region of Somaliland, a poll which international observers acknowledged met global standards, and the subsequent orderly transition to a new administration under President Ahmed Mohamed Mohamoud “Silanyo” further enhanced the territory’s claim for international recognition of its *de facto* independence. The independence of South Sudan just two days from now further undercuts whatever “logic” argues against acknowledgment of Somalilanders’ exercise of self-determination.

It is worth emphasizing that while Somaliland’s appeal for diplomatic recognition is addressed to the international community, it is founded upon an internal legitimacy that has utterly eluded the TFG. In the two decades since its leaders reclaimed the sovereignty that Somaliland enjoyed before its disastrous union with *Somalia Italiana*, the northern region’s successful demobilization of former fighters, formation of national defense and security services, and the extraordinary resettlement of over one million refugees and internally displaced persons fostered the internal consolidation of its renascent polity. The establishment of independent newspapers, radio stations, and a host of local NGOs and other civic organizations reinforced the nation-building exercise. The stable environment thus facilitated substantial investments by both local and diaspora businessmen who built, among other things, a telecommunications infrastructure more developed than existent in some of Somaliland’s neighbors. Just last month, Coca-Cola announced the opening of a bottling plant in the region.

Unlike quite a number of African regimes, the government of Somaliland actually collects taxes from its citizens, discovering in the process that it can actually increase revenue by more than halving sales and income taxes (from 12 to 5 percent and from as much as 25 to 10 percent, respectively). The World Bank is currently training tax officials and USAID recently agreed to build ten inland revenue centers across the region. And the funds raised have been spent in a manner that could hardly be more transparent: the introduction last year of universal free primary and intermediate schooling through the elimination of the hitherto parent fees.

In this context, given both the chaos and violence that characterize southern and central Somalia and the demographic reality that the majority of the more than three million Somalilanders were born after the region declared its resumed independence and have never thought of themselves as citizens of a unitary Somalia, can anyone imagine a scenario where it would be possible to peaceably reincorporate them into such a state? And why would the

international community even want that to happen, given that Somaliland has not only kept its 740-kilometer coastline largely free of piracy, but has also even been deemed secure enough that, in December 2009, the Obama administration transferred two Somali detainees from Guantanamo there rather than risk sending them to the insecure conditions presided over by the TFG in Mogadishu. (See the report from a distinguished group of Africanists assembled by the South Africa-based Brenthurst Foundation, of which I had the privileged to be a part, and which I have attached as an addendum.)

While the northeastern region Puntland is still formally committed to being a part of a future federal Somalia, its people have continued to edge closer to abandoning altogether the shipwreck that is the Somali ship of state. It has been over a year since the regional parliament voted unanimously to adopt a distinctive flag, coat of arms, and anthem. While the region has its share of problems—and is itself a not insignificant problem for the international community insofar as it is the epicenter of Somali piracy activities which in recent years not only garnered record ransoms, but also expanded operations into unprecedented areas to the east and south—it is nonetheless understandable that Puntland’s citizens are frustrated with the utter failure of the Mogadishu-based TFG to provide them with security or any other goods or services. As to the piracy rampant on the region’s coasts, it is hard to conceive of how that problem can be resolved without some international engagement with Puntland authorities.

Other areas in the territory of the former Somali state are likewise moving along the same centrifugal trajectory. In the central regions of Galguduud and Mudug, for example, the local residents set up several years ago what they have dubbed the “Galmudug State.” Last year, they elected a veteran of the old Somali military, Colonel Mohamed Ahmed Alin, to a three-year term as the second president of what describes itself as “a secular, decentralized state.” A similar process is taking place in Jubbaland along the frontier with Kenya, apparently with the backing of the latter, which wants a buffer between it and the Islamist insurgency. Last year local clans in the region began forming a secular administration of their own. In April 2011, it was announced that the new autonomous authority of “Azania” had been inaugurated with the TFG’s own defense minister, Mohamed Abdi Mohamed “Gandhi,” as its first president. Just this past weekend came news of another self-declared administration, “Himan Iyo Heb,” established by Habar Gidir clansmen in central Somalia, north of Mogadishu. There are similar stirrings among the Hawiye in the Benadir region around Mogadishu and among the Digil/Rahanweyn clans farther south.

Without necessarily precluding an eventual confederal arrangement of some sort, it seems a foregone conclusion to all but the willfully blind that political momentum among the Somali is moving overwhelmingly in the direction of multiple divisions and that, except for those elites who have figured out how

to extract rents from the status quo, the heavily centralized, “top-down” arrangement exemplified by the TFG has been almost universally rejected by Somalis across the gamut of the nation’s clan, geographical, and political spectra.

## **The Need for a New Approach**

The general assumption of most policymakers and analysts is that the state, possessor of the Weberian monopoly on legitimate violence, is the best instrument in the toolkit of international relations for preserving peace and, hence, when peace is lacking, the best response is to reinforce or even recreate the state. While this is undoubtedly true in many cases, there are those, like Somalia, in which state-building efforts actually fuel conflict, given the deficit in the political legitimacy of the interim regime or central government. Instead of enhancing peace, it serves as a prize over which rivals contend.

If the failure so far of no fewer than fourteen internationally-backed attempts at establishing a national government and the uncertainty surrounding the current fifteenth such effort indicate anything, it is the futility of the notion that outsiders can impose a regime on Somalia.

A more viable course than the one hitherto adopted by the international community will be the one that, by adapting to the decentralized nature of Somali social reality and privileging the “bottom-up” approach, is better suited to buy Somalis themselves the time and space within which to make their own determinations about their future political arrangements while at the same time flexible enough to allow their neighbors and the rest of the international community the ability to protect their legitimate security interests. Supporting governance at the level where it is accountable and legitimate—whether in the context of the nascent states like Somaliland and Puntland in the northern regions or in the emergent polities, local communities and civil society structures in parts of the south—is the most effective and efficient means of both managing the crises and countering the security threats that have arisen in the wake of the collapse of the Somali state.

