



# Breaking the Deadlock in Somalia

Negotiations in the U.N. Security Council

## **Problem and setting: To move beyond a failed state**

Since 1991 Somalia has been the archetypal failed state. Several attempts to create a transitional set-up have failed, and the current one is one the brink of collapse, overtaken yet again by an Islamist insurgency. Over the last two years the situation has deteriorated into one of the world's worst humanitarian and security crisis's. The international community is preoccupied



with a symptom –the piracy phenomenon- instead of concentrating on the core of the crisis, the need for a political settlement. The Transitional Federal Government (TFG) –widely supported by the international community- has failed to create a broad-based government –which overcomes traditional inter-clan rivalries- and is now non-functional, existing almost only in name. From the mid 1990s, Somalia has been viewed as a potential exporter of Islamist terrorism. Western threat perceptions have been high since the September 11 attacks, and especially since the defeat of the Taliban regime in late 2011. The standing fear has

been that al-Qaeda holds-outs fleeing Central Asia would reconstitute their operational base in weak states in the Persian Gulf or sub-Saharan Africa.

## **Background on Somalia: Myths and misconceptions**

### **General facts on Somalia**

Somalia is situated in the Horn of Africa and is bounded north by the Gulf of Aden, east and south by the Indian ocean, and west by Kenya, Ethiopia and Djibouti. The territory of Somalia is about 637,657 sq. km. It is the 44<sup>th</sup> biggest country in the world. It has a total of 2,340 km land boundaries



whereas the neighboring boundaries with Djibouti account for 58km, Ethiopia for 1,600 km and Kenya 682 km. Somalia has a coastline of 3,025 km. In 2010 the UN gave an estimated population of 9,36 million, which results in a density of 15 per sq. km. Still, within Somalia it is



hard to have a census since population counting is extremely difficult due to the large number of nomads and refugee movements as a result of famine and clan warfare. In 2000 an estimated 66,7% of the population were rural.

Somalia consists out of 18 administrative regions who all have chief cities: Awdal (Baki), Bakol (Xuddur), Bay (Baydhabo), Benadir (Mogadishu), Bari (Boosaso), Galgudug (Duusa Marreeb), Gedo (Garbahaarrey), Hiran (Beledweyne), Jubbada Dexe (Jibil), Jubbada Hoose (Kismayo), Mudug (Gaalkacyo), Nogal (Garowe), Woqooyi

Galbeed (Hargeisa), Sanaag (Ceerigabo), Shabeellaha Dhexe (Jawhar), Shabeellaha Hoose (Marka), Sol (Las Anod), Togder (Burao). Somaliland comprises the regions of Awdal, Woqooyi Galbeed, Togder, Sanaag and Sol. The Puntland territory consists of Bari, Nogal and northern Mudug. Southwestern Somalia consists of Bay, Bakol, Gedo, Jubbada Hoose and Shabeellaha Dhexe.



The capital is Mogadishu with an estimated population of 1,162,000 in 1999. Other large towns are (with 1990 estimates) Hargeisa (90,000), Kismayo (90,000), Berbera (70,000) and Marka (62,000). The official language is Somali but Arabic, English and Italian are widely spoken. The national anthem is 'Somaliyaay toosoo' (which means 'Somalia wake up'). It was adopted in 2000 but written in 1947. The lyric speaks of creating unity and put an end to fighting<sup>1</sup>. The leopard is a national symbol of Somalia.

In 2008 the total estimated birth was 349,000 and total deaths were 140,000. The birthrate per 1,000 population is 44,1; death, 15,7. The infant mortality in 2005 was 133 per 1,000 live births. The annual population growth rate in 2000-2008 was 2.4%. Life expectancy at birth in 2007 was 48,49 and 52,37 years for women. The fertility rate in 2008 was 6,35 births per woman.

Much of the country is arid albeit rainfall is more adequate towards the south<sup>2</sup>. Temperatures are very high on the northern parts. In Mogadishu for example the average temperature in

<sup>1</sup> The national anthem can be found on the following link:

<http://www.youtube.com/watch?v=PYi07Z3QoC4&feature=related>

<sup>2</sup> The orange and tan colors of this high-oblique photograph of the Horn of Africa indicate an arid-to-semiarid landscape in the northern half of the east African country of Somalia. Except for the darker areas where thicker vegetation can be found (usually in elevated areas), most of the vegetation in this part of Somalia is shrub brush and grasslands. The southern extent of the Saudi Arabian Peninsula is visible north across the Gulf of Aden. Image courtesy of NASA.

January is about 26,1 °C. In June it is about 25,6°C. The annual rainfall in Mogadishu is about 429 mm. In Berbera for example the annual rainfall is even less, about 51 mm. There is an northeast monsoon from December to March and also a southwest monsoon from June to September. Between the monsoons there are hot and humid periods called 'tangambilli'. The territory of Somalia is mostly flat to undulating plateau rising to hills in the north. The lowest point is the Indian Ocean (0 m.) and the highest point is Shimbiris which has an altitude of 2,416 m. Somalia is plagued with several natural hazards such as recurring droughts, frequent dust storms over eastern plains in summer and floods during rainy seasons. Also famine, the use of contaminated water which contributes to human health problems, deforestation, overgrazing, soil erosion and desertification are causing serious problems within Somalia.

With the breakdown of government, due to the 1991 revolution, armed forces broke up into clan groupings. Four of them are situated in the north and six in the south. There are no national armed forces.

There are 84 district courts, each with a civil and a criminal section. There are eight regional courts and two Courts of Appeal in Mogadishu and Hareigsa. The Supreme Court is in Mogadishu. The death penalty is in force and there was one execution in 2010 and none in 2009. Jurisdiction in Somalia has to be seen as a combination of a mixed legal system of civil law, Islamic law, and customary law (referred to as Xeer). Following the breakdown of the central government, most regions have reverted to local forms of conflict resolution which can be seen as a mixed legal system as described earlier.

Nomadic life of a large percentage of the population inhibits the educational progress. This is reflected in the fact that adult literacy was estimated at 24% in 1990. It is reasonable to assume that this amount has increased due to the longstanding conflict in Somalia. In 2004 there were an estimated 1,172 primary schools with over 245,500 in attendance. Only 23,5% of primary age children and a 26,2% of secondary age children were attending school. In 1954 the longest-established university (called the Somali National University) was founded in Mogadishu but it was extensively damaged in the civil war and classes have been suspended indefinitely. Still, a private university, Mogadishu University, was opened in 1997.

Also in 1997 Somalia had only 265 physicians, 13 dentists, 1,327 nurses and only 70 pharmacists. Undernourishment is a serious problem within Somalia, 73% of the total population in 1996, up from fewer than 60% in the early 1980s.

The Somali press collapsed in 1991, with most of its facilities destroyed. Promising is that since 2000 several independent newspapers have emerged, which resulted in 2005 in six daily newspapers with an average daily circulation totaled 20,000. Two private TV stations rebroadcast Al-Jazeera and CNN. Somaliland has one government-operated TV station and Puntland has one private TV station. Radio Mogadishu is operated by the transitional government. Roughly ten private FM radio stations broadcast in Mogadishu. Also, in the central and southern regions there are several radio stations operating. Puntland has roughly six private radio stations and transmissions of at least two international broadcasters are available. Although Somalia has only three internet hosts it cannot be stressed how much 'Somalia' thrives in the virtual realm. The majority of Somalia people living in rural areas don't have an internet connection but it is for them relatively easy to connect by simply contacting a relation in a town. In 2008 there were 102,000 registered internet users but the actual number may be higher as explained above. When one does a Google search for 'Somali websites' one can find 7,010,000 hits and for 'Somali website' this number even increases to a 27,700,000 hits. Some might say

that Somalis are drawn to the virtual world since their country is such a mess in the real world. Somalia had in 2008 100,000 telephone lines which equal to 11,2 per 1,000 persons. The nomadic lifestyle of most inhabitants makes the use of mobile phone subscribers a lot more significant. Roughly 627,000 persons, about 70,2 per 1000 persons, are numbered. The actual use of mobile devices may be higher since it is a common practice that there are individuals with



multiple mobile phones who buy airtime in bulk and charge a smack premium for the cellular-less to make calls.

In 2002 there were an estimated 22,100 km of roads, of which 2,608 km were paved. Passenger cars numbered 12,700 in 2002 and there were 10,400 trucks and vans. There are international airports at Mogadishu and Hargeisa and the total number of airports is 59. In 2003 there were international flights to Addis Ababa, Dire Dawa, Djibouti, Jeddah, and

Nairobi in addition to internal services.

### The myth of a country

Somalia which is a number-seven-shaped country, on the north-eastern horn of the African continent, has long been a contested concept, even amongst Somalis. It is a popular belief amongst Somalis to see their country as a 'Greater Somalia'. This is clearly symbolized in the Somalia flag which consist of a five-pointed, white star on a field of light blue. Each of the star's points represents one of the five parts of the Horn of Africa where ethnic Somalis live. These five parts of the Horn of Africa are: 1) The Ogaden region which is now part of present-day Ethiopia, 2) The Northern Frontier District (NFD), part of southern neighboring Kenya, 3) Former British Somaliland, 4) Italian Somaliland and 5) Djibouti.



Various attempts were made to reunite Somalis under a single flag. Despite of these efforts only two Somali territories actually merged. Present-day Somalia as we know it today was founded in 1960 when British Somaliland and Italian Somaliland gained independence and finally merged into 'The Republic of Somalia'.

Historically the roots of the present day conflict lie in the fact that during the 19<sup>th</sup> century Great-Britain, Italy, France and Ethiopia dived the Somali-inhabited territories in the Horn of Africa into five distinct political jurisdictions. Those were The British Somaliland Protectorate (current Somaliland), The Italian Somaliland (Somali Republic), French Somaliland (the present day Republic of Djibouti upon achieving independence in 1977) and The Northern Frontier District (NFD) of Kenya and The Ogaden region of Ethiopia.

Due to the fact that Somalia is a war torn country for several decades, a significant number of Somalis have fled all-out over the world. This 'Somalia Diaspora' makes that in total more than one million Somalis (out of an estimated population in 2003 of 9,890,000 within Somalia itself) are found in Ethiopia, Kenya and Djibouti. For example, in Kenya alone the estimated number of

Somali refugees and exiled communities accounts for a range of 125,000 to over 300,000 since 1991. These are mainly resided in the country's major urban centers, particularly Nairobi (Eastleigh) and Mombasa. Also, significant Somali communities are found in Yemen and the United Arab Emirates, and smaller ones in Saudi Arabia, other Gulf States and Egypt. In Europe, the United Kingdom hosts the largest number of Somalis (about 250,000), while the Netherlands, Norway, Denmark (about 10,000), Sweden (about 25,000) and Finland too have sizeable communities. Substantial Somali communities are also found in the United States and Canada, especially around Minneapolis and Toronto. According to the UNDP (2009) about 14% of all Somalis live abroad.

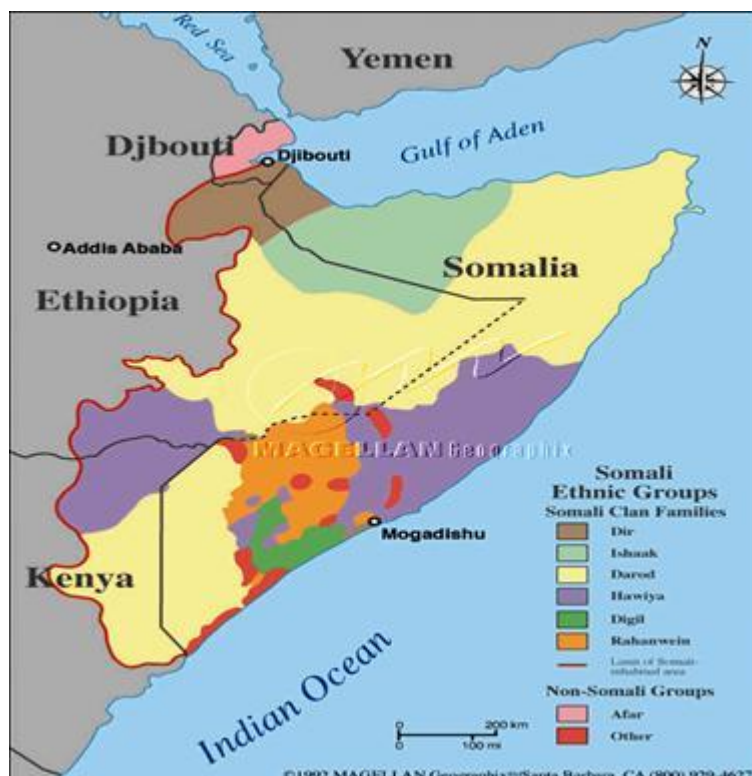
### The misconception of the Somali citizen

Like there is no generally accepted concept of Somalia as a country, the same goes for what a Somalia citizen is. Traditionally, Somalis are born into one of the six 'big tent' clans consisting of:

1) the Darod, 2) Dir, 3) Hawiye, 4) Isaaq, 5) Digil and 6) Rahanweyn.

The first four clans are collectively known as 'Samaale' clans, they share the closest linguistic and cultural ties and represent 75% of all ethnic Somalis. Between the 'Samaale clans' and the latter two clans, commonly referred to as 'Digil-Mirifle', exists a division. This division is expressed by Samaal clan members who sometimes use the derogatory word 'sab' which means ignoble, vis-à-vis members of the Digil-Mirifle clan. It refers to the tradition of the Digil and Rahanweyn clans to assimilate other clansmen from non-ethnic Somalis to former slaves and their descendants. Indeed, in the language of the Digil and Rahanweyn, which is different from that of the Samaale clans, their name stands for 'large crowd'. Altogether they represent about 20% of all ethnic Somalis and they have historically practiced a more sedentary lifestyle of farming and/or pastoralism in Southern parts of Somalia.

Somalis though further classify themselves into subclans, which makes it difficult to overcome inter clan rivalries which are mainly the root cause of present-day problems in Somalia. Even sub-subclans and beyond are no exception. It can go as far that classifications even run on a household level. When a man has several wives, some in the household might stress the clans intertwined with one marital line over one other. Knowing your genealogy is vital for survival in the Somali culture since the concept of individuality is non-existent. Also, Somali genealogy presents individuals with a number of seemingly infinite ways to affiliate or dissociate from fellow Somalis. For a Western viewer this clan-based lineage system which predominates Somali society may be seen as highly impractical and unnecessary complex, for a Somali this is practical





to survive in a daily context of whether an urban area of a failed state, a new host country or a nomadic lifestyle in a remote area. All of these contexts are characterized by limited available resources and opportunities and dependence on clan-based lineage system are a way to cope with this precarious conditions.

One could state that present-day clan dynamics amongst Somalis are mainly the result of pre-colonial times and thus worked against state formation. For example, how can a government create revenues through tax collection when a significant part of its population is continuously moving from one place to another, even across national boundaries? Academics also state that a nomad society has an anarchic nature which naturally doesn't correspond with a Western classic state-centric approach. Harsh environmental conditions and scarce resources created individuals who are highly suspicious with regard to other, non-clan members. This makes that their loyalty is solely directed to the clan structure which is essential to survive. Adopting notions of a modern governmental system means that their loyalty and thus survival requires deference to a high sovereign which is beyond one's clan, sub clan or even sub-sub clan.

Ethnic Somalis as described earlier make up about 95% of the population. The other 5% are respectively Indians, Pakistanis, other Asians, Arabs, Europeans, and groups of mixed ancestry.

