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# Shaping Somalia's Post-transitional Structures

HE Abdiweli Sheikh Ahmed

Prime Minister, Federal Republic of Somalia

Chair: Randolph Kent

King's College London

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### Introduction

The following document provides a summary of a meeting held at Chatham House on 17 September 2014 that focused on the political and security situation in Somalia and the government's vision for the future.

The speaker considered three questions: where has Somalia come from; where is it now; and where is it going in the future. He elaborated on the breakdown of Somalia and the growth of al-Shabaab, before turning to the current government's 'Vision 2016' strategy (covering federalism, a new constitution and elections) and considering the connection between initiating political processes and improving the security situation.

The meeting was held on the record. The following summary is intended to serve as an aide-memoire for those who took part, and to provide a general summary of discussions for those who did not.

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The prime minister began the meeting by discussing the two decades of physical destruction of Somali political and administrative institutions. He stated that a period without centralized governance had left Somalia with political exclusion disintegrating its political structures and systems, and thus leading to a political vacuum. This vacuum was filled with sectarian violence and extremist ideologists. At this time, the international community was preoccupied with the first Gulf conflict, while Somalia went on to experience 20 years of chaos, civil war, a humanitarian crisis and large numbers of refugees and internally displaced persons (IDPs).

Somalia has experienced various forms of Islamist extremism, the most recent manifesting itself through al-Shabaab. The speaker stated that the terrorist group is 'un-Somali'. Given that Islam, for Somalis, means 'do not kill', suicide bombings and indiscriminate killings are alien to the culture of the country. Somalia is now emerging from this situation, and in 2005 and 2006 a dialogue was started for the formation of a transitional government and the creation of a constitution.

The prime minister accepted that while Somalia is currently faced with structural problems as a result of al-Shabaab, who threaten to destabilize the government and its institutions, there are opportunities to address these problems. The government is recognized and the institutions are working. The federal parliament was scheduled to hold a session later that month to legislate on how to move the country forward, and the Somali cabinet was made up of 25 portfolios with an official overseer. While al-Shabaab controls approximately 40 per cent of the territory, more than 15 towns in south-central Somalia had been liberated in recent months, and the Somali government aimed to eradicate al-Shabaab by 2015.

The speaker went on to outline his government's 'Vision 2016' strategy, which seeks to promote federalism in Somalia, strengthen the constitution and facilitate elections. He stated that so far there has been the democratic formation of three regional administrations in Juba, South West and Central Somalia, and a dialogue has begun for a fourth. Turning to the constitution, the prime minister stated that his government aims to produce a final version of the document in 2015 for submission to a referendum. Regarding elections, he stated that while many may feel it is too ambitious, the government is committed to elections in 2016 even if they are 'not perfect'.

The link between the improvement of political processes and the improvement of security was then discussed. Political processes cannot be successful if there is no security; but at the same time, if there is not a promising political situation then security will remain elusive. This has been demonstrated in the South West region, where military commanders on the ground have reported significant improvements in security after the formation of the regional administration there. This is because people can see a cogent alternative to al-Shabaab in the future.

Clearly, security is important in Somalia, and to that end the government has been supporting the Indian Ocean operation with the African Union Mission in Somalia (AMISOM). However, AMISOM is not a viable long-term solution to Somali security issues, therefore the Somali national army is being rebuilt. It must be professional and behave well in order to attract the support of its people. The objective of the Somali government is to take the initiative on the Somali security issue in the coming years. As part of this, a programme has been launched to provide amnesty to al-Shabaab fighters who are looking to disengage and return to their communities. Alongside such measures, it is important to provide critical services – such as schools, clinics and hospitals – to any who disengage, as well as the local populations. They must see a difference in their lives when al-Shabaab leaves. In the medium and long term, this means that jobs must be created, as joblessness is a major factor in youth membership of al-Shabaab. In order to achieve this, it is essential that international donors provide assistance.

## Summary of Questions and Answers

### Questions

What is your administration doing to ensure the stability and continuity of the upper echelons of the security and intelligence agencies, when from an outsider's perspective there appear to be constant appointments and dismissals?

Why is it taking so long to have financial management in the public sector? While security is important, the biggest killer in Somalia over the past 20 years has been famine and lack of water. Is anything being done to resolve this?

Is what is happening in Jubaland representative of the local people; or is it small tribes helped by the international community?

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Concerning the security and intelligence services, new leadership has now been appointed for the National Intelligence and Security Agency, and this will suffice.