## **Whither U.S. Policy?**

Encouragingly, there have been indications that various parts of the international community may finally be coming, however reluctantly, to this same conclusion. Last fall, U.S. Assistant Secretary of State for African Affairs, Johnnie Carson, announced a “second-track strategy” that would

supplement America's hitherto policy of virtually unconditional—and, quite frankly, at times poorly-informed—support for the TFG. The new approach included greater formal engagement with government officials from Somaliland and Puntland with an eye to “looking for ways to strengthen their capacity both to govern and to deliver services to their people.” America's top Africa diplomat acknowledged both that Somaliland and Puntland were “zones of relative political and civil stability,” and that “they will, in fact, be a bulwark against extremism and radicalism that might emerge from the south.” Significantly, he also held out the prospect of dealings with other forces in Somalia and delinked them from the feckless TFG:

Equally as a part of the second-track strategy, we are going to reach out to groups in south central Somalia, groups in local governments, clans, and sub-clans that are opposed to Al-Shabaab, the radical extremist group in the south, but are not allied formally or directly with the TFG. And we will look for opportunities to work with these groups to see if we can identify them, find ways of supporting their development initiatives and activities.

Shortly after Secretary Carson announced the “second-track strategy,” his example was followed by the African Union. After long refusing to even acknowledge their existence, the pan-African organization's Peace and Security Council directed AU Commission Chairperson Jean Ping to “broaden consultations with Somaliland and Puntland as part of the overall efforts to promote stability and further peace and reconciliation in Somalia.”

While the new U.S. policy has yet to be fully worked out, it nonetheless represents a dramatic and long-overdue shift for which the administration deserves credit. The challenge now is to be equally creative in developing the appropriate vehicles for political, economic, and security engagement with the appropriate Somali partners. The forthcoming posting of Ambassador James Swan to Nairobi as the coordinator for U.S. efforts on Somalia ought to be the occasion for a thorough review of our policy, its implementation, and the consequences thereof. Certainly, if pragmatism counsels that we must endure another year of the TFG existence for want of a ready alternative, then by all means let us ensure that this final year is exactly that and avail ourselves of the time to carefully consider alternative paths for achieving what the Somali people deserve and our security interests demand.

## **Conclusion**

The disheartening failure of no fewer than fourteen different internationally backed attempts to reestablish a national government in Somalia, along with the diminishing legitimacy of the TFG and increasingly untenable nature of its current strategic position underscores the need for the international community in general and the United States in particular to confront the consequences of that spectacular case of ongoing state failure. After two decades, the cost of the refusal to forthrightly face the realities of the situation, whether willful or unconscious, has to be measured not only in billions of dollars in wasted aid and the costs exacted by war and piracy, but, tragically, in countless lost and shattered lives.

It is high time that the United States and Somalia's other international partners look after their own legitimate interests and refocus their energies on minimizing and containing the harm caused by the TFG's incompetence and corruption, while strengthening those functional parts of the former Somali state and integrating them into the framework for regional security and stability. To put it in terms that would resonate with the traditional pastoral Somali, the stakes are simply too high for us to continue betting on a camel that, if not quite dead, is certainly crippled.

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## **Addendum**

### ***African Game Changer?* The Consequences of Somaliland's International (Non) Recognition**

#### **A Study Report by The Brenthurst Foundation**

*This report was prepared by Professor Christopher Clapham (Cambridge University, UK), Professor Holger Hansen (Copenhagen University, Denmark), Professor Jeffrey Herbst (Colgate University, US), Dr J Peter Pham (Atlantic Council, US), Patrick Mazimhaka (Chair: Brenthurst Foundation Advisory Board, and former deputy chair of the African Union Commission, Rwanda), Susan Schulman (independent film-maker, US), and Dr Greg Mills (Brenthurst Foundation, South Africa). It is based on several research trips to the region, including in Somaliland from 13-17 June 2011. The team is grateful for the insights of several anonymous reviewers, including one who suggested the 'game-changing' title.*

#### **Executive Summary**

This Discussion Paper considers the case for Somaliland's formal recognition following the recent 20th anniversary of its declaration of independence (18 May 1991) and in light of the secession of Southern Sudan. Based on a series of field studies in the region over several

years, most recently in Somaliland in June 2011, this Paper focuses not only on the options for Somalia and others in this regard, but considers the vital question: How will recognition – or continued non-recognition – affect Somaliland’s prospects for peace and stability as well as the interests of the international community? It also asks whether there is an alternative to full recognition, and what a strategy to achieve recognition might look like.

The Paper argues that recognition of Somaliland would be a most cost-effective means to ensure security in an otherwise troubled and problematic region. Moreover, at a time when ‘ungoverned spaces’ have emerged as a major source of global concern, it is deeply ironic that the international community should deny itself the opportunity to extend the reach of global governance in a way that would be beneficial both to itself, and to the people of Somaliland. For Africa, Somaliland’s recognition should not threaten a ‘Pandora’s box’ of secessionist claims in other states. Instead it offers a means to positively change the incentives for better governance, not only for Somaliland, but also in south-central Somalia.

The Paper’s authors acknowledge, however, that recognition would not resolve all of Somaliland’s problems, or the region’s. Indeed, the Paper explains that recognition may, for example, exacerbate tensions with both Al-Shabaab, committed as the Islamist organisation is to the notion of a united Somalia, and with neighbouring Puntland. Recognition might also diminish the link of accountability between Somaliland’s democratic government and its people, as the government may be tempted to be more responsive to international partners, with their potentially significant aid packages, than to the people. And nor should the recognition question obscure the deep-rooted social and economic problems in Somaliland that will need constant and continued attention. But whatever the benefits and costs to Somaliland, regional states and the international community, recognition would illustrate that African borders, far from being sources of insecurity, can be a source of stability and enhanced state capacity. In that respect, the recognition of Somaliland would certainly be an African game changer.

*‘If we were to wait for Somalia to settle down, we wouldn’t even exist.’*

Ahmed M. Mahamoud Silanyo, President of Somaliland, 16 June 2011

Rapid progress is possible over the 60 kilometres of freshly-paved road from Jijiga in Ethiopia’s Somali-populated Ogaden region, commonly known today as ‘Region Five’, eastwards towards the Somali border at Tog Waajale. The town prepares one for what lies ahead. The dirt streets are festooned with the Somali national-flower, the plastic bag, while goats feed on mounds of rubbish and snotty-nosed children and idle youths hassle for a handout. Once through the ropes slung across the track denoting the border, the next 20kms in Somaliland is tough going, a series of mud roads criss-crossing their way through a multitude of dongas over the flat, bleak terrain, scarcely a knee-high tree in sight, over which an estimated 100 cars make a manic daily *khat* run from Ethiopia to feed Somaliland’s national addiction. This road, and Ethiopia’s connection with the port of Berbera on the Gulf of Aden, could do with some planning and finance, though given Somaliland’s limited means, this is likely to come only from development assistance. And such aid is unlikely without the international recognition Somaliland lacks.