As stated earlier, the concept of individuality is virtually non-existent in the Somali society. To make it even more complicated, clans, sub-clans and even sub-sub clans can divide themselves into social insurance cooperatives called diya-groups. 'Diya' stands for blood wealth and members are always contractually bound to pay or receive damages collectively. These diya-groups must be seen as alliances to survive in complex environment characterized by possible inter clan rivalries, and scarce resources. In the past the formation of diya groups was exploited to serve for political means.

### The myth of religion

Somalis are Sunni Muslims and the vast majority follow the Shafi rite. Probably, Islam dates as far back as the thirteenth century but it was revitalized during the nineteenth century. Islam rites are a part of daily life and it is not surprisingly that activities of Catholic and Protestant missionaries have never been a great success. Less than 1% of ethnic Somalis are Christians.

Islam in Somalia has been 'a veil lightly worn' in contrary to nowadays popular beliefs. Most Somalis have not been especially strict in their application of Islamic laws and mores. Examples of this are that women were not always traditionally veiled; clan customary law (xeer) and civil law were in the past dominating Sharia law (the latter was only used on family based level); pre-Islamic customs such as worshipping ancestors as saints occurred; Somali political leadership was quite secular in orientation and lifestyle; and last but not least, Somalis were not always conscientious in following Islamic practices. An added practice to daily Islam is the belief in mortal spirits called 'Jinn'. It is believed that those 'Jinn' are descended from a fallen heavenly spirit and according to the folk believes they can cause misfortune, illness or can help humans. According to popular beliefs, the poor, weak or injured have special spiritual powers given by Allah. Somalis always will be kind to them since Somalis fear that they might use these spiritual powers to harm them. Somalis believe, unlike other Muslims, that both their spiritual and political leaders have the power to curse or bless people. This power which is given by Allah is called 'baraka'.

The pastoral lifestyle of Somalis compel them to pragmatism over ideology. This is not a matter of choice but rather one of survival due to the harsh environmental conditions and scarce resources. Also, inclination on very strict Islamic codes is seen as an imposition of Gulf Arab customs (more precisely the Wahhabi teachings of Saudi Arabia) which are seen as 'un-Somali'. Therefore they can rapidly spark resistance. As surprisingly it might be, Somalis have a strong sense of cultural pride and are reluctant to any form of foreign interference, including Arab Jihadi organizations.

Most Somalis are intuitively drawn to and passionate about Islamic causes and rhetoric which not necessarily means that they are especially devout. Some Somalis are devout and wish to see a greater Islamization of society but could be on the other hand a-political. Others can be in favor of an expansion of Sharia courts but can be on the other hand uninterested in achieving a Islamic Somali state. It is important to understand that there is a wide range of positions within the Somali society vis-à-vis Islamism. Nevertheless, it is written in Somalia's constitution that: 'Islam is the religion of the Somali Republic'; 'No other religion other than Islam can be propagated in Somalia'; and that 'No Muslim can renounce Islam'. So in concrete Somalia is an Islamic country but it has a more moderate adoption of Islam than is usually perceived by western observers.

Islam has been used as a strong mobilizing ideology in anti-colonial responses and in nationalist struggles. The first modern organization in name of Islam was formed in 1925 but was quickly banned as a result of its political activities. In the 1950's a second attempt was made as a direct result of the Italian rule under UN trusteeship. After independence in the 1960's youngsters who graduated from Arab universities introduced modern ideas on Islam in Somalia based on the activities such as the Muslim Brotherhood in Egypt and the Salafia (Wahabi School) in Saudi-Arabia. The military regime in 1969 however abolished Islamic societies and banned all non-state institutions. As a result, Islamic activism operated underground and had by the 1970s taken greater strides, in reaction to the military regimes' of Marxist ideology. Young activists eventually fled to Sudan, Saudi-Arabia and Egypt and made then contact with various aspects of political Islam. Albeit traditional Sunni Sufism mainly preoccupies itself with the spiritual aspect of Islam it became in Somalia more political and militant.

Militant Islamic influence thus has existed in Somalia for decades but it didn't had a meaningful impact on the political situation during the dictatorial rule of President Siad Barre. After the collapse of the Siad Barre regime one could see that different interest groups used religion to justify their ideology. In the beginning this was less the case. It were mainly Somali warlords who held most of the power but various Islamic groups became more and more assertive. Some of those had a strictly Somali agenda others had a more international view and became thus subject to foreign influence. Political Islam became more militant since the Global war on Terrorism, the rise of the Union of Islamic Courts (UIC) and the Ethiopian invasion in 2006.

Nowadays, an amalgam of different political inspired Islamist groupings are operating in Somalia which only agree on the principle of adopting Islam on as the ultimate reference for the state and society. Beyond that, they disagree on political views, being influenced by socio-economic conditions, global politics and regional conflicts.

## The myth of economics

In contrary to previous described natural hazards that occur in Somalia, it has a rich diversity of natural resources. It was proven in 2007 that Somalia has natural gas reserves of 5,7 billion cu. meters. With regard to minerals there are deposits found of bauxite, chromium, coal, copper, gold, gypsum, lead, limestone, manganese, nickel, salt, sepiolite, silver, tin, titanium, tungsten, uranium and zinc. It is also most likely that Somalia has oil reserves but this has yet to be confirmed.

Despite these natural resources, agriculture accounts for approximately 59% of GDP. This makes Somalia in essence a pastoral country and about 80% of the inhabitants depend on livestock-rearing. Livestock accounts for more than 50% of export earnings. Half the population is nomadic. In 2002 there were about 105 million ha. of arable land and 26,000 ha. of permanent crops. Around 200,000 ha. were irrigated in 2002. There were about 1,700 tractors in 2002. The following output of these agricultural activities in 2003 were estimated (in 1,000 tons): sugarcane, 200; maize, 164; sorghum<sup>3</sup>, 121; cassava<sup>4</sup>, 85; bananas, 35. The livestock estimates are the following (also for 2003): 13,1m. sheep; 12,7m. goats; 7,0m. camels<sup>5</sup>; 5,1m. cattle. In 2005 the area under forests was 7,13m. ha. which is 11,4% of the total land area. Wood and charcoal are the main energy sources. Approximately 30,000 tons of fish were caught in 2005, almost entirely from marine waters.



Somalia is thus mainly an pastoral country where industry only accounts for 10% and services 31% of GDP. But within Mogadishu the main market offers a variety of goods from food to the newest electronic gadgets. Also, with only 10,000 tourists in 1998, hotels in Mogadishu continue to operate and are supported with private-security militias. Livestock, hides, fish, charcoal, and bananas are Somalia's principal exports, while sugar, sorghum, corn, qat, and machined goods are the principal imports. The leading import suppliers are: Djibouti, 32%; Kenya, 15%; Brazil, 11%; United Arab Emirates, 5%. The leading export markets in 2003 were: United Arab Emirates, 39%; Yemen, 24%; Oman, 11%; China, 6%. The real GDP growth in both 2002 and 2003 was 3,5% and the total GDP in 2003 was US\$1,5bn. Somalia's arrears to the IMF have continued to grow.

Since Somalia has been entangled in a civil conflict which culminates in no effective central government since 1991 this has implications on its economy. It has maintained a healthy informal economy, mainly driven by livestock, remittance/money transfer companies, and telecommunications. Also the private sector trades locally and with neighboring Asian economies and is thus compensating for a weak public sector. Also, as explained earlier, the fact

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<sup>3</sup> Sorghum is some kind of grain.

<sup>4</sup> Also called manioc.

<sup>5</sup> Somalia has the greatest number of camels of any country in the world.



that numerous Somalis live outside the Somali state, has created opportunities for private investments. The private sector is stimulated through remittances. These remittance from abroad annually provide US\$1bn and have on the one hand helped stimulating investments in a number of commercial venues and on the other hand, partially offsetting a decline in per capita income.

All national banks were bankrupted by 1990 but Somalis managed to cope with this. One of the most durable, efficient and successful Somali business practices is the 'hawala'. This is a specific mean to transfer money which makes it possible to transmit money quite easy, safely and quickly from one place to another, whether or not on a regional, national or international level. For example, if one person wants to send a remittance from the UK, London to Mogadishu, he or she can go to a 'hawala' agent in London and give this agent a lump sum of cash. After accepting this cash and taking a commission, which is typically around 5%, the agent then deposits this amount in a local bank account. The agent then contacts an associate on the ground in Somalia, informing him of the deposit amount in the London bank, who it is for, and any other important details. This information sharing happens mostly through e-mail or instant messaging. When a person in Mogadishu tries to collect the money, he or she must prove their identity. The would-be receiver might be answering several questions asked by the local Mogadishu 'hawala' agent based on the information provided by the London agent. Those questions can range from detailed inquiries about kinship relations or clan lineage. Once the would-be recipient answered all the questions correctly and to the satisfaction of the local Mogadishu 'hawala' agent the money is handed over. Trust is paramount in these kind of transactions since no actual money is transferred between the several 'hawala' agents. This also implies that possible malicious international money transfers are difficult to trace. If we take into account that the 'hawala' system is spread around the world due to the large Somali Diaspora, that within a couple of hours or within one day, money can be transferred from one place to another without almost leaving no virtual trace and that home grown radicalization exists, this can have serious implications on combating terrorism. On the positive side, the 'hawala' system proves the ability of Somali people to cope with the challenges they encounter in their present day lives.

Another good example of this ability, is the traditional Somali 'hagbed' arrangement. Those are groups of 10 to 20 individuals, mostly women, to create their own micro-lending organization. Members are typically drawn from the same clan or sub-clan, live in the same town or area, and/or work together. Each person pays a contribution into a pool and the resulting 'trust fund' can be used by one member as a start-up capital for a small business. This creation of a 'trust fund' happens weekly or monthly so that at the end each member of the 'hagbed' has its own start-up capital. Like the 'hawala' system, the success of this system is based in trust. Since all members know each other, peer screening and by monitoring each other's businesses the chance of putting money into a risky business is diminished.

## **Historical overview**

### **Pre-colonial events**



Somalia has a rich history. In northern Somalia cave paintings were found approximately dating back to 10,000 BC. Somalia was called by Egyptian merchants 'the land of Punt' which means 'God's land'. Trade was important, Egyptian merchants brought jewels and glass beads and exchanged those for gold, elephant tusks, myrrh, ostrich feathers and spices.

From the eighth to the tenth century Somalis were put in sustained contact with Persian and Arabian migrants who had established a series of settlements along the coast. This resulted in a lucrative commerce from enclaves as far south as the coast of present day Kenya. The history of commercial and intellectual exchange between Somali coast inhabitants and those of the Arabs is thus an explanation for the Somali connection with the prophet Muhammad. The large scale conversion though happened only during the eleventh, twelfth and thirteen centuries. Two of the main clans in present day Somalia, the Dardood and the Isaaq were a direct result of the marriage arrangements between Arab and local patriarchs. It is believed that the Muslim influence created the clan lineage system but also the patriarchal ethos and patrilineal genealogy. Most likely, as in many other African societies, the indigenous Somali social organization was matrilineal.

During the tenth and fourteenth century Chinese merchants visited the shores of Somalia and returned, according to tradition, with giraffes, leopards, and tortoises. Greek merchant ships and Arab dhows also came past Somali shores and referred to it as 'the land of the Blacks'. Medieval Arabs denominate the Somali people as the Berberi.

Before the fifteenth century Somalia didn't know any form of centralized state systems. The Adal Sultanate was most powerful and at the height of its power and prosperity it comprised Saylac, the capital, through the fertile valleys of the Jijiga and the Harer plateau to the Ethiopian highlands. Adal was renowned for its cosmopolite and prosperous people, architectural sophistication, elegant mosques and high education standards. Besides this it was also illustrious for its conflicts with the Christian, expansionist Ethiopians. For hundreds of years, a relatively goodwill had existed between the Islamic civilization and the Christian neguses of Ethiopia. This was a result of a tradition that the prophet Muhammad forbade a possible jihad against the Ethiopian Christians and blessed Ethiopian Christians since the negus offered protection to the first Muslims. In the beginning of the fifteenth century the relationship began to turn sour during the aggressive command of Negus Yeshaq who ruled in the period 1414-1429. Negus Yeshaq claimed that Muslims were the enemies of God and killed the Muslim king. Muslims were then defeated and had to pay homage to the Negus. It was in that period that for the first time the word 'Somalia' appeared in a written record. The Negus ordered his singers to compose a gloating hymn of thanksgiving for his victory and thus mentioned Somalia. It would take to the sixteenth century until the Muslims were able to recover their power and break into the central

Ethiopian highlands. It was only with the help of a Portuguese expedition led by the son of Vasco da Gama who accidentally arrived who saved Ethiopia.

Also, during that time Portuguese traders settled down in several coastal towns. Before that, Somalia was terra incognita for Europeans and it was only during the expedition on the way to India that Somalia was discovered. In that period Mogadishu, Merca and Baraawe became influential cities of which Mogadishu was the most prosperous. Their origins are unknown but starting from the fourteenth century travelers began to mention them more and more. It is believed that the origins of Mogadishu dates back at least to the nineteenth century. These three cities influenced the Banaadir hinterlands (the rural areas surrounding Mogadishu) through commerce, proselytization, and political influence. Evidence of that influence was the increasing Islamization of the interior by Sufis (who are Muslim mystics). These emigrated upcountry and settled among the nomads, married local women, and brought Islam to temper the random violence of the local inhabitants. By the eighteenth century the pastoral lifestyle based on Islam as it is known today in Somalia was established. In the seventeenth and eighteenth centuries the Portuguese penetrated the East African coasts, it was only Mogadishu who could resist the repeated depredations of the Portuguese.

### The colonial period

Starting from the late nineteenth century, European powers increasingly began to trade and also settled in the Somali territories. In the last quarter of the century the Somali peninsula changed politically as a result of British, Italian, Egyptian, and Ethiopian claims. Various motivations spurred these developments.

The British East Indian Company desired to have unlimited harbor facilities and thus this led to the conclusion of treaties with local chiefs. By guaranteeing protection to the chiefs the British were able to control the northern part of Somalia and had the ability to safeguard their trade links to the east, securing local food sources and provisions for their naval port Aden. Aden, which is situated in present day Yemen, was perceived as utmost important for the British empire since the Red Sea was becoming increasingly important for British operations. In 1897 the official boundary between British Somaliland and Ethiopia was settled.

The French also had significant interests in Somalia, especially since they were evicted by the British from Egypt. By the acquisition of Somali territories they sought to strengthen their naval links with their Indo-China colonies. By aspiring an east to west influence in Africa, France was trying to obstruct the British bold Cairo to Cape Town zone of influence and seizure of Somali territories was essential.

Italy was recently unified, inexperienced at imperial power plays, and there was also a lack of parliamentary enthusiasm for overseas territories. It was content to acquire a territory without confronting other colonial powers. The south of Somalia, the Banaadir coast was colonized by Italy. It took a while until Italy seized the Banaadir coast properly, which has long been under the attenuated of the Zanzibaris, and the colony of Italian Somaliland.

