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End of the Roadmap: Somalia after the London and Istanbul Conferences

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Introduction

At the date of publication, a National Constituent Assembly is due to have been established in Mogadishu, tasked to approve a draft constitution and then vet and elect members of a new parliament for Somalia. The weeks leading up to 20 August 2012 should see significant international and Somali energies expended, following on from the London Conference on Somalia in February and the Istanbul II Conference in May, in an effort to mark a definitive end to the serially-extended 2004 Transitional Federal Charter (TFC).

When the transition 'ends' and the current government hands over to a 'caretaker' administration, South-Central Somalia appears to be set for more of the same. In terms of leadership, many of the same faces are expected to feature prominently in the new government line-up. In terms of peace and security, the slow expansion of the footprint of the African Union Mission in Somalia (AMISOM), and the consolidation of its presence in existing areas, are set to continue. For the main international backers of the 'Roadmap' – the African Union (AU), United Nations (UN), US and UK – it seems that this is the desired outcome. However, extension of the status quo carries as many risks as opportunities, if not more.

There have been important shifts in the last year; history is not simply repeating itself in southern Somalia. However, lessons from earlier phases of Somalia's post-1991 trajectory appear to have been overlooked or ignored. Most obviously and recently, missteps from Ethiopia's 2006-09 invasion and occupation are being repeated: a political crisis is being approached primarily through a security lens. Decisions about local leadership in territory wrested from Al-Shabaab are imposed in top-down fashion, and overestimation of Al-Shabaab's internal divisions is fuelling a misperception that a military approach is capable of resolving the problem of the group's insurgency.

This is not to understate important developments, especially in terms of the economy of Mogadishu, which may yield significant improvements to people's livelihoods and could significantly open up the space for political and civil society in the capital and its environs. While it is too early to say whether this opening is robust, the leadership in Mogadishu could take advantage of it to improve their legitimacy and deliver services to the population. Whether or not they do so, if it lasts in a way that can benefit citizens it could create new opportunities and potentially positive momentum in Somalia's transition. Certainly, the role Turkey has played in the past year demonstrates the potential of a Mogadishu that is open for business.

Nevertheless, there is a less hopeful aspect to the Roadmap. Decision-making around the transition has been narrowed down to a handful of signatories and the key international financial backers of the process. Dissenting voices have not only been ignored, but branded 'spoilers' by the Transitional Federal Government (TFG), Inter-Governmental Authority on Development (IGAD), AU, UN and important Western backers – especially the US and UK. This fosters the belief of an imposed 'solution', and carries risks, as unresolved grievances will swiftly re-open after the 'new' government takes office in August.

From the Conferences

The London Conference was a significant development, at least in terms of UK engagement with Somalia. The end of 2011 and beginning of 2012 saw the most sustained and focused UK policy attention to Somalia in the entire history of the civil war.¹ The key aim of the Conference and subsequent engagement has been to improve the coherence of international engagement with Somalia's political transition, and to maintain momentum in bringing the TFC's mandate to a close.

There are some common interests among international players in Somalia (especially from the West), notably combating piracy and pursuing counter-terrorism goals. The goal of bringing non-Western players – especially Turkey, but also Qatar and potentially Saudi Arabia – into the big tent is a vague objective, and will take longer to achieve, if at all. Certainly there is a feeling among observers that Turkey, which had long been planning a follow-up international conference of its own (known as Istanbul II) before the London Conference was announced, is going its own way.²

However, in terms of the transition, the end of the Transitional Federal Institutions appears to have arrived. This includes both the TFG led by President Sheikh Sharif Sheikh Ahmed, and the bloated and fractious Transitional Federal Parliament (TFP). The TFP's leadership is contested between Sharif Hassan Sheikh Adan, speaker since 2009 but voted out in December 2011, and his 'successor' Madobe Nunoow. As a signatory of the Roadmap, Sharif Hassan continues to enjoy international recognition. The

1 Sally Healy. Somalia: After the London Conference. Special Report for Alshahid Centre for Research and Media Studies. 3 March 2012. <http://cdn-english.alshahid.net/wp-content/uploads/2012/03/Special-report.pdf?59dea9>

2 Roland Marchal. Somalia on Hold. Briefing produced in May 2012. Accessed online: <http://focusonthehorn.files.wordpress.com/2012/05/somalia-on-hold.pdf>

dispute highlights the dysfunction which has characterized the TFG and TFP since their inception.