Only when one intersects with the Boroma road does the going get easier over the 90kms from Ethiopia to Hargeisa, the Somaliland capital, though it is a journey interspersed with frequent security checkpoints, *khat*-stoned soldiers, their stained teeth a giveaway to their habit, peering out of makeshift shelters on the side of the road.

Hargeisa itself is a thriving, bustling oasis amidst this somnolence, but a dusty, dirty one at that. More importantly, however, its calm reflects 20 years of consensual politics, hammered out in the aftermath of a terrible war against the forces of Somali ruler General Mohamed

Siad Barre. The former British protectorate has developed a stable system of politics, blending modern and traditional elements, including an elected President and House of Representatives as well as an Upper House of Elders (*guurti*), securing the support of clan-based power structures. The commitment to representative democracy can be seen in the staging of local elections in 2002, presidential elections in 2003 and again in June 2010, and parliamentary elections in 2005.

This Discussion Paper considers the case for Somaliland's formal recognition following the 20th anniversary of its declaration of independence on 18 May 1991 and in the light of the secession of Southern Sudan. In particular it focuses not only on the options for Somalia and others in this regard, but considers the vital question: How will recognition – or continued non-recognition – affect Somaliland's prospects for peace and stability as well as the interests of the international community? It also asks whether there is an alternative to full recognition, and what a strategy to achieve recognition might look like.

### **The Background**

Somalia has become a metaphor for African state failure and hopelessness. Since the ousting by clan-based forces of the Siad Barre regime<sup>1</sup> in 1991, which had ruled since a *coup d'état* in 1969, various international attempts to re-establish government control have interspersed periods of warlord supremacy, widespread famine and Islamic radicalism. International attempts to re-establish a semblance of government order – including the Unified Task Force (UNITAF) under the US-led Operation Restore Hope and the United Nations peacekeeping forces UN Operation in Somalia I and II (UNOSOM) until the UN withdrawal under Operation United Shield in March 1995<sup>2</sup> – have proven extremely problematic at best, as has the establishment of the Transitional Federal Government (TFG) since 2004. In 2006, the Islamic Courts Union assumed control of much of the southern part of the country, imposing Sharia law. With the assistance of, first, Ethiopian troops and, later, Ugandan and Burundian forces (in AMISOM – African Union Mission in Somalia), and with the assistance of the United States, the TFG has waged battle with the ICU, which itself split into various elements including *Al-Shabaab* (*Harakat al-Shabaab al-Mujahideen* or Mujahideen Youth Movement). Today it is claimed that the TFG is now *present* in 13 of the 16 districts of the city and that 80 per cent of the population lives in those 13 districts. Even so, without international support, the current TFG would likely suffer the same collapse as its 14 predecessors, not least since there is so little to build on.

For the Somali state has been comprehensively destroyed. This is no temporary breakdown of public institutions. It is not a collapse of public order, such as that from which the former Belgian Congo had to be rescued by UN intervention shortly after independence. Somalia cannot even properly be characterised as a 'failed state': there is simply no state that could be said to have failed. The non-existence of the state goes well beyond the absence of anything that could be described as a government since Siad Barre fled from Mogadishu in his last operational tank in January 1991. The elements out of which a state has to be constructed are equally non-existent. The shells of the burnt-out ministry buildings of what used to constitute the Somali government contain no bureaucrats, nor is there any cadre of qualified people, waiting in the wings, who could be organised into any new machinery of government. There is no tax collection system. There is no army or police force. Such government-like functions as continue to be performed do so outside any hierarchical structure of order, and are organised through local-level clan structures, through the networks of Somali Islam, or by businessmen operating outside either the constraints or the protection that the state provides. The mobile telephone system, catering to an essential need of one of the world's most garrulous peoples, works far more efficiently without a state than in almost any other part of the world it works with one. Little wonder that it has been suggested that Somalis are better off stateless. One study shows that on nearly all of 18 key indicators that allow pre- and post-stateless welfare comparisons, Somalis are better off

under anarchy than they were under government.<sup>3</sup>

The condition of statelessness poses challenges at many levels. For those concerned with managing the international system, it poses an affront to what that system ought to be: it is taken for granted that this system is composed of states, which form the essential building blocks of global public order, and an area of inhabited territory that lacks such a structure is not just anomalous, but permits the existence of 'pirates' or 'terrorists' who operate outside the bounds of acceptable behaviour. For Somali people, though the state's absence (given some of the things that it got up to when it did exist) is not an entirely unmixed curse, the lack of public order leads to massive numbers of deaths (not only directly through conflict, but indirectly through the absence of effective distribution networks, medical facilities and other services), imposes restrictions on movement, and prevents any form of 'development' which might eventually provide the foundation for a better life.

Recent international news about Somalia has been dominated by a sudden spike in piracy from 2008 launched mainly from the semi-autonomous region of Puntland to the northeast. Of the 293 piratical incidents the International Maritime Bureau recorded for that year, 111 attacks occurred on the high seas surrounding Somalia's territorial waters, representing an annual increase of nearly 200 per cent in the all-important trade corridor linking the Suez Canal and the Indian Ocean.<sup>4</sup> Despite the efforts of *Combined Task Force 151* (CTF-151), a multinational coalition task force,<sup>5</sup> the *European Union Naval Force-Somalia* (EU NAVFOR), and other naval forces in fighting Somali piracy by establishing a Maritime Security Patrol Area within the Gulf of Aden, by the end of 2010 Somali pirates were holding at least 35 ships with more than 650 hostages. There is widespread support for piracy, both because it brings in an estimated \$50 million to Puntland annually and because, also, it is justified as the self-defense of Somali territorial waters.