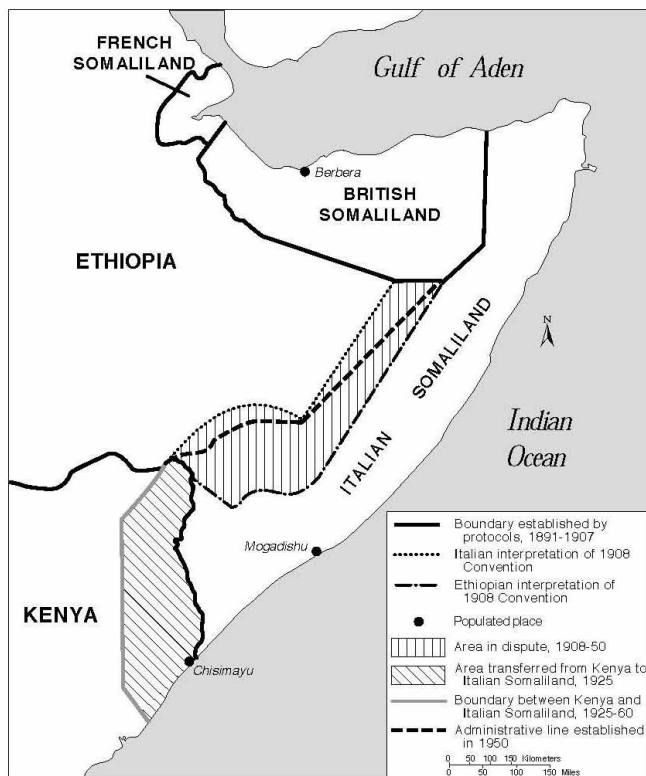
The ambitious ruler of Egypt, Khediv Ismail, originated the imperial struggle over Somalia. He wanted to carve out a piece of the territory in Somalia but, due to internal uprisings in Egypt, he was hindered in his colonial ambitions and eventually needed British help to evacuate his troops on the Somali shores.

Ethiopia was an emerging regional power and seriously endangered the colonial ambitions of the European powers. Emperor Menelik II was able to defend the Ethiopian territories and successfully claimed the Somali Ogaden region.

At the beginning of the twentieth century Somalia was divided into five parts: British Somaliland, French Somaliland, Italian Somaliland, Ethiopian Somaliland and what came to be called the Northern Frontier District (NFD) of Kenya. The three European colonial powers often lacked funds but were still able to install a rudimentary form of colonial administration. Since they controlled most ports, they were capable to levy taxes on livestock to acquire the necessary funds for their colonial dominion. Ethiopia wasn't able to collect taxes and required its army to occupy the Ogaden territory and thus repeatedly despoiled the Ogaden region in the last two decades of the nineteenth century.



The first two decades of the twentieth century could be described as a period of colonial consolidation. Due to the brutality of the Ethiopian colonial occupation the idea of a 'Greater Somalia' quickly emerged in resistance movements. Also, the British colonization became soon subject of resistance. Persistent attacks of the dervish resistant movement followed. This resistance movement was led by Mohammed Abdullah Hassan who was also called 'Mad Mullah' by the British since they perceived him as being a religious fanatic. Under his leadership the dervish resistant movement conducted a war of resistance against the British and the Ethiopian colonial powers which resulted in the estimated death of one third of the northern Somali



population and the near destruction of the economy. It was only in 1920, when Abdullah Hassan was killed, that one of the longest and bloodiest conflicts on the Somalia peninsula ended. As a result Abdullah Hassan, who had a significant amount of followers and who was underestimated by the British, became for many Somalis a symbol of Somali nationalism and is lauded as a local hero.

With regard to colonial aspirations in Somalia, it was only Italy who established a comprehensive administrative plan for its colony which was a colony comprised of settlers and commercial entrepreneurs in the region between the Shabeelle and Jubba rivers in southern Somalia. The motivation to do so was threefold, first of all they wanted to 'relieve population pressure at home', which was a commonly

used argument of colonial powers to encourage settlers. Secondly, a broader humanitarian excuse was used since the Italians brought the Somalis a 'civilizing Roman mission'. Thirdly, Italian prestige was elevated since it was now a colonial power with overseas territories. Further impetus was given by the introduction of fascist ideology and economic planning during the 1920's. The launch of large-scale development programs became a fact and quickly large plantations, whereas citrus fruits, bananas and sugarcane were cultivated, emerged in the Somali countryside and transformed the Somalia economy.

In contrary to the Italians, the British didn't had a comprehensive view on how to reign their colony. Financial shortages due to the dervish uprisings and the 'wild' character of the anarchic Somali pastoralists, British Somaliland was mere a supplier of meat products to the Aden. This unequal treatment of both territories had a significant effect on the future unity and stability of independent Somalia.

In 1935 a temporary Somali reunification was established due to the Benito Mussolini's attack on Ethiopia whereas the Emperor Haile Selassie was toppled. British Somaliland was also incorporated. The Italian occupation of the Ogaden with the southern and northern Somalilands united for the first time in forty years the Somali clans who had been arbitrarily separated by the Anglo-Italo-Ethiopian boundaries. This enabled the Italians to set prices, impose taxes and to create one single currency for the whole of the Somali peninsula. This gave birth to a monetarization of the economy which was before one who was based on traditional exchange.

New emigrants or either veterans of the Ethiopian conquest settled into the country. Nevertheless, many Somalis benefited from the Italian rule. For example, the Haaji, Diiriye and Yuusuf Igaal families acquired considerable fortunes. The absence of any major anti-Italian uprising reflected the relative wellbeing of the Somalis during the Italian occupation. When World War II started, the Italian occupied territories included southern Somalia, Ethiopia, and Eritrea. Also, northern Somalia was invaded and the British were exiled from the Horn of Africa. But soon the Italian victory became to an end since the British counterattacked and reoccupied northern Somalia in March 1941. From then on, the British recaptured the whole region from Italy and restored Emperor Haile Selassie to his Ethiopian throne. Southern Somalia and the Ogaden were placed under a military administration.

For the second time, all Somali-inhabited territories, with exception of French Somaliland and Kenya's NFD, were brought under a single possession. Under intense pressure, the Ogaden region was returned to Ethiopian jurisdiction. In the rest of Somalia no integrated administrative structure was established and the principal concern of the British administration during World War II and afterwards was to reestablish order in the region. The Somalis who had taken advantage of the sheer luck in arms brought by the war needed to be disarmed and the by Ethiopia organized Somali bandits who infested the British side to discourage the continued British occupation of the Ogaden needed to be controlled.

Unlike the previous colonization attempts, the thus installed British military forces who administrated the two Somali protectorates in the period 1941-1949 realized greater social and political changes. After 1945 the appropriation of new funds for the north development spurred. To mark this new policy of increased attention to control of the interior, Hargeysa became the new capital instead of Berbera. Besides that, the British tried to establish health and veterinary services, made improvements in agriculture in the Gabiley-Boorama corridor, dug more bore wells to increase the water supply to pastoralists, and introduced secular elementary schools whereas before only Quranic schools had existed. In the judiciary sector the dual court system appeared which combined elements from the Somali 'sheer', Islamic Sharia and British common law.



At the same time, in Italian Somaliland, the British improved working conditions for Somali agricultural laborers, doubled the size of the elementary school system, and allowed Somalis to staff the lower stratum of the civil service and gendarmerie.

Since the major influx of Italian immigrants during the Italian colonial period the British soon realized they needed their expertise. Italian technocrats were needed to keep the economy going and to staff the experienced civil service. This acknowledgment of Italian expertise resulted that the British permitted the Italians to organize political associations. As a result, an amalgam of Italian organizations with various ideologies challenged British rule and competed with Somalis and Arabs whereas they sometimes violently strived for the return of the Italian colonization. Soon, Somalis and the British came to see each other as allies due to the rising Italian political pressure. Political organization of the Somalis was encouraged by the British and in 1943 the first political party, the Somali Youth Club (SYC), was established in Mogadishu.

The traditional British policy of separating the civil service from leadership was relaxed to empower the new party. In 1946, only three years after its creation, it already had 25,000 card-carrying members. A year later, the party changed its name to the 'Somali Youth League' (SYL). Its program consisted of: the unification of all the Somali territories including the NFD and the Ogaden, the creation of opportunities for universal modern education, the development of the Somali language through the incorporation of a standard national orthography, safeguarding Somali interests and the opposition of the restoration of Italian rule. In this SYL clannishness was banned and the thirteen founding members, albeit they represented four of the six major clans, didn't reveal their ethnic identity. Soon a second political body emerged, called the Hisbia Digil Mirifle (HDM), representing the Digil and Mirifle clans. They cooperated with the Italians and received substantial financial backing in their efforts to contest the SYL. SYL had considerable popular support in the northern areas, the principal parties in British Somaliland were the Somali National League (SNL) which was mainly associated with the Isaaq clan, and the United Somali Party (USP), which received support of the Dir and Daarood clan.

### The road to independence

The Potsdam Conference in 1945 decided not to return the Southern part of Somalia to Italy after the war albeit it was legally an Italian colony. A four-power commission consisting of Britain, France, the Soviet Union, and the United States decided to send commission representatives to Somalia and to investigate the Somali demands. The SYL obtained a permission to organize a massive demonstration in 1948 which was symbolizing the popular support that existed for an independent Somalia. A counterdemonstration led by Italian elements tried to discredit the SYL before the commission. The result was a riot in which fifty-one Italians and twenty-four Somalis were killed. Despite this unfortunate event, the commission was in favor for the SYL proposal to reunite all Somalis and to place Somalia under a ten-year trusteeship overseen by an international body that would lead the country to independence.

In 1948, as a result of major pressure exerted by the Soviet-Union and the United States of America, Great-Britain returned the Ogaden to Ethiopia despite massive Somali protests. By doing so, the aspirations for a Greater Somalia were scattered albeit the shock was softened by the payment of considerable war reparations –or 'bribes' like characterized by the Somalis- to Ogaden clan chiefs. In the meantime, due to disagreements amongst the commission over Somalia's future, the matter was handed over to the United Nations General Assembly. After a vote in the General Assembly in November 1949 it was decided that southern Somalia became a trust territory to be placed under Italian control for ten years, following which it would become independent. The SYL's formulated proposal and resistance against Italian rule was neglected.

Despite the protests the return of the Italian administration to southern Somalia gave it several unique advantages compared with other African colonies. Somalis were given the opportunity to gain experience in political education and self-government. British Somaliland, which was to be merged into the new Somali state, didn't have. The protectorate soon stagnated in the 1950's and the disparity between the two territories in economic development and political experience would grow.

The preparation of southern Somali independence over a ten-year period was monitored by the Italian Trusteeship Administration (Amministrazione Fiduciaria Italiana della Somalia, AFIS) and an UN Advisory Council based in Mogadishu observed the AFIS. Primary objectives which were imposed on the new administration were to develop political institutions, to expand the educational system, to improve the economic infrastructure, and give the indigenous people freedom of the press and the freedom of expression. By no means this created smooth Italo-Somali relations, the SYL distrusted the new administration and accused them of having a hidden colonial agenda. These allegations were reinforced when the AFIS quite soon after taking control proceeded to jail some SYL members and to fire other ones from their civil service posts. The conflict slumbered in the period 1950-1953 and was only terminated when new economic and political initiatives claimed the attention of Somali nationalists.

In 1956 territory-wide elections were first held in southern Somalia. Both the SYL and HDM gained significant percentages of the seats. The SYL delivered the first prime minister, Abdullaahi Lise, of a government entirely consisted out of Somalis. In the new seventy-seat Legislative Assembly ten seats were reserved for Indians, Arabs and other non-Somalis. This new government was in control of domestic affairs, still the AFIS retained the 'power of absolute veto' as well as the authority to rule by emergency decree should the need arise. Important areas such as foreign relations, external finance, defense, and public order were still under AFIS control until 1958. One of the main tasks was to frame the constitution that had to become effective once Somalia gained independency. In modern Somali politics this four year term of office (1956-1960) has to be considered as the most stable in modern Somali politics.

Two issues were dividing the SYL and HDM with regard to framing the constitution. First of all, a twist existed between whether or not, Somalia had to become an unitary or a federalist country. The latter option was preferred by the HDM since they represented thirty percent of the population situated in the well-watered region between the Shabeelle and Jubba rivers. This demand was nourished by the concern that the SYL, which was supported by pastoral clans that accounted for 60 percent of the population (mainly Daarood and Hawiye), would dominate. In the end, the political and numerical strength of the SYL would made that Somalia became an unitary state. Secondly, the issue of a Greater Somalia which would imply the detachment of territories from Ethiopia, Djibouti, and Kenya of Somali-inhabited areas, created a dilemma. On the one hand, the Somalis wanted peace with their neighbors, but making claims would provoke hostility. It then was decided to demand the 'reunification of the dismembered nation by peaceful means'. In this four year transition period to independence, intraparty squabbling in the SYL became reality instead of interparty competition with HDM. Internal clan disputes between the Daarood and the Hawiye emerged. The Daarood accused the Lise's government of being a marionette under Italian influence and the Hawiye countered this by assuming clannishness in the Daarood ranks.

In contrary to the political developments in Italian Somaliland, British Somaliland was lacking behind. The protectorate had experienced little economic or infrastructural development apart from the digging of more bore wells, the establishment of agricultural and veterinary services. In 1956 as a result of popular demand, the British protectorate was forced to appoint representative government and to accept the eventual unification with southern Somalia.

Public opinion in both Somalilands soon asked for immediate unification. In April 1960 a meeting was set up between the leaders of the two territories and thus was agreed to form an unitary state with an elected president who would be the head of state. The executive powers would be held by a prime ministers who was accountable to an elected National Assembly of 123 members representing the two territories.

#### Nine years of parliamentary democracy

The British Protectorate of Somaliland gained independence on June 26, 1960 and was from then on the 'State of Somaliland'. Soon thereafter, the Italian part became independent on July 1, 1960 and both parts formally were merged into the 'Somali Republic'. The first president was Usmaan and Shermaarke became the first prime minister. A coalition government was formed which was dominated by the SYL and supported by two clan-based northern parties the SNL (representing the Isaaq clan) and the USC.

One year later, in June 1961, the first national constitution was adopted following a countrywide referendum. A democratic state with a parliamentary form of government based on European examples was thus created. During the nine year period of parliamentary democracy freedom of expression was seen as a derivative of the traditional right of every man to be heard. In this period it looked like historical Somali values and Western principles seemed to coexist. Politics were seen as a domain which was open to all male members of society regardless their profession, clan or class. Women gained voting power in Italian Somaliland since the municipal elections in 1958, in former Somaliland this right was attributed in May 1963.

Politics became soon Somalis' most favorite sport and the dream of most nomads was the possession of a radio, which enabled them to keep them informed on political news. Nevertheless, political parties were a fluid concept, one-person political parties were formed before an election with the sole purpose of defecting to the winning party from that election. With the adopted national constitution the concentration of power was in the former Italian capital of Mogadishu and the central government was southern-dominated. The northern, former British-controlled part increasingly became disenchanted with the union.

From an institutional perspective the unified Somalia was nothing more than two separate countries with different administrative, legal, and education systems whereas affairs were conducted as per various procedures and diverse languages. Those cracks were also noticeable with regard to police, taxes, and exchange rates. Economic contacts between the two regions were virtually non-existent. To overcome these differences, the UN created in 1960 the Consultative Commission for Integration which was an international board established to assist the gradual amalgamation of the country's legal systems. Many southerners believed that their gained experiences under the Italian former rule made them better suited for self-government. The northern part was reluctant to recognize they now had to deal with Mogadishu. This was illustrated by the voting patterns with regard to referendum deciding on the adoption of the constitution. A overwhelming majority approved it in the south but in the north, less than fifty percent of the electorate was in favor.

The northern region had at its independence two big functioning political parties. The first was the SNL which represented the Isaaq clan and who had a numerical majority. The second one was the USP, largely supported by the Darood and the Dir. After independence the Isaaq became a small majority in contrast to the northern Darood who formed together with the Darood clan

members of the south a majority in the SYL. The Dir, having few clan members in the southern parts, were pulled on the one hand by the traditional ties to the Hawiye clan. On the other hand they were also attracted to the common regional sympathies they shared with the Isaaq clan members. The southern opposition party, the GSL which was pro-Arab and militantly Pan-Somali minded, quickly gained support of the SNL and the USP and formed an alliance against the SYL. The latter had adopted a more moderate stand before independence with regard to the Greater Somalia question. GSL leader Hussein tried in early 1962 to further exploit the northern dissatisfaction and tried to form a mixed party but his attempt failed. Soon after this event, an Igaal and another SNL minister of the north resigned from the cabinet and created a new party, the Somali National Congress (SNC) which quickly attracted widespread support from the north. Soon a SYL faction composed predominantly of Hawiye joined it and thus three truly national parties emerged in Somali politics and further served to suppress north-south differences.