During 2011-12, the framework for discussion and direction of the final stages of the transition has narrowed down to a handful of players. This includes Sharif Hassan, Sheikh Sharif and the leaders of the Ahlu Sunna wal Jama'a militia (ASWJ), Galmudug and Puntland States and the TFG Premier (although the latter more so in terms of the office than the office holder). These were the signatories of the Roadmap in September 2011, and have since remained the focus of international engagement – from both within and beyond the Horn of Africa.

Roadmap final timeline

<i>20 June</i>	List of NCA members finalized and vetted
<i>30 June</i>	NCA members receive draft constitution
<i>2 July</i>	NCA convened
<i>10 July</i>	Provisional constitution adopted
<i>15 July</i>	Finalized fully vetted list of MPs published
<i>20 July</i>	New MPs sworn in
<i>4 August</i>	New Speaker and Deputy Speakers elected by MPs
<i>20 August</i>	New President elected by MPs

The Roadmap's initial scope was swiftly narrowed in practice to two goals: finalisation of a draft constitution, and creation of the National Constituent Assembly which could endorse this constitution and appoint a new, smaller parliament under its auspices. The new parliament would then elect its own leadership and a 'caretaker' administration to take over from the TFG, with a new five-year mandate under the constitution. Given the near total lack of progress on the TFC's stated objectives, the international push for an end to the Transitional Federal Institutions has been understandable.

Still, the process of agreeing the criteria for the members of the Assembly and the new MPs has been fraught. Subsequent to the Mogadishu summit from which the Roadmap emerged, two meetings in Garowe and one in Galkayo saw continued debate over the process. However, it was on 23 May 2012 that a fairly definitive timeline and criteria emerged for the final stages of the transition from a meeting of the signatories in Addis Ababa.

The timeline is aggressive. What was drafted in the Roadmap as a somewhat robust process of vetting members for the Constituent Assembly and the candidates for MP has been subsequently streamlined. The roles of technical committees to assist the Elders choosing the Assembly members and the Assembly members choosing the MPs have been bolstered, with the effect of creating a handful of points where significant leverage on the process could be applied. The size of the Constituent Assembly was reduced from 1,000 to

885 members, and the number of candidates to be vetted for each parliamentary seat reduced from two to one.

The speed and transparency of the process has raised concerns from various constituencies in Somalia. Complaints have been made about the selection process for members of the Assembly. The semi-autonomous authorities in Puntland and Galmudug raised concerns about the draft constitution, including its defining criteria of federal units. However, the process has remained on course. The communiqué for Istanbul II at the start of June endorsed the 23 May decisions.

More broadly, the draft constitution has been the subject of intense debate. In part this is fuelled by the fact that the draft is not widely available, and according to the timeline will only be shared with members of the Assembly some ten days before they are due to approve it. Debate over its contents appears to be limited to the signatories to the Roadmap and the international advisors supporting the process. This is a far cry from the TFC's mandated goal of holding widespread public consultations and a national referendum on the new basic law. Although the process is largely taking place on Somali soil, the lack of transparency fosters the wider impression that the constitution is being imposed from outside – threatening to erode its popular legitimacy from the start³.

The impression of external imposition was strengthened significantly when the UN Special Representative of the Secretary-General for Somalia, the IGAD representative and the AU representative for Somalia issued a joint statement on 1 May 2012 to anyone opposing the Roadmap, which labelled such individuals spoilers and threatened them with sanctions.⁴ Subsequent statements by the UK⁵ and US⁶ have endorsed the UN/AU/IGAD warning.

On the ground

Although the political processes for ending the transition have been highly contested, there have been some significant shifts on the ground during the

³ Ken Menkhaus. *Somalia: What to Expect of the London Conference and Beyond*. 23 February 2012. Report for Enough Project.
<http://www.enoughproject.org/files/SomaliaLondonConference.pdf>

⁴ <http://www.un.org/apps/news/story.asp?NewsID=41890&Cr=Somali&Cr1>

⁵ <http://blogs.fco.gov.uk/mattbaugh/2012/05/21/the-roadmapfocus-on-the-destination/>

⁶ <http://af.reuters.com/article/topNews/idAFJOE85A00Y20120611>

past year in particular, which have implications for the post-transition political and security environment.