The situation reflects historical views of the region and its people, and the reality of the manner in which Somalia has governed itself.

The 19th century traveller Richard Burton's famed comment on the Somalis, 'every man his own sultan', perfectly expressed the rejection of that obligation 'to obey' that underlies the institutions of governance. Where individuals did gain authority, this was derived from their wisdom, piety, or ability to articulate some project of broad appeal, and was personal to themselves. What passed for the colonial state in British-ruled Somaliland involved little more than the supervision, with the lightest of touches, of existing conflict management mechanisms; while in Italian Somalia, to the south, colonial statehood remained almost entirely alien to the indigenous population. Somalis had - and have - their own mechanisms, including the form of customary law known as *Xeer*, for managing the often fractious relationships between themselves, to which the colonial state was generally an irrelevance, at worst positively damaging.

It was against this backdrop that Somaliland achieved independence on 26 June 1960, the former Italian Somaliland following suit five days later when the two territories united to form the Somali Republic on 1 July 1960 (French Somalia - now Djibouti - only acquired independence from Paris in 1977). Having borne the brunt of Siad Barre's violence against insurgents and dissidents which left the city of Hargeisa virtually destroyed, the Somali National Movement and clan elders agreed that Somaliland (re)declare its independence in May 1991.

### **The Recognition Chestnut**

Somaliland remains hitherto unrecognised by any government, a source of great frustration among Somalilanders. The head of the English-language *Republican* newspaper says: 'It keeps people out. It keeps the state fragile. It keeps investors out. It shuts the door on



international monetary organisations. It limits the progress of the country, trade, and travel. It keeps us an isolated island. Our recognition,' he added, 'is our right.'

Or as another official put it, 'The Somali state had given us so little for 30 years, it was necessary to do it differently. That the Somaliland state has given us so much in the last twenty shows us this was the correct decision.' As the deputy head of the Academy for Peace and Development Abdirahman Yusuf Duale reflected, 'In 1991, there was no water, no electricity, nothing ... Its change has come about today through an organic process, where the public own the government.' And there are wider aspects. As the Minister of Foreign Affairs, Dr Mohamed Omar, argues, 'We offer an alternative to Somalia - a credible, stable, peaceful, transparent and democratic system.'

There is little purpose, however, to rehash the legal and moral justification for Somaliland's independence and international recognition,<sup>6</sup> save to say that it fulfils the Montevideo criteria for statehood (a permanent population, a defined territory, government, and the capacity to defend and represent itself) along with the obvious support for self-determination within the territory itself. Some 97 per cent of its population supported independence in a referendum a decade after its initial declaration. Its problem, however, is Somalia's unwillingness to agree to a divorce *a la* Sudan, the United Arab Republic, or Czechoslovakia. Five million southern/central Somalis are holding the aspirations of 3.5 million Somalilanders hostage. Indeed, there is no effective parent state from which to apply for secession.<sup>7</sup>

More important, thus, is the need to assess what the impact of recognition - or of continued non-recognition - might be, both for Somaliland and the wider international community.

### **Views on Recognition**

The view of the international community is to support Somaliland's stability and development but to avoid making a choice, leaving the terms and process of the divorce, should it happen, to Mogadishu and Hargeisa. Africa similarly has avoided the issue, fearing the consequences, despite high-level reassurances in this regard (see the box, The African Union Position).<sup>8</sup>

There are four main reasons put forward why it may be better not to recognise Somaliland's claims on statehood:

- The security concerns: In terms of the impact on Al-Shabaab (which is committed to Somali unity, and, indeed, to a greater Somalia incorporating the Ogaden and the north-western area of Kenya); the impact for Ethiopia on the Somali population in the Ogaden; and that this would worsen the border security problems between Puntland and Somaliland over the Sool, Sanaag and Ceyn regions.<sup>9</sup> Essentially some parts of these regions within Somaliland are under the sway of Puntland's clans.
- That the state lacks the capacity to guard its borders and, as highlighted in the point (1) above, these borders are to some extent contested.
- That this undermines the TFG's and AU's efforts to install government and order in Somalia *per se*.
- That regional hegemon Ethiopia is hesitant diplomatically on the idea, a position which is criticised in Hargeisa. 'Ethiopia benefits more than any African state from Somaliland's stability and democracy,' says Dr Omar. 'We were expecting them to take a much more positive step towards recognition ... and democracy.'<sup>10</sup>

On the other side of the argument, there are several reasons commonly cited why Somaliland (and the international community) would benefit from recognition – aside from the moral case that this is the ‘right’ thing to do on the basis of self-determination, and that Somaliland displays assets of statehood in far greater measure than many African states which are recognised:

- It would satisfy Somaliland national pride and reward its efforts at state rehabilitation and democratisation, and in so doing encourage Somalia to get its own act together, changing the incentive structures for Mogadishu, which receives lavish international attention and \$750 million annually precisely because it remains dysfunctional.
- It would, contrary to the questions raised above, bolster security against terrorism and state-collapse.
- The resultant aid flows would enable greater regional and national development.
- It would facilitate investment through providing investor guarantees, clarity on title, and exposure to international financing.
- With a majority of Somaliland’s population born after its declaration of independence and having no memory/identity as citizens of a unitary Somali state, and given the conditions in the rest of Somalia, there is no realistic way of persuading them to rejoin Somalia short of launching a war – which produces even greater instability.
- That the international community needs to be able to engage with a fully recognised government in order to help bring peace and stability to a deeply troubled part of the world. (These benefits are further examined below.)
- Without this, conditions in Somaliland might worsen, widening the already considerable problems of Somalia.

The answer to the last point is important, and demands an understanding of the current socio-economic and political trajectory of Somaliland.