In March 1964 the country had its first national elections after independence. The SYL triumphed and obtained 69 out of 123 parliamentary seats and the remaining seats were divided between a greater number of smaller parties thus enhancing the SYL victory since opposition was scattered. Unfortunately, despite of the good electoral result, it would take until September to have a government. President Usmaan appointed prime minister Abdirizaaq Haaji Hussein instead of the former incumbent Shermaarke. New leadership could bring fresh ideas for national problems according to President Usmaan. The new prime minister Hussein formed a government based on capabilities and neglected the place of origin of his ministers. This made that interparty relations were hindered and the unwritten rules that there should be clan and regional balance. The proposed cabinet failed to gain parliamentary trust but President Usmaan neglected the results and reappointed Hussein as prime minister. A new cabinet was proposed with all the same nominees of the previous list but three ministerial positions were added to soothe opposition. Finally, the Hussein cabinet was approved and remained in office until the presidential elections of 1967.

Shermaanke was eventually elected president in 1967 and was a fierce believer of militancy pan-Somalia in contrary to his predecessor and his prime minister who were more favorable for a more moderate view and who pressed for internal development. The new president appointed Mahammad Ibrahim Igaal as his prime minister. Igaal raised cabinet membership from thirteen to fifteen members and made sure representatives of each major clan were appointed and also some of the rival political party SNC. Without serious opposition of the National Assembly this new cabinet was accepted. The new prime minister had, despite of his president, a more moderated view on Pan-Somali nationalism and he desired an amelioration of the relationships with the neighboring countries and wanted to resolve social and economic problems. This moderate view quickly led to an amelioration of Somali-Ethiopian relationships but this had an antipodal result since the external enemy which had promoted internal political cohesion disappeared and now old clan rivalries became more prominent. The following elections in 1969 again gave power to the SYL but a number of groups within the Somali state were dissatisfied with the results. Amongst them was the military who did not engaged in politics since 1961.

Pan-Somali nationalism was the driving political ideology of the post-independence period. This is reflected by the constitution whereas the preamble mentions that 'The Somali Republic promotes by legal and by peaceful means, the union of the territories.' Also, ethnic Somalis regardless where they stay, were citizens of the republic. Somalia did not asked sovereignty over Somali inhabited areas but simply demanded the right to self-determination. This preoccupation

shaped the country's newly created institutions, led to the creation of a bigger army and eventually resulted in war with Ethiopia and struggles in the NFD in Kenya.

In 1961 the London talks decided on the future of Kenya. Somali representatives of the NFD plead for the separation of Kenya. The British commission investigated popular support for such a separation and the majority living in this region, namely Somalis and fellow pastoralists, the Oromo, almost unanimously supported the idea of succession. Albeit these results, the Kenyan colonial government did not take into account these findings and believed that the federal format which would be adopted in the Kenyan constitution would provide a solution. The claims were neglected and also the creation of a more federal state structure was nonexistent when in 1964 Kenya gained independence. This resulted in a growing hostility between the Kenyan government and the Somalis in the NFD. The Somalis comported a guerilla campaign against Kenyan police and army which would continue three years. They effortlessly adapted themselves to the life as 'shiftas' or bandits. Officially the Somali government denied Kenya's claims that the guerrillas were trained in Somalia, were equipped with Soviet arms, and were directed from Mogadishu. The only thing they could not deny was the Voice of Somalia radio influenced the level of guerilla activity since it broadcasts were beamed into Kenya. Mohamed Ibrahim Egal, the prime minister from 1967-1969 adopted a more moderate policy and renounced its claims on the Ogaden and the NFD. This resulted in a normalization of the relations with Kenya and a reconciliation with Ethiopia which has been seen as the traditional arch enemy since the sixteenth century. This reconciliation with Ethiopia angered a lot of Somalis, including significant parts in the army, and is seen as one of the triggers which led to the Siad Barre regime.

The relations with Ethiopia quickly deteriorated after gaining independence. The Somalis refused to acknowledge the validity of the Anglo-Ethiopian Treaty of 1954 which recognizes Ethiopia's claim to the Haud. More in general, the relevance of treaties settling Somali-Ethiopian borders was contested since: first of all, the treaties neglected agreements made with the clans that had put them under British protection; secondly Somalis were not consulted on the terms of the treaties and in fact had not been informed of their existence; thirdly, such treaties were a violation of the self-determination principle. Soon incidents in the Haud started to occur and hostilities began to grow steadily and finally erupted in a Somali-Ethiopian border conflict. Three months later with help of Sudan mediation, and which was acting under the auspices of the Organization of African Unity (OAU), the hostilities seized. Finally, a demilitarized zone of ten to fifteen kilometers wide was established on each side of the border. Temporarily, further military clashes were prevented.

As a result of the previous two described events, Ethiopia and Kenya signed a mutual defense pact which called for the coordination of the armed forces of both states in the light of an attack. They both perceived a continuing threat from Somalia and in the future the pact was renewed, respectively in 1980 and 1987. Most OAU members were alienated by the Somali claims and actions and Somalia challenged by its actions two of Africa's most powerful elder statesmen, namely President Jomo Kenyatta of Kenya and Emperor Haile Selassie of Ethiopia.

The relationships of the Somali leaders with the West were mainly favorably towards Western democracies, particularly Italy and Britain. This can be explained since many of them were educated in the political traditions of those countries. Even after the independence the Somali-Italo relations remained good. Nevertheless a significant part of the Italian settlers left Somalia,



the remainders still dominated many of the country's economic activities. Italy was an important market for Somalia and it was with the help of Italy that Somalia became an associate of the European Economic Community (EEC) which resulted in preferential status for Somali exports in Europe. In contrast, the relationship with Great-Britain became hindered due to the British attitude vis-à-vis the Kenya NFD dossier. Likewise, the diplomatic ties with France were severed because of opposition against the French presence in the Territory of the Afars and Issas (which are formerly French Somaliland). The United States supplied nonmilitary aid to Somalia but regardless of this support, Somalis only resented the massive military aid to Ethiopia. As a reflection of its desire to demonstrate self-reliance and nonalignment, the Somali government began to establish ties with the Soviet Union and China soon after independence.



### Coup d'Etat and the Siad Barre era

In October 15, 1969 an event would eventually lead to a coup. On that day, president Shermaarke was killed by one of its bodyguards while prime minister Igaal was out of the country. According to the assassin he was been badly treated by the president. Igaal returned to Mogadishu and selected a new president which had to be approved by the National Assembly. Eventually he chose a member of the Daarood clan. The previous president was from the same clan. A group of army officers in particular found this appointment not sufficient to improve the country's situation. When it became clear that the National Assembly would support Igaal's choice, army units, in cooperation with the police, took over strategic points in Mogadishu on October 21, 1969. The civilian government was disposed and army commander Major General Mahammad Siad Barre assumed leadership over the officers who conducted the coup. The Supreme Revolutionary Council (SRC), which was the new governing body, installed Siad Barre as its president. Under the new regime, political parties were banned, the National Assembly was dissolved, and the constitution was suspended. Also, leading members of the previous government, including Igaal, were arrested and imprisoned. In the new regime the main goals consisted out of 'tribalism, nepotism, corruption, and misrule'. The country was renamed 'The Somali Democratic Republic'.



The military coup retroactively defined its action as a Marxist revolution which not only installed a new political order but also proposed a radical transformation of the Somali society by the application of 'scientific socialism'. A new ideology was created which was based on both the Quran as well as on Marx and cleared all civilian officials who were according to them no susceptible to 'reeducation'. Somalia became according to Siad Barre a socialist state and tribalism was seen as equal with class in a society struggling to liberate itself from the distinctions imposed by lineage group affiliation. The official ideology would consist out of three elements: firstly Siads Barre's own conception of community development based on the principle of self-reliance; secondly a form of socialism based Marxism; and lastly Islam. Still,

Siad Barre adopted a pragmatic approach since 'Socialism is not a religion but a political principle'. Siad Barre became the Somali strongman, spokesman for the revolution, and leader of its government. Besides the Marxist ideology the personal power of Siad Barre played a role. He was the 'Victorious Leader' of 'Guulwaadde' and cultivated the growth of a personality cult. Despite the ideal to eliminate clan politics the government was commonly referred to as the 'MOD' which stood for Mareehaan (the clan of Siad Barre), Ogaden (the clan of Siad Barre's mothers) and Dulbahante (the clan of Siad Barre's son in law). These three clans formed the inner circle of the government. Half of the SRC members for example were from the Darood clan since the Mareehaan, Ogaden and Dulbahante were part of this clan. The Digil and Rahanwayn were totally underrepresented.

The SRC wanted rapid economic and social development through the use of 'crash programs', efficient and responsive government, and the creation of a standard written form of Somali as the country's single official language. Continuation of regional détente was essential in its foreign policy but this meant by no means that the Somali claims to disputed territories were neglected. The SRC monopolized the executive and legislative authority but Siad Barre filled a number of executive posts. His personal authority and his ability to manipulate clans were more important than the titles he obtained. Military and police officers headed government agencies and public institutions and thus supervised economic development, financial management, trade, communications, and public utilities. Reorientation courses for civil servants were organized where professional training and indoctrination were combined. Special tribunals, called National Security Courts (NSC), were set up in 1970 and operated outside the ordinary legal system. They had the main task of being watchdogs against counterrevolutionary activities. The new regime extended the death penalty and prison sentences to individual offenders and being collectively responsible through the 'diya' was eliminated.

The SRC broke up the old regions into smaller units and thus intended to destroy the influence of the traditional clan assemblies, and so bring government 'closer to the people'. The new government wanted to eliminate the solidarity of the lineage groups and tribalism was condemned as the most serious obstruction to national unity. Tribalism was seen by Siad Barre as the main disease who obstructed development, not only in Somalia but in the whole of the Third World. Prison terms and fines were established for a whole range of proscribed activities classified as tribalism. Community affiliation rather than lineage identification was advocated, and traditional headmen were replaced by reliable local dignitaries appointed by Mogadishu who served as peacekeepers (also named 'nabod doan') and represented government interests. The government resettled 140,000 nomadic pastoralists in order to increase production and assert control over them. They were placed in farming communities and in coastal towns, there they were stimulated to engage in agriculture and fishing. Clan solidarity was also neutralized since nomads were torn from their original lands they claimed. Although real improvements in living standards were achieved, the desire to return to the nomadic life persisted.

The official use of foreign languages was seen as a threat to national unity, and one of the means of social stratification. To prevent this, the adoption of a standard orthography of the Somali language was created so Somali would eventually become Somalia's official language. In 1972 and 1974 massive campaigns to achieve a 'cultural revolution' who would made the population illiterate were launched. Despite the efforts, the UN estimated in 1990 that the Somali literacy rate was only 24 percent.

In the beginning Siad Barre adopted a more moderate view on foreign policy but gradually, his attitude would become increasingly radical. In 1974 a treaty of friendship and cooperation with the Soviet-Union was concluded. Tensions began to increase in the Somali-Ethiopian regions and these were further spurred when the Mengistu Haile Mariam regime in Ethiopia gained power in 1973, which turned increasingly toward the Soviet-Union. The Western Somali Liberation Front (WSLF) began guerilla activities in the Ogaden region during the midst seventies. The Ethiopian Emperor was overthrown in 1975 and two years later, Somali troops invaded the Ogaden region and thus attempting for the second time to recuperate the Ogaden. In the beginning it looked like the Somali attempt would be successful but due to a shifting alliance from Ethiopia which became an ally of the Soviet-Union, Somalia's luck was shifting towards defeat. The Soviet-Union supplied the Ethiopian army with 10,000 à 15,000 Cuban soldiers and eventually the 1977-1978 Somali-Ethiopian war was won by the latter. The Ogaden war and the significant refugee influx made Somalia dependent on humanitarian handouts to survive economically. Also, due to the defeat, a mood of depression emerged domestically which gave birth to organized opposition groups. Whilst dealing with them, Siad Barre intensified his political repression through the use of detentions, torture, and executions of dissidents and collective punishment of clans of which was believed they were engaged in organized resistance.

As a result of this defeat, Somalia became an ally of the United States of America and abandoned its socialist ideology. Soon Somalia was seen by the United States as a partner in defense in the context of the Cold War. In 1980 this resulted in an agreement which gave U.S. forces access to military facilities at the northwestern port of Berbera.

The regime's insecurity was considerably increased by repeated forays across the Somali border in the central and northwest areas. In July 1982 Somali dissidents with Ethiopian air support invaded Somalia in the center. The Siad Barre regime declared a state of emergency in the war zone and asked help from the West. The United States responded with light arm supplies, and economic and military funding. The new arms were not used to fight the Ethiopians but had the sole purpose to repress Siad Barre's domestic opponents. As a result of the internal repression and the continuing border war, the regime's position further eroded. This was even worsened by the decision of the WSLF to temporarily halt military operations against Ethiopia since a serious drought was ravaging the Ogaden, and a serious split within the WSLF. Another powerful group led by Hassan Dahir 'Aweys' emerged in the early 1980's in the Ogaden region, Al-Ittihad Al-Islamiya. This was a coalition of two groups, 'Wahdat al-Shabab al-Islami' and al-Jama'a al-Islamiya. They were influenced by the Saudi-Arabian Salafi Islam, combining teachings of the Muslim Brotherhood and Wahhabi militancy, and were determined to establish an Islamic emirate in Somalia which would be expanded to the rest of the Horn of Africa.

Economically the situation also deteriorated and the IMF, UNDP, and the World Bank repeatedly insisted in 1983-1987 that the Somali economy would become liberalized. Somalia was urged to create a free market system which and devalue the Somali shilling so that its official rate would reflect its true value.

As a response to the shrinking popularity and armed internal resistance, Siad Barre unleashed a reign of terror against the Majeerteen, the Hawiye, and the Isaaq. Those raids were carried out by the Red Berets (Duub Cas), an elite unit from the president's Mareehan clansmen. In the beginning of 1986 it seemed as Siad Barre again regained grip on power. Unfortunately for him, he was seriously injured by a car accident, although he recovered from this event it gave birth to

a power struggle amongst senior army commandants, elements of the president's Mareehaan clan, and related fractions. This power struggle brought the country practically to a standstill. The dreaded Red Berets unleashed a campaign of terror and intimidation in November 1986. Ministries began to function less and less, and ministers and bureaucrats began to plunder what was left of the national treasury after it had been repeatedly skimmed by the top family of Siad Barre. Due to brutal suppression of the population, and a political weak and divided political opposition divided along clan lineages which Siad Barre skillfully exploited it seemed as if Siad Barre was invulnerable well into 1988. The genocidal policies were mainly directed towards the Majeerteen (part of the Dardood clan), Isaaq clans, and Hawiye. The alienation of the Hawiye and their subsequent organized armed resistance would eventually lead to the regime's downfall.