There is an international governance committee working on improving the systems run by government. The structures needed for a sound financial system exist and are improving all the time, but tangible differences will only be witnessed after a long period of time. Concerning water security, the Somali government has received funding for water provision for communities in need and has already begun to distribute it. There will be both immediate and medium- to long-term interventions.

Criticisms of political systems are common, but it is better to initiate a process and improve it as it develops rather than not initiate any processes at all. There is dialogue occurring, and it is becoming increasingly inclusive.

### Questions

The plight of Somalis both within Somalia and refugees elsewhere has not been discussed, nor has the deportation and killing of Somalis. What is the new government going to do about this?

Concerning the politicians who have been killed in Mogadishu, will their killers be brought to justice? Will al-Shabaab's tax system on businesses in Mogadishu and around Somalia be controlled by the new government?

Will people be appointed in the new government based on clan and tribe, or on merit and ability?

Where is the judiciary and restructuring of the rule of law in your projections for the future?

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The speaker stated that he had visited the largest Somali refugee camp in Kenya three weeks earlier, witnessing people who had resided there for 20 years and children who had been born in the camps and had never had the opportunity to leave. In terms of returning to Somalia, there will be voluntary repatriation, and no Somali will be forced to return. The government has signed a document with the government of Kenya and the UN High Commissioner for Refugees (UNHCR) to enforce this. However, the burden that Somali refugees place on the Kenyan government must be reduced, and this will happen by fostering an environment in Somalia to which people want to return. The government of Somalia has a new policy whereby refugees can return to look at the current situation in Somalia in order to decide whether they would like to return, but there will be no forced repatriation. However, the return of refugees and IDPs would be ideal because they will help to rebuild the country.

It is important to ensure that al-Shabaab cannot use its current tax system to influence and mobilize people, so we must stop this.

The official government policy is to make appointments based on merit, ability and competition. There is currently a subcommittee engaging with the civil service on this issue.

The judiciary is a major pillar of the reform process. Currently, laws are being reviewed and brought up to date where necessary. A priority is to create a functional unit to manage the justice system, namely the Judiciary Services Committee. Parliament has approved legislation on this recently.

### Questions

What measures and procedures are in place to actualize the elections in 2016?

How is the new government going to address the issue of abuse of minorities?

What is your immediate plan to avoid desertification and combat environmental problems?

How are you going to build strong relationships between central government and the regional administrations to ensure that Somalia progresses to federalism?

What is the government doing to protect the safety of journalists in Somalia who feel that they are not safe to express their views?

Does the Somali government have a clear plan on economic growth in order to attract foreign direct investment rather than rely on foreign aid?

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There is optimism concerning the elections in 2016. An elections law is being drafted that will provide the legal and logistical framework for the polls. Importantly, the Somali people want to have democratic elections.

In order better to protect the environment, exports of cattle in such high quantities must cease. To achieve this, al-Shabaab needs to be eradicated, as the group is responsible for much cattle exportation. The government must therefore gain control of centres of power such as ports. Aside from this, the government needs to work on capacity-building and raising awareness among the people about the danger of burning and deforestation.

Central government is actively working on closing the gap between itself and the regional administrations. It is important to make this relationship functional, and there is a strong commitment to this.

The government of Somalia believes in freedom of speech and freedom of the press. The cabinet has adopted a law protecting the rights of media and journalists, which will reach parliament in the forthcoming session. It must be remembered, however, that the country is emerging from a period of civil strife with a lack of discipline.

### **Questions**

Is there a clear agenda for Jubaland for 2015?

What is the Somali government's position on border disputes with Kenya?

Why can the government not solve the civil war?

What is the government doing to support the political process that has been started by the people of Khatumo?

What is the plan of the government to reduce the problem of sexual misconduct of AMISOM soldiers and the exploitation of businessmen?

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The government's aim is to have an all-inclusive political structure for Juba. There is a Reconciliation Conference for Juba planned so that all parties can sit together, initiating an inclusive dialogue on the future.

The prime minister was not aware of any ongoing dispute with Kenya.

Al-Shabaab kills indiscriminately and takes profit from businessmen, so its militants are hated in the regions in which they operate.

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The people of Khatumo have equal rights and are free to engage in political dialogue with Somaliland. They have not been excluded. It is important to ensure there is no more armed conflict or population displacement.

The government of Somalia is very concerned by the allegations made in the Human Rights Watch report accusing AMISOM soldiers of sexual misconduct. A senior-level committee has been appointed and is liaising direct with AMISOM on this issue. Any AMISOM soldiers found to be involved will not be immune from punishment. This government has a zero-tolerance policy towards sexual abuses.