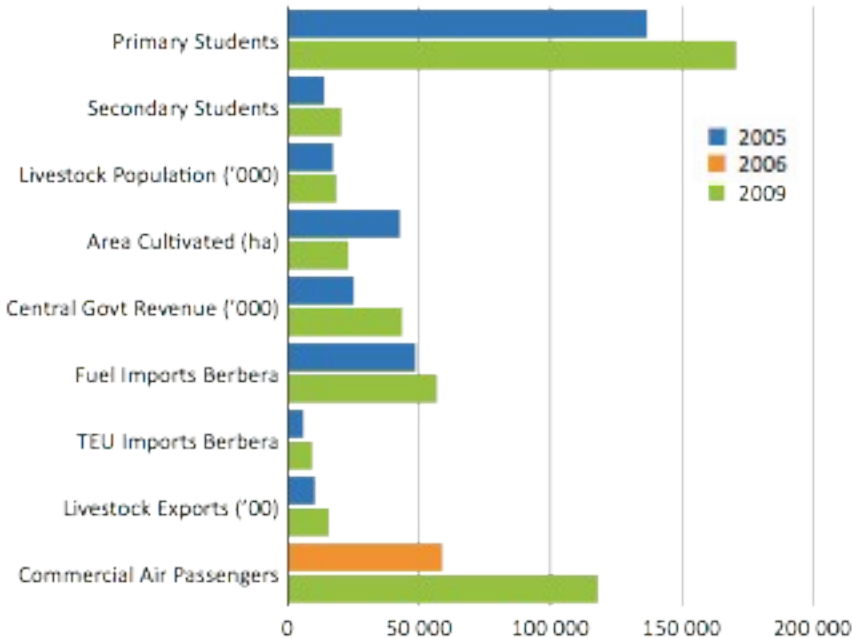
### **Lifting the Economic Veil**

The Somaliland economy is based on livestock farming and exports (more than half), remittance/money transfers (about \$800 million annually, just under half the total value of the remittance volume to Somalia as a whole), and telecommunications.

To this mix can be added port/customs charges at Berbera, and the (approximately 12 per cent) tax on the \$180m annual *khat* industry. Total Somaliland government income is estimated at \$50 million, though the government has plans to increase this above \$100 million through more strictly and strenuously applied taxes. GDP is estimated at (very roughly) \$350 per capita for its 3.5 million people – in fact higher than Tanzania (\$280), Eritrea (\$190) and Ethiopia (\$100).

Understanding the impact of the recognition/non-recognition choice demands an appreciation of the socio-economic context of Somaliland. Anecdotally things appear to be improving. Hargeisa is heaving at the seams, the city, built for 150 000 people, now housing closer to one million. There is more construction. The harbour at Berbera appears busy to the visitor, certainly much busier than earlier in the decade. As much as can be determined, the more scientific indicators bear this sense of improvement out:

### **Things are Slowly Getting Better: Ten Somaliland Empirical Indicators<sup>11</sup>**



These figures do not of course tell the full story. For example, the numbers of students hides the skewed nature of enrolment between girls and boys: one girl for every three boys in primary and secondary education. Nor does it provide an indication as to whether people are getting richer, though patterns of consumption suggest that at least some are. Nor does it offer insights into whether expectations are being met or of employment trends, or of quality rather than quantity in such growth rates. And nor does it tell us whether rates are improving fast enough to deal with the backlog in development, the devastation caused by the civil war, and in meeting the expectations of a globally-fed, youthful population. The Speaker of the House, Abdirahman M. Abdillahi, notes that between 60–70 per cent of an increasingly globalised, youthful population is unemployed, with more than half of the youth without opportunities to ‘go further in their studies or in finding a job.’ He says that this ‘could be a time-bomb.’

But it does tell us that things, in many areas, are improving. Recognition would not be a silver bullet for Somaliland’s development challenges, but would rather reinforce an already positive trend. Some of this is down to the donors, especially in education and health care, though as will be seen below, this form of international engagement has been problematic and hampered by the question of recognition.

### **The Role of Aid in Somaliland’s Development**

‘Peace is a critical first step in recovery and development’ reminds Ignatius Takawira, the head of the United Nations Development Program (UNDP) in Hargeisa.<sup>12</sup> But getting beyond it is more difficult, and demands local ownership of development. And this has proven much more easily said than done in Somaliland, since non-recognition has not only limited the range of funding sources (including notably the African Development Bank and World Bank) but has compromised the need for the government to be in the driver’s seat. As a result, the UN, for example, represented by no fewer than 18 agencies physically in Somaliland, has become a channel for donor funds, as have NGOs, carrying out projects on a contractual basis with government through ‘Direct Execution’ or DEX, rather than having government take control through budget support and conduct ‘National Execution’ (NEX).

In so doing, to an extent this contradicts the principles laid out in the Paris Declaration on

Aid Effectiveness and the so-called 'Principles for Good International Engagement in Fragile States and Situations' (or Fragile States Principles).<sup>13</sup> These Principles, which were endorsed at the 2007 Organisation for Economic Co-operation and Development's (OECD) Development Assistance Committee (DAC), recognise that such states face extreme development challenges such as weak governance and administrative capacity, chronic humanitarian crises and persistent social tensions, and violence or the legacy of civil war. They also recognise that any sustainable and durable exit from such poverty and insecurity will need to be driven by their own leadership and people. Even though Hargeisa does have a sense of direction about its policies (like its politics), this is subject to the absence of *de jure* recognition.

Little wonder that government is frustrated with the donors. 'It is only visible in people coming and going', says the Minister of Planning, Saad Shire. His colleague, the Minister of Finance Mohamed Hashi Elmi, says of aid that, 'Nothing is visible on the ground. It is only for generating employment for foreigners. It is mostly wasted in seminars and spent on vacations.' The Ministry of Planning estimates that only 15-20 per cent of aid allocated actually hits the ground in Somaliland, the rest being consumed on overheads. Little wonder it has forced the registration of NGOs, their number countrywide over 100 (see the box, NGOs and IOs).

This crude critique, however, overshadows the good that some donors are doing. For example, the UNDP's Quest Programme has funded dozens of personnel to carry out governance work, including strengthening key ministries such as planning.

There is little doubt that with recognition more sources of funding could be tapped, not least private sector money through sovereign-backed loans and a range of bilateral sources. It is important to note, however, that the record of aid on countering radicalisation (viz. Egypt for example) is dubious. For there are development challenges in Somaliland transcending the recognition issue.