The roots of the collapse of the Siad Barre regime were formed during the late 1970s and beginning of the 1980s when Siad Barre began violently to suppress various opposing clans, and the defeat in the Ogaden war. The first which was created was the Somali Salvation Democratic Front (SSDF) which consisted out of dissatisfied army officers. The Somali National Movement (SNM) was a reaction on the growing northern discontent and was comprised of mainly Isaaq, and had a central objective, namely to overthrow the Siad Barre regime. Also, the Hawiye clan began to organize its opposition into the United Somali Congress (USC) in January 1989, the military wing was lead by Mahammad Farah Aideed, a former political prisoner during 1969-1975. Aideed formed political alliances with other opposition groups, including the SNM and the Somali Patriotic Movement (SPM), an Ogadeen sub-clan force. By the end of the 1980's the armed opposition against Siad Barre in the northern areas was fully operational and then spread to the central and southern regions. This resulted in a massive exodus of Somali refugees who claimed refugee status in the neighboring countries. The Somali army disintegrated and members ultimately rejoined their respective clan militias. Siad Barre eventually controlled the surroundings of Mogadishu which resulted in the withdrawal of external assistance and support, including that of the United States. USC and SNM forces advanced to Mogadishu and Siad Barre declared a state of emergency. Finally, in January 26, 1991, armed opposition fractions drove Barre out of power, and Barre later died in exile in Nigeria.

#### The end of the Siad Barre era: from dictatorship to war

One of the immediate events which occurred when the Siad Barre regime came to an end, was the creation of the independent 'Somaliland Republic' on May 17, 1991. The SNM was responsible for the independence declaration and a bicameral government was installed. Still, it has failed to secure international recognition although in effect it has seceded from Somalia.

After the collapse of the Siad Barre regime there was the disappearing of anything that even remotely resembled a functioning government in Somalia. The unbridled political opportunism of the 1960 quickly reemerged with a vengeance. Despite that the USC succeeded in capturing Mogadishu, it was unable to contain the ensuing chaos and anarchy as a result of continuous fighting of various Somali groupings seeking to control the national territories. To date, at least fourteen attempts were made to reconstitute a central government.

The first ones were the Djibouti I and II processes. Under the auspice of President Hassan Guled Aptidon of Djibouti, backed by Egypt, Italy, and Saudi-Arabia the various movements such as the SPM, USC, SSDF, and the SDM were tried to be brought together. The USC of Aideed was not

willing to attend the meetings and rejected the whole Djibouti peace process. Since the USC unilaterally appointed Ali Mahdi as new interim president of Somalia on January 29, 1991 this was seen by the other parties as a power grab and thus resulted in fighting between these groups. Another party who was not willing to participate in the Djibouti peace process was the Somalia National Movement (SNM). Due to the fact that two major players in the conflict were absent, the Djibouti peace processes were stillborn. In the meantime, Al-Ittihad al-Islamia was dispersed in the Ogaden region and gradually became more and more militant which would eventually result in an armed conflict with Ethiopia. Ties with militant Islamist groups, including Al-Qaeda members based in Afghanistan and Sudan, were established.

After the failed Djibouti I and II processes, an USCN resolution 733 was adopted on January, 1992 which imposed an arms embargo on Somalia. Soon USCN resolution 746 followed on March, 1992 which created the UNOSOM who had to safeguard the humanitarian efforts led by the UN. Soon UNOSOM I was created by USCN resolution 751 which was strengthened by UNSC resolution of 767. This UN mission had to address the famine in Somalia but was ineffectual, by 1992 almost 4,5 million people, which was more than half the total number in the country, were threatened by starvation, severe malnutrition and related diseases. Overall, an estimate 300,000 people left their lives in that year. Some two million people were displaced and fled within or outside Somalia. As a response to the inefficient UNOSOM I mission, the UNSC created resolution 794 which called for the use of all necessary means to guarantee a safe environment to make it possible to deliver humanitarian

aid in Somalia. It asked the member states for military forces and cash to do so. The United States responded to create UNITAF (United Task Force) whereas the American contribution was called 'Operation Restore Hope'. It deployed on the beaches of Mogadishu on December 9, 1992. During the operation, the central objective was to secure major air- and seaports, key installations, food distribution points, and providing open and free passage of relief supplies.



Along the United States were expected to build up an approximately 28,000 personnel force whereas 17,000 UNITAF troops from twenty four countries would be contributed. Those countries were Australia, Belgium, Botswana, Canada, Egypt, France, Germany, Greece, India, Italy, Kuwait, Morocco, New Zealand, Nigeria, Norway, Pakistan, Saudi Arabia, Sweden, Tunisia, Turkey, United Arab Emirates, United Kingdom and Zimbabwe.

Still, the American intervention angered Somali militia's and resulted in the infamous 'Black Hawk Down' incident. In October 1993, during a raid to capture Aideed of the USC who was in control of Mogadishu, Americans were confronted with severe resistance which ultimately led to the crash of two 'Black Hawk' helicopters. In the following battle eighteen US army rangers and hundreds of Somalis were killed. After this unfortunate event and traumatized by the images on international television where dead American soldiers were dragged into the streets of



Mogadishu, the United States rapidly pulled their troops out of Somalia. UNITAF was transformed by the UNSC resolution 814 into UNOSOM II on March 26, 1993 but only became effective when the UNITAF dissolved in May 4, 1993. On 9 October 1993, USC/SNA declared a unilateral cessation of hostilities against UNOSOM II forces. After this declaration the situation was generally quiet, but Mogadishu remained tense and, in the capital and elsewhere, major factions were reportedly rearming, in apparent anticipation of renewed fighting.

During this period two declarations were made to restore peace in Somalia. The first was the 'Addis Ababa agreement' which was hosted in Ethiopia in 1993. During this conference national reconciliation was the main goal between fifteen political movements. Due to the fact that general Aideed did not want to cooperate in the implementation of the Agreement, it eventually failed. Secondly, the 'Nairobi declaration' in 1994 brought Aideed of the USC and Mahdi of the SSA together and both signed the document which stated that a declaration of national reconciliation would be created and they would abjure from any of violence as a means of resolving conflicts and committed themselves to implement a ceasefire and voluntary disarmament. They also agreed to restore peace throughout Somalia, giving priority wherever conflicts existed.

The UNOSOM II mandate ended in March 1995 but did not imply that the U.N. abandoned Somalia. Various U.N. agencies and organizations, NGO's were still active in the field where they focused on rehabilitation, recovery, and reconstruction. Where necessary they would provide emergency relief. Still, due to the ineffective efforts of the Somali leaders themselves with regard to the security questions, the attempts of the U.N. were not successful.

In 1996 the present government of Somalia who did not recognize the independence of the 'Somali Republic' tried to reoccupy the territory but this attempt failed.

A year after the withdrawal of the UNOSOM II mission, the twenty six clans were brought together in Sodere, Ethiopia. Under the mediation of Ethiopia, which was mandated by the OAU and IGAD, the twenty six clan leaders signed a reconciliation agreement called the 'Joint Declaration' on January 3, 1997. On the one hand it was a success since it brought virtually almost all clan leaders together, it was the first constructive dialogue among the paramount Somali political players, and the declaration was based on the principles of power sharing and inclusiveness. The establishment of a National Salvation Council (NSC) which would be transformed in the long run into a Transitional Central Authority (TCA) or a Provisional National Government (PNG) was the greatest highlight. Regretfully, the previously faction led by Aideed (who was killed in 1996) was not represented and when the NSC was created this was not on Somalia territory. The latter is important since it was rapidly seen as an instrument of Ethiopia and thus its authority was undermined. A final fact that made the Sodere process less successful was that at the same time, Egypt, tried to mediate in the Somali conflict. This Cairo agreement hijacked the Sodere process, only included three warlords (Ali Mahdi, Osman Ali 'Atto' and Hussein Mohammed Aideed, son of Mohammad Aideed), and it perceivably strengthened the position of the Hawiye and weakened the Darod clan. Ethiopia also confronted the continuing threat of Al-Ittihad al-Islami. Allegations were made by Ethiopia that Al-Ittihad al-Islami provided training for Islamist guerilla's from Somalia, Ethiopia, Eritrea, Kenya and Uganda. Soon, Al-Ittihad was dismantled by Ethiopia and the Somali bases were destroyed. Although the organization was trimmed, its leaders returned to Mogadishu where they eventually would create an even more militant movement which would be linked to the global Jihadist movement.

Puntland, situated in the northeast region of Somalia, made in July 1998 a declaration proclaiming that it was from then on an 'autonomous state' under the leadership of Abdullahi Yusuf who later would become the first president of the TFG. From that time on Puntland was locked in a border dispute with Somaliland over control over the Sanaag and Sol regions.

In 1999 a new attempt was undertaken by Djibouti to bring peace in Somalia. Again a national reconciliation conference was organized, but contrary to the other attempts, this was the biggest. The Arta process brought together some 3,000 Somalis. Not only political parties were represented at this conference but also the civil society and traditional leaders were included. A Transitional National Assembly (TNA) was elected by the conference and a Transitional National Government (TNG) which lasted three years, up to August 2003. This TNA would soon experience obstruction by the only group who was not included in the process, namely the armed groups. Also, the mistrust by Ethiopia hindered an effective implementation of the Arta process. Soon Ethiopia would gather all opposition against the TNG and the Somalia Restoration and Reconciliation Committee (SRRC) originated. The underlying idea of Ethiopia aimed to keep the Somali people divided and weak so that a potential threat of Somalia would be eliminated. By 1999, the Islam Courts Union (ICU) gained power within Somalia and became the only recognizable source of security for the areas which it controlled. Since the clan-based militias failed over and over to surpass their differences this created a vacuum for this organization. It originated after the collapse of the Siad Barre regime but gained significant power at the end of the nineties. By offering an alternative court and police system, ending the chaos in the surrounding areas of Mogadishu, and providing public services it brought some kind of order. Soon the ICU established a strict variant of the Islamic Sharia. The ICU leadership was composed out of a moderate faction lead by Sheik Sharif Sheik Ahmed and a more radical faction under the leadership of Hassan Dahir 'Aweys'.

In 2002 Kenya made an attempt to bring together the TNG and the opposition but this attempt failed. A declaration to end the hostilities was signed but this was stillborn. One year later a new constitution was also created in Kenya, namely the Transitional Federal Charter.

The Nairobi process in 2004 gave birth to the Transitional Federal Government (TFG), it was a



result of protracted talks by a wide array of various Somali factions and facilitated by the IGAD. Its composition used the '4.5 formula' which meant that power had to be shared between the four main clans of Somalia: the Hawiye, Darod, Digil-Rahanweyn, and Dir. Minority clans modeled the 0.5 part. Unfortunately, the TFG was not able to control the country and the TFG was internally divided

between the President Abdullahi Yusuf backed by his Prime Minister Ali Mahammad Ghedi and parliamentarians and cabinet members based in the capital and were Hawiye clan members. The latter were opposing the desire of the President to let the TFG operate from Jowhar and Baidoa since the security in Mogadishu was insufficient and to invite an international peacekeeping force. Since the precarious security situation in the country the IGAD decided to support the TFG with a peace support mission, IGASOM (IGAD Peace Support Mission). From the beginning this mission was not very successful since the IGAD lacked funding for such kind of mission and member state Eritrea was opposing the deployment of troops since it was in tense relations with

Ethiopia after the 1998-2000 war. IGASOM never was able to deploy its troops. Besides the birth of the TFG another organization, who would play a significant role in the coming years, saw the light. The group's core leadership consisted out of former al-Ittihaad al-Islamia (AIAI) members and young Mujahideen who were the elite police and militia forces of the ICU. Its name was 'Harakat Al-Shabaab al-Mujahideen', which means 'Movement of Warrior Youth' (hereafter referred 'Al-Shabaab') and became a part of the ICU.

Besides the birth of these two new players, the ICU, under the leadership of the moderate Sheikh Sharif Sheikh Ahmed and the more radical Hassan Dahir 'Aweys', further gained in 2006 power since it successfully defeated the Alliance for Restoration of Peace and Counter Terrorism (ARPCT). The ARPCT which was backed financially by the United States and had the primary goal to detain foreign terrorists who were responsible for the 1998 US embassy bombings in Nairobi and Dar-es-Salaam and who were allegedly hiding in Somalia. The ICU reopened the port of Mogadishu, provided some basic civil services, and overall improved the security and economic situation in Mogadishu. Despite these positive evolutions, the ICU installed a strict Islamic code and were opposed against 'un-Islamic behavior'. These evolutions made that the TFG supported an international peacekeeping mission in its country and the AU proposal to establish a peace support mission in Somalia and a change in the arms embargo was backed by the UNSC. AMISOM (The African Union Mission to Somalia) would be deployed in Somalia for a period of six months. Neighboring country Ethiopia was not pleased with this emergence of the ICU since it feared radical elements in their midst and were reluctant to have a strong Islamic state at their borders. Also, the idea of a 'Greater Somalia' which was again brought up by ICU leaders, aggravated the situation and Ethiopia, probably backed with help from the United States, would react. The combined forces of Ethiopia and the TFG relatively quickly defeated the ICU (which was reportedly backed by Eritrea) since it was, besides from Al-Shabaab, fairly weak on the military level. By the beginning of 2007, the last ICU stronghold, the city of Kismayo, was captured, ICU leaders were scattered, arrested or killed. This intervention made it possible for the TFG to leave the town of Baidoa and to install itself in Mogadishu. The TFG requested the Ethiopian troops to stay in Somalia to help them install law and order. Ethiopian troops would remain until 2009 in the country. Also, the AMISOM mission which was on February 20, 2007 officially authorized by the UNSC, would provide the necessary backing of the TFG. By March 2007, the only two member states who had provided troops were Uganda and Burundi which provided 2710 of the envisaged 8000 troops.

After the defeat of the ICU its leaders regrouped themselves in Eritrea and Yemen and was reconstituted into the 'Alliance for the Re-Liberation of Somalia' (ARS) in September 2007. This group's leadership consisted of Sheikh Sharif Sheikh Ahmed, Sheikh Aweys, disaffected TFG parliamentarians, and Diaspora representatives. During several rounds of talks who were organized in Khartoum, some were hoping that the more moderate faction of Sheikh Sharif Sheikh Ahmed would engage in a dialogue with the TFG. Hardliners of the former ICU were undermining the talks and eventually a part of the ARS (ARS-Djibouti aka ARS-D) would continue negotiating with the TFG. Another part, the ARS-A (ARS-Asmara) led by Sheikh Aweys stayed away from the Djibouti Peace progress. On the other hand, the defeat of the ICU created the possibility for Al-Shabaab in 2006 to further deploy itself. Al-Shabaabs first leader Aden Hashi Frarah 'Ayro' was appointed by Sheik Aweys when Al-Shabaab was still part of the ICU. The ideology of Al-Shabaab became even more militant than the views expressed by Sheikh Aweys, since they also want to create an Islamic Somalia, wage Jihad against

Westerners/enemies of the Islam, and want to impose even a more puritan form of Sharia across Somalia.