The most obvious of these is the offensive against Al-Shabaab, led by AMISOM around Mogadishu, Ethiopia in the south-west and Kenya in the south. AMISOM's operations since mid-2011 have seen Al-Shabaab lose control of fixed positions in and around Mogadishu, most recently in Afgooye. Intervention by Ethiopia and local allied militia resulted in Al-Shabaab's loss of Beledweyne and Baidoa, among other important towns. The offensive by Kenya and local militia recently restarted, having stalled since late 2011, with the capture of Afmadow – a key outpost opening the way to the port city of Kismayo.

Expectations that Al-Shabaab has been fatally undermined by these offensives are sure to be disappointed. Although not a monolithic group, its internal divisions are frequently overstated. Differences between leaders are longstanding, yet there remains a lack of viable alternative engagements for potential dissenters. The TFG is not viewed as a credible or legitimate interlocutor, although Somali observers often report that informal discussions are taking place between parties within both camps.⁷

Moreover, Al-Shabaab's capabilities and finances have not been as comprehensively compromised as its territorial losses would suggest.⁸ Having withdrawn from positions in Mogadishu from August 2011, the group has continued to carry out targeted assassinations and other attacks in the months since. A similar pattern is likely to emerge in other key administrative centres coming under the control of AMISOM troops, such as Baidoa or Beledweyne. Al-Shabaab has also shifted part of its resource base northward into the mountainous areas in the Puntland-Ethiopia-Somaliland border region, which is important for maintaining connections to supplies and finances flowing along long-established smuggling routes from Yemen.⁹

There is, nevertheless, a reportedly marked shift in the mood in Somalia, particularly in Mogadishu where gains have been in place the longest. Security remains a challenge, and service delivery from the TFG is largely absent. However, the capital has apparently seen a significant rise in

⁷ Personal communication.

⁸ <http://focusonthehorn.wordpress.com/2012/05/28/the-war-is-changing-not-over-roland-marchal-on-somalia-after-afgooye-part-one-2/>

⁹ Sally Healy and Ginny Hill. *Yemen and Somalia: Terrorism, Shadow Networks and the Limitations of State-building*. October 2010. MENAP/AFP BP 2010/01. London: Chatham House.

business and reconstruction activity. Commercial flights have resumed on Turkish Airlines, a high-profile signal that the city is open for business. Although many foreign governments and humanitarian agencies working in Somalia have yet to relocate their headquarters from Nairobi, there is a sense of an important shift in Mogadishu. The expansion of AMISOM's mandate and troop levels should enable the force to continue to provide a security buffer in the city, and a new centre of gravity for international engagement and for political dialogue seems to have been established.

'Taking Care'

As the transition enters its final days, significant energy will be devoted to wrangling over the selection of MPs, and spent on the process of persuading those MPs to support a variety of leadership ambitions. More than sixty contenders have entered the race for the presidency. However, it is likely that the 'caretaker' government will feature many familiar faces. At the centre of speculation are Sheikh Sharif and Sharif Hassan, both of whom have been manoeuvring for some time to secure the presidency. Speculation has continued for seven years over the scale of vote-buying involved in the election of the first TFG president, Abdullahi Yusuf. As such, rumours of corruption affecting the process of selecting members of the Assembly, the new MPs, and the eventual vote by MPs for key leadership positions come as no surprise.

Perhaps more importantly, because it is not a departure from previous form, the contentiousness of the selection of the caretaker leadership will probably prove less of a stumbling block for the new government than observers might fear. This is not to say that the new leadership will not suffer from questions over its legitimacy. However, this is no more of a disadvantage than that which affects the current administration. In that sense, the new administration will be building on a foundation left by the TFG.

Extension Fatigue

On the other hand, the idea of a transition that sees many of the same individuals returned to positions of leadership – despite having failed to deliver during their previous tenure – has prompted some to suggest that instead of pushing so hard for the end of the TFC, the international community would better serve the interests of the Somali population by backing a final, one-year extension of the TFC. During this year, similar levels

of pressure to those witnessed during the past six months could be kept up on the TFG/TFP to improve service delivery, while significantly more inclusive consultations could be carried out over the draft constitution. Recent international attention and diplomatic pressure have fed into the achievements (albeit extremely limited) of the TFG.

However, this idea has barely registered in discussion over the transition – in part due to the chilling effect of the ‘spoilers’ warning, and partly due to the fact that the TFC has already been extended three times since its mandate originally expired in 2009. It may be that there is simply no appetite for another extension, but the lack of public debate has generated some domestic resentment. Nevertheless, there is some merit in the argument that, if the current process is likely to see many of the same leaders returned, it might be preferable simply to extend their terms by one year, and increase the chances for a more open leadership contest in 2013, rather than see them take five-year mandates now.