### **Problems That Will Not Disappear**

Recognition could strengthen the state, improve security, increase the chances of development and assuage nationalistic ambition. But there are several problems that will not disappear with formal recognition, and, indeed, might in some cases be exacerbated by it. The first of these is the national addiction to *khat*, the amphetamine-like leaf said to cause excitement and euphoria being chewed by an estimated 20 per cent of the population. Not only does this divert as much as \$450 000 daily into a consumptive habit (though traders' figures put this as high as \$3m daily), but the habit itself results in laziness, contributing to an already low rate of productivity. 'It is a chronic social, health and economic problem,' says the Minister of Planning, 'one of the most important that we need to address.' It has also created an exceptionally powerful *khat*-trading elite. Of course it should be asked: Which came first: unemployment or *khat*? The problem may well fix itself as employment opportunities grow. Staff at the foreign hangouts such as the Ambassador and Mansoor hotels don't chew; they would lose their jobs if they did.

A second is the need for urgent civil service reform. Excluding the armed forces (some 13 500) and police (somewhere between 3 000 and 4 000), there are 9 000 civil servants. Given the absence of a pension system, many stay at work until they are carried out. Low salaries compound such problems, though at the top levels these have recently been doubled with assistance from donors. (A Director-General will earn, for example, \$400 per month, a Minister around \$1 000.) There is little space, however, to absorb new talent out of the universities and diaspora, encouraging emigration and frustration.

The armed forces should also be a focus for demobilisation and reform. While some

branches are likely to increase in size (such as the coastguard given the threat of piracy), there is a need for review of the age/rank structure, training and capacity. An estimated 60 per cent of the already limited government budget is spent on the security sector.

Reforming the civil service, however, demands also reforming the tax system. Tax revenues brought in \$47 million in 2010; the government aims to increase this to \$106 million through expanding personal and corporate tax (currently just 8 per cent of revenues), increasing and improving collection of port charges.

It is also necessary to bring women more fully into social and political life. Unless this happens, the country will not take off. There are many indicators of the extent of this prejudice and disqualification: just three women among 164 members of the two houses of parliament (where there are 82 in each), the aforementioned 1:3 female-male education ratio, and the widespread practice of female genital mutilation (est. 95 per cent of young women).<sup>14</sup> Changing such practices requires altering years of custom and tradition however. In the economy, nonetheless, women have taken over, out of sheer necessity, many tasks formerly performed by men.

Fundamentally, there is a need to open up space for the private sector, to match money with opportunity. There have already been significant changes. In the Siad Barre era, most businesses were government run; today most commercial activities are private, largely financed by the Somali diaspora. The current Somaliland government, elected in June 2010, appears to be seized by this need, with fresh faces, and half a dozen ministers with business experiences from the diaspora including at least four PhDs.

### **Somaliland and the International Community**

The debate over Somaliland's recognition is commonly cast in terms of the likely costs and benefits to Somalilanders themselves, and to the immediate region. But this is also an issue in which the international community itself has a substantial stake. Standing at the point at which seismic global social, political and economic fault lines grind together, Somaliland stands to play an important role in whether these can be effectively managed or slip further out of control. The issue of recognition should thus be approached, among other considerations, in terms of its likely impact on this process.

Non-recognition means that Somaliland to a large extent stands outside the mechanisms established by the international system for regulating the flows of people, money and goods across national frontiers. Though the Somaliland government is anxious to play the role of a responsible state in this respect, and the international community is equally anxious for it to do so, it is unable to assume full membership of the relevant international treaties and organisations, while other global actors can make only very partial use of the facilities that it may provide. Time and again, awkward *ad hoc* expedients have to be devised in order to manage issues that could be straightforwardly regulated between states. Examples include:

- **Piracy:** The Somaliland coast borders the vital commercial waterway of the Gulf of Aden, currently threatened by pirates based largely in neighbouring Puntland; while some international aid has helped to strengthen the Somaliland coastguard, further collaboration, including the use of Somaliland ports by other navies, is prevented by non-recognition.
- **People Trafficking:** Again because of its strategic location, Somaliland provides a natural departure point for trafficking people into the Arabian Peninsula and further afield.
- **Financial Crime:** Because of its massive diaspora and very high dependence on remittances, Somaliland stands at the centre of financial flows that may readily be exploited for money laundering, narcotics, piracy and terrorism;

despite the cooperation of the local authorities and private remittance businesses, this could more effectively be regulated by a recognised state.

- **Other Crime:** Somaliland is denied membership of Interpol, and normal mechanisms for tracing the movement of criminals and controlling cross-national crime do not apply.
- **Terrorism:** Somaliland provides a centre of relative calm at the core of one of the world's most threatened regions; while we have no information on informal contacts that may exist, recognition would make it markedly easier to maintain collaboration to monitor and control terrorist activities.
- **International Security:** Non-recognition prevents other states and international organisations from providing necessary assistance to the Somaliland army, including training and appropriate weaponry, though some assistance has filtered through to the fledgling coastguard on the basis that this is a 'policing' operation. Recognition would also make it possible to exclude Somaliland from international sanctions rightly imposed on Somalia as a whole.
- **Arms Trafficking:** This is a region of extensive unregulated arms flows, especially of small arms, which could more effectively be controlled under a normal state framework.
- **Environmental Protection:** Both fisheries and terrestrial environmental degradation need management systems which again could best be provided by collaboration between a recognised state and other states and international institutions.

It is important to acknowledge that recognition would not in itself resolve any of these problems, all of which require sustained and systematic action on the part of all of the interested parties. In some respects, indeed, recognition might place Somaliland more prominently in the limelight, and attract retaliation from those whose activities would be adversely affected by better regulation and control.

### **Conclusion: A Game Changer?**

The airport at Berbera is a Cold War relic. The giant runway, 4.14kms long and 60m wide, was built by the Soviets as a base for long-range reconnaissance aircraft, as was the now deserted barracks and underground storage tanks. The military facilities also served as a depot for anti-shiping missiles for the Indian Ocean Soviet fleet. Then along came the Americans, who built a new control tower and refurbished the landing lights and other technical equipment, with the aim of using it as an emergency runway for the Space Shuttle. They also left behind a now-empty swimming pool, presumably some comfort from the seaside town's scorching 40+ Celsius heat.

The airport was, according to the director-general Said Mahdi Ileya, captured intact in 1991. However it was soon looted of the 'landing lights and their wires, equipment, everything' he says. Further towards the deep-water harbour is the outline of a Russian-constructed hospital, similarly picked clean of every metal item. It is difficult to blame people for such acts when they had – and have – mouths to feed and little means to do so.