In August-September 2007 the TFG developed a plan which envisaged opening up of all inclusive talks without preconditions with Islamist opposition which would lead to an eventual power sharing formula, the full decoupling of the Ethiopian troops, ending of the hostilities and a ceasefire, disarmament, demobilization and reintegration of militias. This was the basis for further talks between the TFG and the ARS-D, and the talks became known as the UN led Djibouti peace process for Somalia. The main goal of these rounds of talks was to establish a powerful alliance in Somalia capable to control the territory, marginalize the radical elements and stem the tide of Islamic militancy. In the first round of talks which started in May 9, 2008 the ARS-D position was fourfold: they wanted a clear timetable for the Ethiopian pullout which was guaranteed by the international community; accountability for war crimes, justice, compensation, reparation; a multinational peacekeeping force with predominantly Muslim troops; and a power-sharing deal which had to be discussed after the Ethiopian troops pulled out. The TFG on the other hand insisted on: the recognition of being the legitimate and internationally recognized government; and opposition must lay down its arms and renounce all forms of violence. The first round of talks failed since both sides made claims and counterclaims whereas the ARS-D stated that it controlled 95 percent of the Somali territory and thus had a greater legitimacy which was then countered by claims of the TFG who stated they were the constitutionally legitimate government. The second round of talks created the 9 June agreement where both parties agreed to end the all armed confrontations; achieve a political solution for durable peace; promote a peaceful environment; avoid a security vacuum; facilitate the protection of the population and provide unhindered humanitarian assistance; and lastly called for the establishment of a reconstruction and development conference. Also, two committees were established. The Joint Security Committee (JSC) responsible for the follow up of security issues and the High Level Committee (HLC) which had the task to monitor the political cooperation between the parties. In the mean time, Somali discontent with the presence of Ethiopian troops on the territory was growing. Round three in October 26, 2008 eventually led to the 26 October Joint Declaration which envisaged a ceasefire and the relocation of Ethiopian troops and in order to obtain these goals, the creation of a 10,000 strong joint ARS-D/TFG police force trained and equipped by the international community was preconceived so that the security vacuum that would exist after the withdrawal of the Ethiopian troops would be filled. After this agreement, Ethiopian troops gradually began to withdraw from the cities Beledweyne and parts of Mogadishu. In the last round of talks, the High Level Committee (HLC) agreed on guiding principles to form a framework in order to establish a unity government and an inclusive parliament. The issue of impunity was addressed, there was agreed to enlarge the parliament by an extra 275 seats whereas 200 would be reserved for ARS-D parliamentarians and the rest were allocated to civil society members. This enlarged parliament had to elect the new leaders and finally there was the extension of the transitional period by two years. The incumbent President Abdullahi Yusuf viewed this agreement with suspicion since he feared the presidential control would be undermined by it and his impeachment would become a reality. This attitude led to intra-TFG conflicts and eventually the 'Addis Ababa Roadmap' tried to find an agreement between the quarrelers. This agreement did not work out and made IGAD call them to order. Despite a stern declaration of the IGAD, the disagreements between President Yusuf and Prime Minister Nur Adde continuously aggravated which resulted in a deterioration of the security situation in the country. The IGAD council then agreed to impose sanctions including

travel bans, freezing assets of all, regardless they are in or outside Somali territory, who obstruct the peace process. Soon the UNSC adopted UNSC resolution 1844 on November 20, 2008 and also the AU decided on December 22, 2008 to do the same. These actions had no result on the intra-TFG conflicts and soon it became clear that President Yusuf had to go since he was an obstacle to achieve a peaceful Somalia, failed to meet his obligations and acted in a belligerent manner. Eventually President Yusuf resigned and a new president had to be elected within the stipulated thirty days.

#### Present day situation in Somalia

Due to the squabbling within the TFG and the continuous presence of Ethiopian troops, Al-Shabaab was able to control a large part of southern Somalia and most of Mogadishu in 2008. It used the presence of the Ethiopian troops as a rallying cry to attract more followers. Also, due to the imposition of fear, repression, and violently-imposed Islamisation it was able to control several areas. Current estimates of Al-Shabaabs armed strength ran from 3,000 à 7,000 but it has to be taken into account that on a short period of time Al-Shabaab can mobilize large numbers of fighters. Most of these fighters are Somalis who never left the Somali territory. On the other hand, it is difficult to make a division between foreigners and local Somali fighters since various degrees exists. There are Somalis who were born across the borders of neighboring countries and adopted the nationality, others are born in Somalia but have grown up in the Diaspora and now carry a foreign passport and lastly there are the foreign fighters who have no Somali ethnic connection. Estimates of the number of foreign fighters with no Somali ethnic connection and foreign passports totaled between 800 and 1,100. Roughly there are probably between 200 and 300 non-Somali foreign Jihadis fighting alongside Al-Shabaab. These non-Somalis come primarily from Kenya's Swahili coast, Pakistan, Bangladesh, India, Afghanistan, Yemen, Sudan, Tanzania, Uganda and Saudi-Arabia. Al-Shabaab is organized in three layers: the top leadership which is called 'qiyadah', the foreign fighters or 'muhajirin' and local Somali fighters 'ansar'. The 85 member executive council of Al-Shabaab includes 42 Somalis and 43 foreigners. The foreigners in Al-Shabaab are the primarily link between Al-Shabaab and al-Qaeda and are reportedly exerting a growing influence on the Al-Shabaab.



The UN Djibouti led peace process was the fifteenth attempt to create a working Somali government. According to the Djibouti agreement of November 26 the new president had to be elected by the new extended parliament. To do so, the original parliament had to amend the existing Transitional Federal Constitution to make the enlargement of ARS-D members possible. The United Nations Political Office (UNPOS) on Somalia organized charter flights to bring the original members of the parliament to Djibouti. This happened since the security situation in Baidoa was not favorable and Al-Shabaab was in control. In Djibouti the parliament was thus



extended and its mandate was prolonged until 2011 and ARS-D members were sworn in. There were ultimately eleven presidential candidates, two of them were Nur Hussein Adde and Sheikh Sharif. After two rounds Sheikh Sharif was elected with 293 votes, 126 votes went to Masla Siyaad and two votes were spoiled. Three observations can be made, it was a transparent process, Sheikh Sharif obtained more votes than there were ARS-D parliamentarians, and finally, Nur Adde was the biggest loser in these elections since he had too moderate views on almost every political issue. So in January 2009 Sheikh Sharif Sheikh Ahmed succeeded Abdullahi Yusuf as

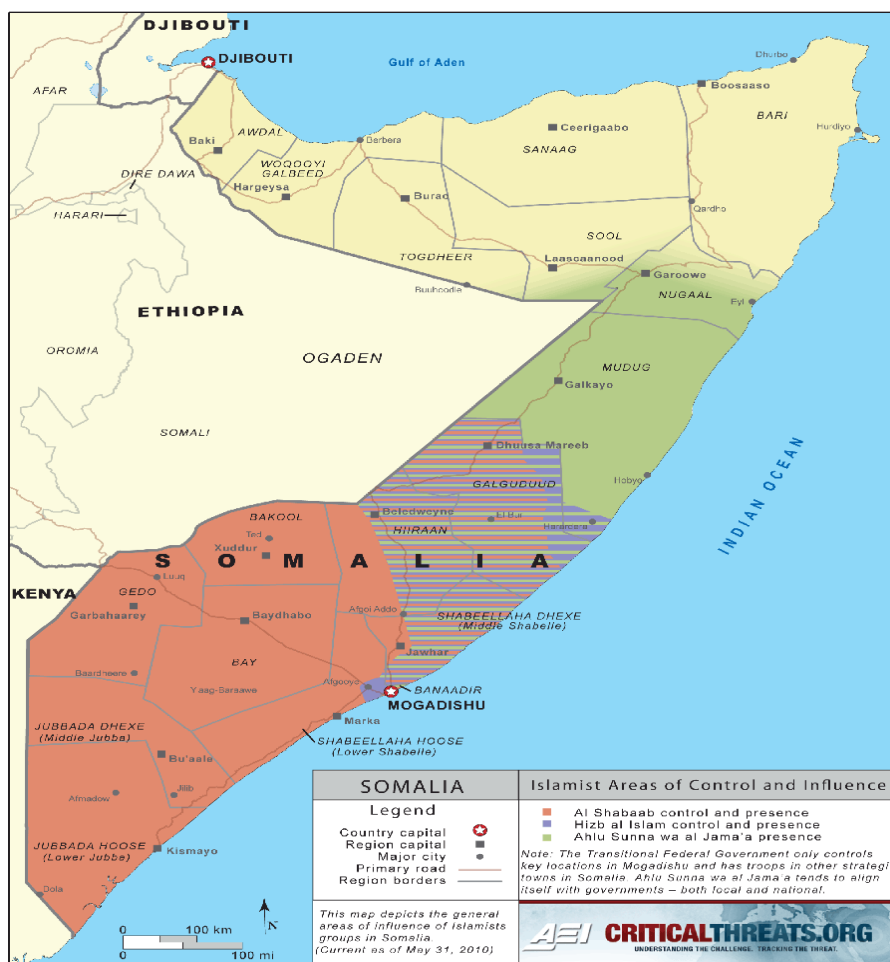
president of the TFG. In the beginning of his first presidential term Sheikh Ahmed was confronted with a country whereas several Islamic insurgent groups endangered security, and an own limited territory. Besides this he had to resume the constitutional process, draft citizenship law, make senior level appointments in a revived judicial system, install an independent central bank, utilize port revenues so that he could create public service delivery, and close political alliances with the regional Puntland authorities and other militias who are opposing the insurgent groups. Regardless these ambitions, most of them have been only realized on the drawing board and until date the TFG still does not have a functioning, cross-clan military force, let alone a police force, a functioning judicial system, the provision of basic civil services and essential social services. The parliament meets infrequently and the existence of the TFG entirely depends on the provided aid by the AMISOM mission. By no means the TFG itself is a united institution since Sheikh Sharif has not emerged as a strong leader, and much of its power is wielded by his subordinates.

With the inauguration of President Sheikh Ahmed and the creation of the new TFG cabinet a new insurgent group emerged, Hizbul al-Islamia. It is an amalgam of four different movements which existed already in the past: the ARS-A fraction led by Aweys, the Somalia Islamic Front (SIF) led by Aweys military protégés, the Ras Kamboni group in Lower Juba, and finally the very small Anole faction led by Darood-Harti clan interests in Lower Juba. After the initial ARS split up in 2007 into the ARS-D and ARS-A Sheikh Aweys regrouped himself in Eritrea to form an opposition party in exile. When the Ethiopian troops left Somalia and Sheikh Ahmed was elected president Sheikh Aweys was determent to combat against the TFG and returned to Somalia and thus formed Hizbul al-Islamia in early February 2009. Hizbul al-Islamia controls some southern parts of Somalia. The main difference with Al-Shabaab is that Hizbul al-Islamia incorporates clan interests and has not adopted an international jihadist mission. Despite the fact Sheikh Aweys pledged allegiance to Osama Bin Laden and Al-Qaeda on various occasions, Hizbul al-Islamia is less infatuated by foreign Al-Qaeda jihadists than Al-Shabaab. Reportedly, Hizbul al-Islamia has merged with Al-Shabaab.

A moderate Islamic grouping emerged and took up the arms against Al-Shabaab, it called 'Ahlu Sunna Wal Jama'a' (ASWJ). The immediate cause to do so was the destruction of tombs of Sufi saints. Since ASWJ adopts a more moderate view they are opposed against laws banning music and khat; and hard line capital punishment, limb amputations and stoning. They were victorious in central Somalia and also control the majority of southern Mudug, Gedo and Galgaduud and parts of Hiiraan, Middle Shabelle, and Bakool. Officially the ASWJ forms an alliance with the TFG

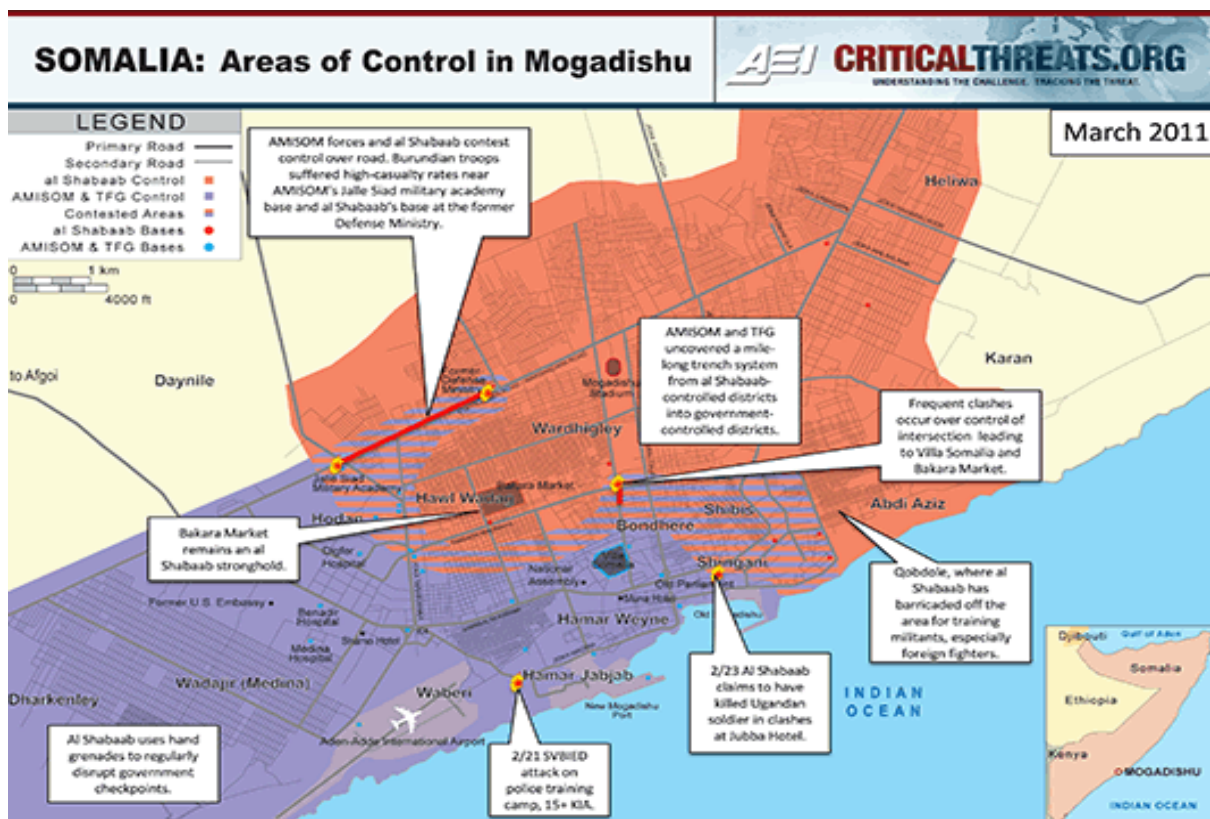
but in Somali politics, alliances are fluid and can quickly shift.

This is also illustrated by the TFG who has a limited base of clan support which is essential in Somali politics. The key Hawiye sub clans who dominate Mogadishu are split internally between three parties: those who support the TFG, those who don't and are favorable towards the insurgency groups, and most likely the majority who shifts alliances between the previous according one of them is on the winning hand. In the Juba Valley, the Darood sub clans experience



the same division between pro and contra TFG groups. The southern agricultural regions of Bay and Bakol are dominated by Rahanweyn clans that have done little efforts to resist to the Al-Shabaab domination in their region. On the other hand, in central Somalia sub clan based militias have emerged, many of them using the name ASWJ but this not necessarily means they fully support the TFG despite recent political agreements. Lastly, the Isaaq of the northwest and Darood-Majerteen of the northeastern areas are respectively focusing on control over the Somaliland and Puntland governments.

The above fluidness of alliances is also illustrated by Al-Shabaab's rank-and-file militia and local clan partners who apparently have even less loyalty to the overall cause of Al-Shabaab. Many of these only join Al-Shabaab for parochial reasons such as gaining short-time primacy in long-running struggles with others for local control; the financial incentives it offers (this could range from \$200 to \$300 at the time of recruitment); and for offers for food and clothing, or individuals could be simply forced to join whilst Al-Shabaab threatens the family.



Thus, the Djibouti process only created a government which is basically unable to exert control over its territory let alone to provide security. Its control is limited to Villa Somalia, the presidential seat, in Mogadishu and six of the sixteen surrounding districts. It is only by the backing of AMISOM forces that they are able to resist the pressure of Al-Shabaab and other insurgent groups.



southern Bakool, Lower Shabelle, parts of Middle Shabelle, IDP's in the Afgoye Corridor and the IDP community in Mogadishu.