Constitutional Integrity

Questions around the constitution represent another focal point of risk for the incoming administration. The lack of transparency during the final stages of the process, and the limited space for public debate over the draft, have created conditions whereby the country’s basic law is likely to see continued debate and further amendment. On the one hand, it further illustrates the haste with which the transition is being concluded. On the other, it calls into question the integrity of the basic law, and the regard in which it will be held by the political class. This latter factor will have important implications for the rule of law and by extension for those hoping to do business in the country.

Clan and Local Conflict

Moreover, the constitution’s prescriptions on federal units apparently dictate that new states must comprise at least two of Somalia’s former provinces, a criterion which most of the dozens of aspiring (and competing) states fail to achieve¹⁰. The new federal government will probably continue to provide only relatively weak central authority, dependent on external military support. As such, contestation for power at a local or regional level is likely to characterize the next phase of politics in South-Central Somalia. Ethiopia and Kenya have

¹⁰ <http://www.somaliareport.com/index.php/post/3309>

been working with allied local militia. As Al-Shabaab is displaced from urban centres, and particularly as Ethiopian troops withdraw from Somali territory, previously dormant rivalries will be reactivated. AMISOM will probably not have sufficient troop levels to prevent violence related to this contestation.

Al-Shabaab

The militant group will remain a threat. No doubt its popular legitimacy was seriously dented by its handling of food security crises during 2009-11, and it has lost significant territory. However, the group retains an asset base and the capability to conduct an asymmetrical campaign against AMISOM and the caretaker administration. Although AMISOM's significantly expanded troop levels will allow it to operate in many areas outside Mogadishu, its presence will nonetheless likely be constrained to major urban areas. More rural areas will continue to be actively contested by Al-Shabaab. In Mogadishu and its surrounding areas, the group has already reverted to the targeted killings, roadside bombings and suicide attacks that characterized its insurgency against the 2006-09 Ethiopian incursion.

Combined with the clan conflict dynamics mentioned above, Al-Shabaab's campaign will continue to be a destabilizing influence in South-Central Somalia. Moreover, its presence may threaten security in Somaliland and Puntland, or exacerbate tensions between those governments in their boundary dispute.

Food Security

Access to food will also remain a potent challenge for the incoming government. Although late, the international response to the 2011 food security crisis in South-Central Somalia was significant and has bolstered food security in large parts of the region – although not quickly enough to prevent famine from breaking out, with tens of thousands of lives lost. Scaled-up operations are preventing the recurrence of poor rains across much of north-eastern Africa from tipping vulnerable populations back into famine for now. However, some 2.5 million people in South-Central Somalia remain in the 'Crisis or Emergency' category of the Famine Early Warning Systems Network's (FEWSNet) classification system. Continued military operations will exacerbate the situation.

Conclusion

Indications are that, with continued international support and pressure, the Roadmap will continue towards its goal of handing over to a caretaker administration on 20 August 2012. It is probably too late to seriously entertain any discussion of alternative trajectories, such as a one-year extension – even if the ‘spoilers’ warning had not shut down the space to publicly air such options.

As such, Somalia’s international partners should focus in the next few months on how to transform the momentum injected into the Roadmap process into policy attention and diplomatic support, or pressure, needed to see the caretaker administration develop into more of a government. A more functional government would focus on the provision of services beyond the attention already paid to the security sector.

Such international efforts do risk undermining the legitimacy of the Somali government, since they foster the impression that its authority derives from its donors, and that its agenda is driven by foreign interests. However, there are symbolic but significant steps Western donors and agencies could take to mitigate the negative impacts of intervention. Foremost among these would be to open representative offices in Mogadishu, and shift the centre of their policy engagement to the Somali capital. Turkey, Saudi Arabia, Qatar and Iran are joined by multilateral fora such as the Arab League and the Organisation of the Islamic Cooperation in having representatives based in Mogadishu. Given the aim of the London Conference to improve coordination between Somalia’s international partners, particularly those currently outside the ‘Western’ fold, establishing, or re-establishing, those presences inside Somalia would go some way to furthering that objective.

The end of the Roadmap will not signal an end to Somalia’s transition. The new administration will face many of the same challenges threatening the TFG, and some others generated by the Roadmap process itself. However some progress has been made in Mogadishu, and Somalis – especially in civil society and the private sector – are in a position to build upon that base. Constructive international engagement could support that process.

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