Similarly, denuding the country of wood for charcoal is understandable, says the Minister of Planning Dr Saad A Shire, since 'for a hungry man the environment is not a consideration. While we have made significant advances in politics, in the social and economic sectors development has not been that remarkable,' the Minister reminds, 'due to a lack of recognition. And who will know what will happen if high expectations are not met and young people are not convinced about a greener future ...?'

Somaliland's politicians are very worried about the potential for radicalisation, especially

among these youth. Abdirahman Ahmed Hussein is the vice-president for academic affairs at the University of Hargeisa. He says that there is an increasing trend of 'Islamisation' among students, partly 'because people have become more observant, which is a consequence of the war and the extent today of political, economic and social insecurity. Religion becomes a refuge in this environment.' The government feels that the current activities of the donors compound the sense of disappointment, reflect some observers, 'which is less developmental than relief.'

There are many needs in Somaliland which require development assistance. The road to Berbera, for one, is a ragged-edged quilt of patches and potholes. The link to Tog Waajale is another, as are the urgent needs for expanded electrification, potable water and housing. As Dr Shire warns, 'if you don't have development, emergencies will be perpetual.'

Of course recognition will not provide the answer to all - of even most - of these problems. It could help to encourage more expenditure by donors, but that has not always proven to be a good thing in Africa, delinking governments from their electorate and from the needs of the private sector. It is the latter, importantly, who are going to supply the jobs necessary for the burgeoning youth. Aid flows are already, following visits by European ministers, slated to increase substantially above the current levels of around \$100+ million. But even more could be gained by the efficiencies in aid delivery offered by recognition, especially through support of national programmes with the aim specifically of state-building. Recognition might also help in clarifying mineral and oil prospecting rights and reduce risks for those interested in investing, but this is not the only hurdle. Bureaucratic efficiencies, sound policy, transparency, and rule of law (including clarity about the confusion of Sharia, customary and statutory laws), are all also necessary. Recognition also offers the prospect of improved security assistance and guarantees, though it could possibly, too, exacerbate actions against Somaliland especially by Al-Shabaab and Puntland-linked clans.

Given Somaliland's current international representation, recognition is not an 'either/or' or 'yes/no' decision, but rather one of 'more or less' since Somaliland already has offices in Addis Ababa, Djibouti, London, Sana, Nairobi, Washington DC, Brussels, South Africa, Sweden and Oslo, and its passport is recognised by South Africa, Kenya, Djibouti, and Ethiopia. Failing such progress and steps, there is little reason for Somaliland to not continue to agitate for formal recognition. But it will require both a well thought out process (such as through the AU's Peace and Security Council - see the box, A Somaliland Diplomatic Strategy, above) and powerful champions in Africa - such as regional players South Africa and Nigeria along with those (Ethiopia, Djibouti and Kenya) with a vested interest in squashing the ambition of a greater Somalia - supported by those of independent mind and leadership farther afield. A first step in a Somaliland lobbying strategy in this regard would be among the more generous donors (including Denmark, the Netherlands, US, Japan and the UK) and the 35 countries which recognised Somaliland, albeit briefly, as an independent state for the five-day period in 1960.<sup>15</sup>

In doing so, however, as noted above, the biggest stumbling block remains the refusal of the Somali central government to agree to its departure from the original Somali union, even though there is no functioning central government to deal with in this regard, and certainly not one that reflects political sentiments across the vast territory. But by placing the issue on the agenda of the Peace and Security Council as a threat to security which, in turn, has an obligation to report this to the Heads of State, Somaliland could progress swiftly from its current status to *de jure* recognition.<sup>16</sup> Until now a combination of narrow self-interests and lack of appropriate diplomatic method on Hargeisa's part has trumped the reality of Somaliland self-determination, even though the secession of Southern Sudan in 2011 would seem to place its claims on the right side of history.

Without this change and absent action in the range of areas identified above (women, civil

service reform, the *khat* habit), the likely scenario for Somaliland shifts from consolidating democracy and improving stability and prosperity to increasing radicalisation and instability along the lines of Mogadishu. 'Either we develop our model,' observes Abdirahman Yusuf Duale, 'or they spread.' The President has noted in this regard that recognition is a key element in dealing with these socio-economic challenges and will be overcome 'even if we have to wait for 100 years.' The Speaker of the Parliament has reinforced this message, since 'If students do not see any future and have any employment, then they will take other means.' Or as a prominent Somaliland businessman put it, 'A lack of jobs goes hand in hand with a lack of hope, which creates terrorism and gets us back to square one. The West,' he says, 'cannot worry about terrorism and then not recognise Somaliland.'

If issues of global governance – including terrorism, health concerns, piracy and the environment – require effective states as local implementing agencies, then it makes sense to strengthen Somaliland, if necessary through recognition. Recognition would also ensure that the ambition of a 'five-star' Somali nation, incorporating Djibouti, Somaliland, Ethiopia's Region Five, and the north-east of Kenya along with south-central Somalia would be even less likely. This is, of course, especially in the interests of Kenya, Ethiopia and Djibouti.

Recognition of Somaliland would be a most cost-effective means to ensure security in an otherwise troubled and problematic region. Moreover, at a time when 'ungoverned spaces' have emerged as a major source of global concern, not least in this region of the world, it is deeply ironic that the international community should deny itself the opportunity to extend the reach of global governance in a way that would be beneficial both to itself, and to the people of Somaliland. For Africa, Somaliland's recognition should not threaten a 'Pandora's box' of secessionist claims in other states. Instead it offers a means to positively change the incentives for better governance, not only for Somaliland, but also in south-central Somalia.

This does not mean that recognition will resolve all of Somaliland's problems, or the region's. Far from it. It may exacerbate tensions with both Al-Shabaab, committed as the Islamist organisation is to the notion of a united Somalia, and with neighbouring Puntland. It might diminish the link of accountability between Somaliland's democratic government and its people as the government may be tempted to be more responsive to international partners, with their potentially significant aid packages, than to the people. And nor should the recognition question obscure the deep-rooted social and economic problems in Somaliland that will need constant and continued attention. But whatever the benefits and costs to Somaliland, regional states and the international community, recognition would illustrate that African borders, far from being sources of insecurity, can be a source of stability and enhanced state capacity. In that respect, the recognition of Somaliland would certainly be an African game changer.