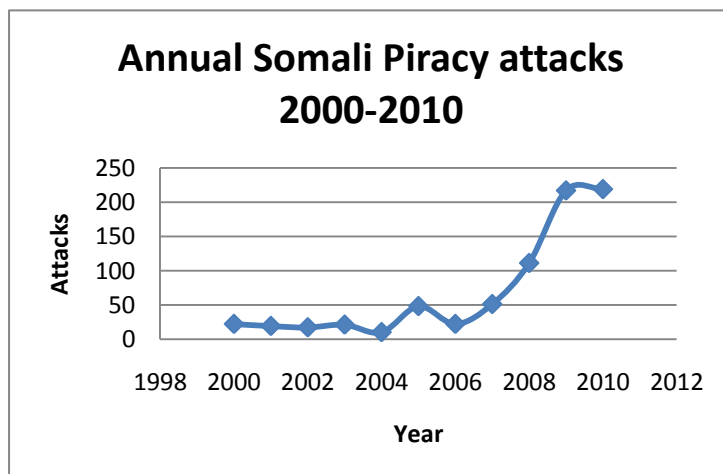
According to the latest status report of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) the drought resulted that nearly 750,000 people are in famine in Somalia and a reportedly 4 million are in crisis countrywide. In the present day situation the

drought is replaced by severe rainfall which have increased the vulnerability to waterborne diseases and are hindering the access to populations in need. Since January 2011 at least 152,000 refugees from Somalia have been registered in the refugee camp Dadaab in Kenya which is situated near the Somali border. Now approximately 400,000 refugees are living in Dadaab which was originally designed to host 90,000 people. Besides this, Kenya has closed its border due to four kidnappings of foreign aid workers and tourists in October 2011 by Al-Shabaab. It has deployed troops in the NFD and the continued insecurity and military activities at the Somali-Kenyan border have restricted refugee movements.

So besides the continuously committed atrocities by Al-Shabaab and other insurgent groups, the fact that Somalia is for almost more than a decade plagued by war, now the worst humanitarian crisis of the world is added on an already vulnerable population. The time is now for the international community to react.

### **Modern-day piracy in Somalia: nothing to do with Jack Sparrow**

Piracy is not a contemporary phenomenon, already two thousand years ago, the first pirate activities emerged in Ancient Greece. Nowadays, the piracy problem attracts a lot of international attention, especially the pirate activities in the Gulf of Aden and in the Indian Ocean. Currently thirteen vessels are hijacked by Somali pirates and 249 crew members are held



hostage. Piracy is described by the commonly used definition of the ICC International Maritime Bureau (ICC-IMB) as: 'An act of boarding or attempting to board any ship with the intent to commit theft or any other crime and with the intent or capability to use force in the furtherance of that act.'

### **The beginning and evolution of piracy attacks**

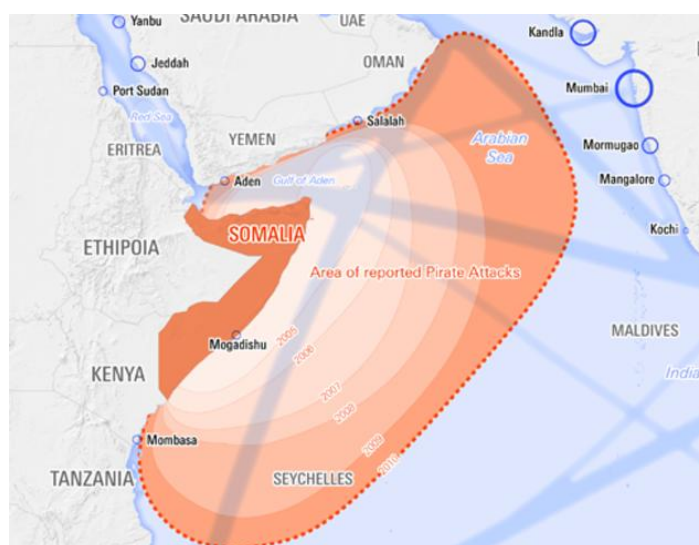
There is a dispute amongst academics, practitioners (aka pirates) and others over when exactly the Somali piracy activities started. Everybody seems to disagree. Local pirates and politicians will give dates starting from 1994, to 2003 or even 2005. The first reported piracy attacks in Somalia were reported in the period 1989-1991, when boats from the Somali National Movement (SNM) situated in the northern part of Somalia started to hijack ships and took their goods. The alleged motivation for these activities was preventing ships to reach the government controlled areas. In reality, the cargo was confiscated and re-sold to gain some profit. A common explanation amongst scientist is that pirates activities were spurred by the collapse of the Siad Barre regime which created a situation of internal anarchy. In 1992 though, there were no recorded piracy attacks. The phenomenon reemerged in 1993 and gradually increased in 1994-1995 and then again declined in 1996.

From then on, in the period 1997-2000, it slowly increased, stabilized and increased slightly. In 2004-2005 the amount of piracy activities exploded and has put Somalia for the first time on the international maritime agenda. But then, in 2006, it again declined. In 2008, it exploded again



and was ultimately put on the agenda of the international community. Based on historical evidence, it thus can be concluded that piracy has been less frequent in the periods characterized by intense conflicts. Ironically, some form of local peace is needed to make pirate activities possible. So one could say that the Somali piracy is characterized by 'campaigns' which are periods with an intensive pirate activity who were then followed by periods of quiescence. The weather also clearly effectuates piracy activities. The monsoon periods are problematic for the pirates since the small skiffs they use now, and in the past, are not adapted to extreme weather conditions such as rough seas and in strong winds. A decrease is seen in pirate attacks in the Northern Monsoon from December to March, and in the Southwest Monsoon from June to September.

In 2008 a record of 111 attacks were reported, this amount would even rise to 217 attacks in 2009 but stabilized in 2010 with 217 attacks. In the first nine months of 2011 199 pirate attacks occurred which is an increase compared to the 126 attacks in the first nine months of 2010. Promising is that the number of successful hijackings decreased from 36 hijackings in 2010 to 24 in the first nine months of 2011. In 2010 over 1,016 crewmembers were taken hostage, after ransom negotiations most of them were released but thirteen were injured and eight killed. At least seven hostages were killed in 2011. Also, throughout the years pirate activities are gradually dispersing throughout in the greater Gulf of Aden.



### Piracy: an international threat?

The piracy problem in Somalia is not the gravest threat to the international security as Al-Shabaab is, but the international community mainly directs its efforts on combating piracy in the Greater Gulf of Aden rather than challenging Al-Shabaab. Why is this?

The reasons are threefold. First of all, economic reasons are important. The Gulf of Aden is the main trade route between Europe, the Middle East, and Asia. Approximately 16,000 ships annually navigate this area. The Gulf of Aden hosts 12 percent of global maritime trade and 30 percent of the world's crude oil shipments. Approximately 3.2 million barrels of oil are passed through the Bab el Mandeb strait between the Gulf of Aden and the Red Sea in 2009. Regardless the economic crisis of 2008 and its implications on global trade, the Gulf of Aden remains an important shipping route since shippers have few alternatives to avoid this route since the additional cost of navigating around the Cape of Good Hope is rather expensive. Maritime piracy costs the international community between \$7 and \$12 billion annually and the secondary effects, such as macro-economic impact on regional trade, regional tourism, fishing industries and food prices are even not taken into account. Next, piracy results in an increase of several economic costs to the shipping industry such as ransom payments, damage to ships, delays in

cargo deliveries, increased maritime insurance rates, and costs to harden merchant ships against attacks. Some of these costs are passed on to the consumer.

Secondly, there is the humanitarian factor. The impact of piracy on humanitarian aid deliveries must not be neglected. Now with a humanitarian crisis that is raging through the Horn of Africa piracy seriously endangers the life of many. Also, Western governments have to react when their citizens are being held hostage since public opinion otherwise could turn against them. Lastly, piracy revenues could be used to finance regional conflicts and terrorism. Revenues of piracy are used to finance an influx of small arms into an already politically volatile region. Piracy may thus indirectly fuel regional conflicts. The boats used for piracy activities can also be utilized to carry refugees and economic migrants from Somalia to Yemen, and some return loaded with arms. It is unclear whether or not financial ties exist between the pirates and Islamic insurgents. Some believe there are formal linkages, others think not. The truth lies probably in a more grey area. Personnel linkages or opportunistic instance of cooperation are most likely.

#### How to: organization of pirates

A number of approximately 1,000 to 2,000 pirates operate along Somali coasts. Originally they were organized along clan lines and based in remote port towns but since 2008 they have gradually become more diverse. A study for example found out that two former lobster companies transformed themselves into pirate organizations. The groups may vary from size and complexity. Thus a pirate group may consist out of a father, son and a single skiff or may be comprised out of 2,00 individuals. Mostly, the average pirate group is comprised out of 12 to 35 individuals. Groups have varying capabilities and mode of operations so adopting generalized methods to combat them are difficult. Pirates are a heterogeneous group but clan lineage or regional ties are important since without it, it is impossible to engage in pirate activities. According to the pirates themselves, three modes of organization can be identified. Firstly, the operation could be financed by one single man. Thus, he owns the boats, guns, food, and communication equipment, and a percentage of payment is agreed when people involved in a mission capture a ship. When a ship is captured they receive some form of commission, this could be called the 'No prey, no pay' system. This method implies a responsible group organization in which an investor functions as a leader. Secondly, this organizational form has more a shareholder structure. People come together and bring their own food and guns but the pirate skiff is owned by one single person. Thirdly, a fund raiser could collect money from investors and then funds a pirate mission. This organizational form is also based on the shareholder principle whereas the pirate leader collects funds from local investors and hires a crew. In all three organizational forms, the pirate leader must be a respected member of the community and be well-known since he needs them for protection and possible problem solving. How the mission is organized directly influences the cost of it and this can vary from \$300 to \$30,000. The smaller the operation is, the less likely it will succeed. The main two principles of a pirate group are aiming to keep the costs as low as possible and to maintain efficiency.

Often pirate groups are divided into two groups with a specific task. The first group is the so called attack team and has to hijack the targeted ship. They are equipped with a variety of small arms, including AK-47 rifles and rocket propelled grenade launchers. It is a risky operation since the skiffs they use must look like a coastal fishing boat and they have to compete with high-tech vessel on the high seas. Pirates know which ship is what and use goggles to determine what kind of prey it is. If it is a big and large ship and there are no big radars (otherwise it is a military vessel) the pirates are ready to go. After firing some bullets they wait and see if it fires back. If not, they continue firing and when the ship slows its speed, they move swiftly with their boat(s) and throw a ladder. One man goes first on board and provides information on whether or not the others should join. When this succeeds, the second group has to guard the hijacked ship. This group could be for example supported by caterers who provide food, local clan leaders who receive bribes for using their ports, prostitutes who provide diversion whilst ransoms are being negotiated. Outsourcing of a hijacked ship is also possible when a pirate group is lacking the infrastructure to guard a captured ship. So behind the actual activity of hijacking a ship, a whole range of actors could be involved who are benefitting from pirate activities. The role of the Somalia Diaspora is subject to debate. Some say that pirates are self sufficient and that their primary goal is to join the Diaspora rather than staying in Somalia and receiving help of them. Others claim that the Diaspora could play a role in providing satellite communication; money



and encouragement; or that they participate in negotiations to translate. The profits from a successful piracy operation is reinvested in new attacks. Former pirates who have invested their money in legal business often reinvested their financial means in the piracy business. A non pirate investor is mostly from the mid level business strata. Local researchers in Puntland have identified at least 51 investors from this mid level business strata who were mainly from the same clan as the pirates.

When a ship is successfully hijacked and the ransom negotiations went well, the received ransom is divided onshore, either far away from the coast or in hidden places along the coast such as caves. The first step is to pay the costs of the operation and other expenses that possibly were borrowed from someone. Secondly, the group is divided into the hijackers who receive the most and the pirate who first entered the ship receives a bonus. The other part are the guardians who receive less. The individual pirate sometimes invest his money in export-import businesses, some leave Somalia, or buy a house and a car.

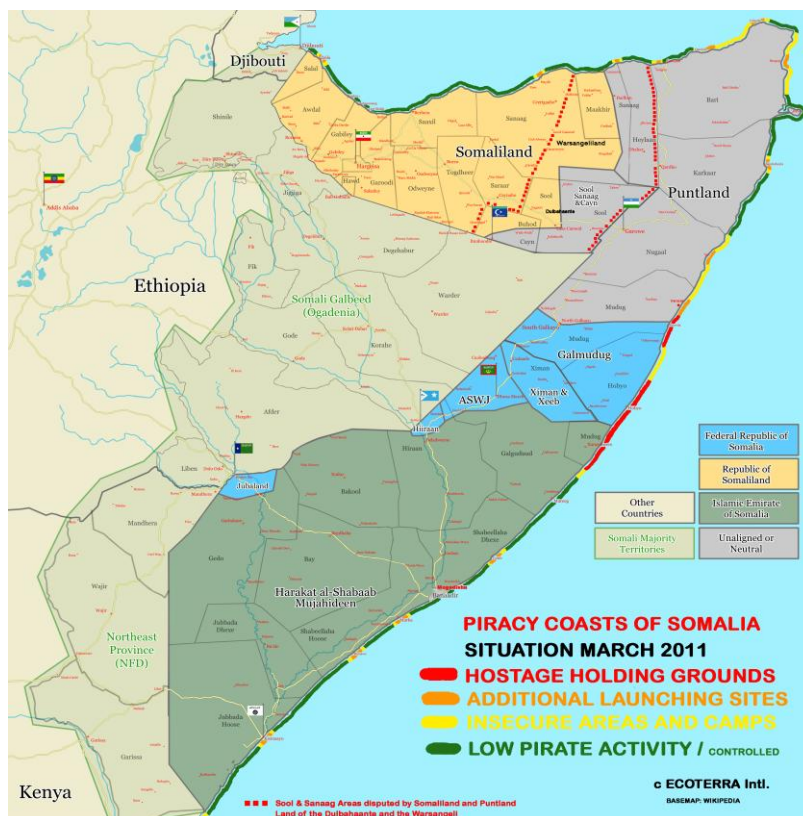
### Location of the pirates

Most of the pirate groups are situated in the region of Puntland which serves as the primary base for Somali pirate networks. Some local officials are accused of facilitating piracy and made benefits out of this. According to a report published by the U.N. Monitoring Group on Somalia, key officials of the Puntland government have received yields from piracy and/or kidnapping and extended the protection of piracy militias. In 2009 Puntland and the TFG agreed to sign a memorandum of understanding on counter piracy initiatives. The Puntland authorities successfully removed the pirates in Eyl but this resulted only in the relocation of the pirates activities. Also, the memorandum of understanding soon came to an end since Puntland argued



that they were insufficiently involved in the negotiations on the future of the TFG. Puntland has created a small coastal guard but the capabilities and equipment remain limited. A private company has called in by the Puntland government to train and equip the maritime force.

Reportedly there are seven to ten distinct gangs operating from Xabo on Puntland's northern coast, along Puntland's eastern coast out of ports from Garad south to Hobyo, and from Xarardheere in central Somalia south to Kismayo. They are financed by so called 'instigators' who organize their funding and delegate operations to group leaders. Since September 2010, according to U.N. officials a worrying trend has emerged since attacks were initiated between Harardhere and Kismayo, regions who are occupied by militias affiliated with Al-Shabaab.



### International responses against piracy

International efforts against piracy have taken on a multifaceted approach. Various initiatives are launched by the international community such as international policy responses, initiatives to prevent and disrupt piracy attacks and prosecuting acts of piracy in order to try to end the piracy activities.