## Endnotes

1. The army seized power on 21 October 1969 (the day after the funeral of President Abdirashid Ali Shermarke who had been shot dead by one of his own bodyguards), headed by Major-General Siad Barre, the army commander.
2. Fighting escalated until 19 American troops and more than 1 000 civilians and militia were killed in a raid on Bakara market in Mogadishu in October 1993.
3. See Peter Leeson, 'Better off Stateless: Somalia Before and After Government Collapse'. Department of Economics, West Virginia University. Undated paper.
4. 'Somali Piracy and the International Response', Foreign Policy in Focus at [http://www.fpif.org/articles/somali\\_piracy\\_and\\_the\\_international\\_response](http://www.fpif.org/articles/somali_piracy_and_the_international_response).
5. CTF 151's higher HQ is 5th Fleet/NAVCENT (US) in Bahrain, though CTF 151 is not invariably commanded by the US. The current commander is Singaporean, the next is a New Zealander and the Singaporean's predecessor was a Pakistani.



6. See for example Alison Eggers, 'When is a State a State? The Case for Recognition of Somaliland', *Boston College International Comparative Law Review* (Vol. 30, No. 1, 2007). See also, Iqbal D Jhazbhay, *Somaliland. An African Struggle for Nationhood and International Recognition* (Johannesburg: SAIIA, co-published with Institute for Global Dialogue, 2009).
7. Eggers, *Ibid*, p. 217.
8. See for example the AU reports of 2005 and 2008: 'Resumé: AU Fact-Finding Mission to Somaliland', 30 April-4 May 2005; and Nicolas Bwakira, 'Visit of the African Union Special Representative for Somalia', Hargeisa 12-14 September 2008.
9. The centre of the conflict is the Sool region in the central north of Somalia. On 1 October 2007, Puntland and Somaliland armed forces fought near Laasaanood, the capital of Sool. Since then Laasaanood has remained in the hands of Somaliland forces.
10. Despite its logistical support for its eastern neighbour, Ethiopia has not taken the diplomatic lead on behalf of Hargeisa's independence claims. This may be because of a host of factors: Concerns about its own constituent elements (especially the Somali-dominated Ogaden region), fear of the cost of such statesmanship among its African peers, hosted as they are in the African Union (AU) headquarters in Addis Ababa, and the realpolitik of keeping Somaliland more dependent on Addis than vice versa. Addis' regional position also makes taking the lead problematic, given concerns about being seen to favour regional 'Balkanisation'.
11. This chart is calculated from 'Somaliland in Figures', Edition 7. Ministry of National Planning and Development, Hargeisa.
12. The full list of UN organisations present in Somaliland is: UNDP, DSS, FAO, UN-HABITAT, ICAO, IOM, OCHA, UNESCO, UNFPA, UNHCR, UNICEF, UNOPS, UNPOS, WFP, WHO, UNCDF, UNMAS, and UNIDO, plus the World Bank, which is a member of the UN Country Team. The non-resident agencies are UNODC, ILO, UNAIDS and UNWOMEN. We are grateful to Shani Harris for supplying this information.
13. See 'Principles for Good International Engagement in Fragile States' at [http://www.oecd.org/document/46/0,3343,en\\_2649\\_33693550\\_35233262\\_1\\_1\\_1\\_1,00.html](http://www.oecd.org/document/46/0,3343,en_2649_33693550_35233262_1_1_1_1,00.html).
14. See 'Voices to be heard: Youth Unemployment in Somaliland, Is there any Government Policy Intervention?' at <http://somalilandpress.com/voices-to-be-heard-youth-unemployment-in-somaliland-is-there-any-government-policy-intervention-22269>.
15. This list includes China (Republic of), Egypt, Ethiopia, France, Ghana, Israel, Libya, Union of the Soviet Socialist Republics, United Kingdom, and the United States.
16. It is significant that while the TFG and its predecessor entities have received various expressions of support from the international community, other states have been rather reluctant to actually accord it formal recognition. While the United States, for example, never formally severed relations with Somalia after the collapse of the Somali state in 1991, neither has it officially recognised any of the 15 transitional governments, including the current TFG. The State Department website merely states: 'The United States maintains regular dialogue with the TFG and other key stakeholders in Somalia through the U.S. Embassy in Nairobi, Kenya'. In fact, the lack of affirmative de jure recognition for the TFG is presumed by the introduction in October 2009 of a Congressional Resolution by the chairman of the Africa Subcommittee of the US House of Representatives urging 'the Obama Administration to recognize the TFG and allow the opening of an official Somali Embassy in Washington'. The clear implication is that the United States Government accords the TFG something less than normal diplomatic recognition as a sovereign. In fact, this point was formally conceded in early 2010 by the Obama administration when, in a brief filed with the US Supreme Court, the Solicitor-General of the United States and the Legal Advisor of the State Department acknowledged that 'since the fall of that government, the United States has not recognized any entity as the government of Somalia'. Similarly, the British Foreign and Commonwealth Office's website states: 'Since the fall of the Siad Barre regime in 1991 there have been no formal diplomatic links between the UK and Somalia'. See Mohamed Ali Samantar v. Bashe Abdi Yusuf, et al., Brief of Amici Curiae Academic Experts in Somali History and Current Affairs in Support of the Respondents, 27 January 2010, at [http://www.abanet.org/publiced/preview/briefs/pdfs/09-10/08-1555\\_RespondentAmCuSomaliExperts.pdf](http://www.abanet.org/publiced/preview/briefs/pdfs/09-10/08-1555_RespondentAmCuSomaliExperts.pdf); also see Mohamed Ali Samantar v. Bashe Abdi Yusuf, et al., Brief of the United States as Amicus Curiae Supporting Affirmance, January 2010, at [http://www.abanet.org/publiced/preview/briefs/pdfs/09-10/08-1555\\_AffirmanceAmCuUSA.pdf](http://www.abanet.org/publiced/preview/briefs/pdfs/09-10/08-1555_AffirmanceAmCuUSA.pdf).