First of all international policy responses are taken.

A series of resolutions has been issued by the UNSC since 2008. Resolution 1816 authorizes states acting in cooperation with, and with prior notification of, the TFG to 'enter the territorial waters of Somalia for the purpose of repressing acts of piracy and armed robbery at sea' and to 'use, within the territorial waters of Somalia, in a manner consistent with action permitted on the high seas with respect to piracy under relevant international law, all necessary means to repress acts of piracy and armed robbery'. The following resolution on piracy was UNSC resolution 1838 which calls on states who have military capabilities in the region to contribute to anti-piracy efforts. The mandate established in resolution 1816 was extended by one year on request of the TFG in resolution 1846. In this resolution the provision of technical assistance to TFG personnel and forces 'to enhance the capacity of these States to ensure coastal and maritime security' in accordance with procedures outlined in resolution 1722. This was followed by resolution 1851 whereas the mandate of resolution 1816 was enlarged so that measurements to suppress piracy activities could be taken in the whole of Somalia if states and regional organizations were authorized by the TFG. In resolution 1851 a similar authorization was

provided to weapons and military equipment destined for the sole use of Member States and regional organizations undertaking authorized anti-piracy operations in Somali waters. The latter two resolutions required that international measures undertaken should be in accordance with humanitarian and human right laws. Eventually the mandates were extended through 2011. Resolution 1872 adopted in May 2009 granted new authorization for member states to participate in the training and equipping of the TFG security forces, again which had to happen in accordance with Resolution 1772. Resolution 1897 facilitated the prosecution of Somali pirates, it encouraged states to undertake agreements that would allow governments to embark law enforcement officials aboard coalition anti-piracy vessels. The Secretary-General was issued by resolution 1918 to report on possible further options to prosecute and imprison pirates. He did and seven options were identified of which six consisted of finding new host sites for prosecution and imprisonment of piracy suspects. The other option was the capacity building assistance for regional Somali governments. Jack Lang was appointed as Special Advisor on legal issues related to Somali piracy, his report was issued in January, 2011. This was followed by a UNSC resolution 1976 which decided to urgently consider the establishment of the specialized Somali courts recommended in Lang's report.

The Contact Group on Piracy off the Coast of Somalia (CGPCS) was established based on resolution 1851 and identified six main tasks: to improve operational and information support to counter-piracy operations; to establish a counter piracy coordination mechanism; to strengthen judicial frameworks for the arrest, prosecution and detention of pirates; to strengthen commercial shipping self-awareness and other capabilities; to pursue improved diplomatic and public information efforts; and to track financial flows related to piracy.

Since the late nineties the International Maritime Organization (IMO) had an international anti-piracy program and successfully engaged on a multilateral basis in other regions to improve anti-piracy cooperation. The Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the western Indian Ocean and the Gulf of Aden was signed by 17 regional governments who met at a IMO sponsored meeting in Djibouti. The Djibouti Code of Conduct agreed to resolutions on information sharing, technical cooperation and the establishment of a regional training center in Djibouti. The discussions following after the Djibouti code of conduct have led to the creation of mechanisms to promote greater cooperation between the Somali TFG and the regional governments of Somaliland and Puntland. The 'Kampala Process' which is a three-member technical committee to coordinate their efforts, they also agreed on a draft anti-piracy law and began to work on laws related to the transfer of prisoners.

Secondly, attempts are made to prevent and disrupt pirate attacks.

The Combined Task Force 151 (CFT-151) was created in January 2009 and has the sole task to conduct anti-piracy operations in the Gulf of Aden and the waters off the Somali coast in the Indian Ocean. It was the successor of the CFT-150 who established a 'Maritime Security Patrol Area (MSPA)' in order to create a more secure transit zone for commercial vessels which has been rewarded by an decreasing success rate of hijack attempts. Twenty five 25 countries are participating and at least 24 ships are engaged in the mission. It has a rotating command.

Countries like most notably Russia, China, and India have deployed naval forces in the regions to participate in monitoring and anti-piracy 'national escort system' operations. Ongoing

communications efforts are made by both these countries and the CFT-151 albeit there is no formal and full coordination of their policies with those of the CFT-151. The Shared Awareness and De-confliction (SHADE) is a military coordination mechanism responsible for the coordination off all the activities of coalition forces and Russia, China, India, and Japan through monthly meetings.

The NATO deployed in 2008 'Operation Allied Provider' that served as a temporary protection force for WFP assistance shipments in the region. After one month it directed this responsibility under the auspice of the European Union naval mission and in March 2009 NATO launched a new anti-piracy operation called Operation Allied Protector which ended in June 20, 2009. The Operation Ocean shield has the same mission objective as that of Operation Allied Protector, namely to deter and respond to piracy, whilst participating in capacity building efforts with regional governments. Its mandate runs until the end of 2012.

The European Union launched in 2008 operation ATALANTA, an EU NAVFOR mission which was the first to be established under the auspice of the European Security and Defense Policy (ESDP). The main task of the ATALANTA mission is to provide protection for WFP vessels and merchant vessels and is authorized to employ the necessary measures to bring an end to acts of piracy which may be committed in the areas where they are present. AMISOM supply ships are also protected as was promised by the EU NAVFOR. The mandate of ATALANTA was extended to December 2012 and it involves up to twenty ships and over 1,800 members of personnel.

The private sector and shipping industry have also taken some responses to the threat of piracy. Some accounts state that some vessels now prefer to circumnavigate around Cape of Good hope, others use water cannons, fire hoses, and passive sonic defenses to protect them against attacks. Also the use of safe rooms or 'citadels' where a crew can shelter in case of an attack has been proven to be a successful mechanism during an attack. The option to use armed guards on ships is currently still under debate within the sector. The IMO and the International Chamber of Commerce International Maritime Bureau (ICC-IMB) have developed detailed guidance and recommendations which are known as 'Best Management Practices'.

And thirdly, the prosecution of acts of piracy.

Roughly seventeen countries worldwide have prosecuted over eight hundred pirates in their courts including countries most affected by piracy such as Kenya, the Seychelles, Yemen, the Maldives and India. Still, the prosecution of piracy has not a deteriorating effect on young Somalis since they believe that their punishment won't become effective. In fact this is true, since some local authorities simply lack the necessary means to detain and prosecute suspects. Also ninety percent of the pirates were 'victims' of the 'catch and release' and were simply released when captured by a patrol since there was no jurisdiction prepared to prosecute them. Only 93 out of 770 pirates detained by EU NAVFOR since December 2008 were effectively been sent to court.

Art. 14 of the Convention of the High Seas adopted in 1958 is the basis of the legal framework of piracy prosecution and states that: 'All States shall co-operate to the fullest possible extent in the repression of piracy on the high seas or in any other place outside the jurisdiction of any State'. Also UNCLOS (The United Nations Convention on Law On the Sea) of 1982 provides the framework for the repression of piracy under international law, in particular in its articles 100 to 107 and 110.



Regardless the existence of a legal framework, it is difficult to trial pirates since the exercise of universal jurisdiction established under UNCLOS for acts of piracy is optional. Also many governments lack the sufficient laws and judicial capacity to effectively prosecute suspected pirates. Up to date some of these legal and law enforcement challenges are being addressed by the establishment of bilateral agreements of countries far away from the HOA and governments in the HOA, particularly with Kenya. Also, one of the greatest challenges to prosecute Somali

pirates appears to determine where to capture them since many countries in the region lack the prison capacity to take on the additional burden.

The CGPCS has agreed in January, 2011 on the final terms of an anti-piracy trust fund which will be administrated by the UNODC and has the main objective to provide prosecution and detention improvements in the Seychelles, Kenya, and Somalia. The earlier mentioned report of U.N. Secretary-General's Special Advisor on Legal Issues Related to Piracy off the coast of Somalia, encourage all countries to adopt the crime of piracy in their domestic laws, to establish universal jurisdiction for acts of piracy. Also, Lang is in favor of the direct support from the international authorities for the regional prosecution by Puntland and Somaliland and that an extraterritorial court should be established in Arusha, to address prosecutions that cannot be currently handled in Mogadishu.

Regardless policy measures; attempts to prevent and disrupt pirate attacks; and the prosecution of the acts of piracy, it is not possible to separate it from the internal, onshore problems in Somalia. If one wants to tackle the piracy issue it is necessary to provide an even more comprehensive approach which includes all parties within Somalia. It is important that the international community address the problems in Somalia otherwise the insecurity, humanitarian and piracy problem will aggravate.

### **Possible solutions**

To end the Somalia's endless transition and break the deadlock there are some diverging strategic prescriptions for the way ahead.

First of all, a military solution could be imposed. Al-Shabaabs success is merely an indication of the TFG's weakness rather than the result of Al-Shabaabs own strength. A counter mobilization could thus be launched which offers the Somali people an alternative which they truly can fight for. This implies that the TFG and its partners should create an unifying political vision and practical governance agenda, enter into negotiations so an inter-clan alliance can be created, and eventually must show signs of success so public support is mobilized. Rather than putting a political solution forward, the TFG has opted to engage in a military campaign. By doing this, there is the risk that given the TFG's military weaknesses and the existent division between sub clans this option risks to engage the TFG in a battle, which if this turns out to be unsuccessful, results in the lost of the confidence of local, regional and international partners. Also, it is unclear if the TFG has sufficient forces to engage the insurgents effectively. Moreover, attempts to build a strong TFG military capability eventually will push non-aligned groups into a defensive position that opposes TFG and international interests. Even more, Al-Shabaab and

Hizbul al-Islamia will most likely not confront the TFG directly which will eventually lead to more hit-and-run attacks which is not beneficial if the TFG wants to exert control over territories.

Secondly, there is the option of 'constructive disengagement'. This is a more radical option which would be 'a modified containment strategy'. It includes limited and precise U.S. military strikes against Al-Qaeda operatives in Somalia; the tolerance of and dialogue with Al-Shabaab if that group rejects the Al-Qaeda Jihadist agenda, refrains from regional aggression and allows the influx of foreign aid. It also comprises diplomatic engagement with Arab partners to support negotiations and with Ethiopia to limit its support for Somali militias and further supporting development and governance capacity-building efforts. This is a politically realistic strategy of current trends in Somalia since it recognizes the weakness of the TFG and its inability to build its capacity at this time. On the other hand, in security terms, this approach is problematic. It does not address the question how other countries will protect their national security interests in Somalia and a wait-and-see approach in which Al-Shabaab might collapse under its own weight when it has to participate in a coalition government is not sufficient. The latter is not sufficient since Al-Shabaab has substantial space to operate in Somalia, the considerable amount of funds and its disposal of savvy leaders could potentially more harm a coalition and result in a dominance of Al-Shabaab. The TFG, and the international community should simultaneously undertake dialogue with all the other political, military, and economic actors throughout the country whilst on the other hand weakening the Al-Qaeda – Al-Shabaab link.

A third possible option is to follow the 'building block theory'. This is a bottom-up approach with the following assumption. Since clan rivalry is the main cause of Somalia's conflict thus the solution lies in a peace conference to reconcile the clans. This has worked in respectively the secession of Somaliland and the establishment of Puntland but failed in the central and southern parts of Somalia.

With regard to the piracy problem, solutions can be divided into an onshore and offshore approach. A first strategy is the containment strategy which is mainly an offshore focused approach with little to no attention for onshore measures to prevent piracy. The central aim of this strategy is the deterrence of pirates by making it harder to successfully hijack a ship. It is the dominant approach with regard to Somalia piracy. The combination of major funds to contain piracy by setting up an international fleet and to a lesser extend development assistance are the two main ingredients of this approach. It is said that in practice it seems to be combined with an onshore, centralized state-building strategy as explained in the constructive disengagement option but the main focus still lies on the offshore solution. The second option diverts its attention to finding an on shore solution, still it is not clear what this solution ought to be but in general the international community is aiming on the rebuilding of a Somali centralized government by military means like it is previously described in the 'military solution' option. Thirdly, an onshore solution might not be found in the resurrection of the old, centralized state but it could be founded by empowering local governments in the regions where pirates operate. Building local institutions can be done in several ways such as; offering a massive support program to establish the creation of police and border guards; simultaneously launching an anti-piracy campaign and provide amnesty to pirates who make an oath to abstain from future pirate activities. Local institution building can also happen through the creation of an integrated international-Somali force which operate from existing bases. Such international experts might be from other Arab or African countries. The last method that could be used for local institution

building is the use of a well-reputed international private security company, deployed on shore, instead of off shore. Such company, funded by the international community and fully transparent, could serve as an integrated partner to support the buildup of local institutions such as for example a coastguard.

## **Conclusion**

The United Nations Security Council will convene in an Emergency Meeting in Brussels on December 1 until December 4, 2011 in an attempt to develop a common answer to address the longstanding problems in Somalia which are currently aggravated since:

- One of the worst humanitarian crisis's of the last thirty years is raging through the country. The drought made that nearly 750,000 people are in famine and a reportedly 4 million are in crisis countrywide. In the present day situation the drought is replaced by severe rainfall which has increased the vulnerability to waterborne diseases and are hindering the access to populations in need.
- Military tensions are rising at the NFD Kenya-Somalia border since in October 2011 Al-Shabaab spread its activities and thus could endanger regional stability. Kenya recently closed its border and deployed troops in the NFD. The continued insecurity and military activities have restricted refugee movements.
- In the first nine months of 2011 199 pirate attacks occurred which is an increase compared to the 126 attacks in the first nine months of 2010. Despite international efforts currently thirteen vessels are hijacked by Somali pirates and 249 crew members are held hostage.
- The TFG is still unable to exert control over its territory let alone to provide security. Its control is limited to Villa Somalia, the presidential seat, in Mogadishu and six of the sixteen surrounding districts. New actors try to gain control over Al-Shabaab occupied territories and internally Al-Qaeda linked members of Al-Shabaab are reportedly exerting more influence so violence may erupt.

It is important that the international community formulates a comprehensive response which tackles all of the problems in Somalia, both on shore and off shore. Therefore the Plenary Session gives the opportunity to each of the member-countries of the UN Security Council to present an answer on how to address the humanitarian, security and piracy problems within Somalia and thus influence the course of current international politics so hopefully peace can be brought in a country which is already war torn for almost more than a decade. Acting as an ambassador of one of the 15 countries or invited observers, it will be up to you to defend the interests of your delegation. Negotiations in a Security Council are an dynamic process so it is up to each delegation to use to the fullest extend its debating- and diplomatic skills to come to a resolution. Each delegation will be held answerable for their actions to their own Government or Organization upon their return to the capital or headquarters. Much is at stake, it is crucial that you reflect in advance about your country's or organization's point of view on the discussed matter, prepare a position paper, make an opening speech and do further research about the topic. Be aware that since the situation in Somalia is extremely volatile unexpected developments on the ground could affect the negotiations.

The following members of the Diplomatic Corps and International Organizations will be present in the emergency UNSC meeting:

			
<b>U.S.A.</b> <b>Portugal</b> <b>Lebanon</b> Ethiopia Djibouti Eritrea	<b>France</b> <b>Germany</b> <b>United Kingdom</b> African Union Italy Yemen	<b>China</b> <b>India</b> <b>Gabon</b> <b>Brazil</b> <b>Nigeria</b> <b>South-Africa</b>	<b>Russian Federation</b> <b>Colombia</b> <b>Bosnia &amp; Herzegovina</b> Somalia Special Representative Kenya

The Member States written in bold are the five Permanent and ten Non-Permanent members of the Council. The others are observers implying that they are invited by the UNSC to attend the meeting but don't have any voting powers in the Council but they can exert influence on the debates or be a source of information.

Good luck.

J. Kesteley.



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