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## **Somalia**

# **A Comprehensive Review on the Transitional Federal Government of Somalia (TFG)**

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**Analysis and  
Recommendations**

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# 1. Somalia: A Comprehensive Review on the Transitional Federal Government of Somalia

## 1.1 Overview

During its one year of existence, the Transitional Federal Government (TFG) of Somalia, under the leadership of Sheik Sharif, has revived a sense of hope and optimism amongst many Somalis. As a result of the many successes during his time as the head of the Union of Islamic Court, several influential members of the international community agreed that a breakthrough was finally achievable in the anarchy-plagued country of Somalia.

There was a sense of urgency and hope in the initial stage of president Sharif's decision to affect a complete paradigm-shift in response to past failed approaches to Somalia's multifaceted crisis which demands a unique and pragmatic approach, a Somali-made model. Sheik Sharif's selection represented this unique opportunity 'to get it right this time' as he was the former leader of the Union of the Islamic Courts (UIC) which managed to stabilize Mogadishu within short few months in 2006 before the Ethiopian invasion and occupation of Somalia. The era of the UIC under the leadership of Sheikh Sharif is significant because it represented a major shift from almost two decades of inter-clan power struggle characterized by disorder, mayhem, and severe lack of human values and compassion. It also signified the emergence of a Somali solution to a Somali problem without external assistance in contrast to past failed efforts of the international community. The Union of Islamic Courts has managed to pacify Mogadishu without external assistance, instituting the Islamic Shari'a law, restoring peace and confidence in Mogadishu. This was precisely

why the former president of the TFG, Abdullahi Yusuf Ahmed, was replaced so Sheikh Sharif and his UIC, without the extremist wing, could come back from exile to govern Somalia with the approval and assistance of the Somali people as well as the international community. This was also in recognition by the international community that the deployment of the Ethiopian forces in Somalia was counterproductive as it led to the radicalization of the Somali people. Yet the TFG, under the leadership of Sheikh Sharif, failed to capitalize on these significant opportunities, most importantly, the popular support it enjoyed when it came to power. As soon as it arrived from Djibouti, the government was unable to present a clear vision to lead the nation. It was not prepared to tackle the issues at hand due to its lack of clear national agenda and action plan to restore order and governance.

With that backdrop, it is fair to say that this is an opportune time to evaluate and analyze the deepening crises in Somalia; one year after a power-sharing unity government was formed in Djibouti. We will review the performance of the TFG in the context of several key areas that are necessary as a minimum benchmark for measuring the success of the TFG, and these key areas include reconciliation, security, humanitarian aid and development and governance. These key areas are critical elements of post-conflict activities that are considered as the basis for constructive transition towards lasting peace, permanent elected government, and development in the context of the political, social and economic situation of Somalia. It is imperative that countries that are recovering from conflict undertake these tasks successfully prior to undertaking the secondary responsibilities of disarmament, demobilization, reintegration, rehabilitation and repatriation.

## **1.2 The Pre and Post-Djibouti Reconciliation Process**

Prior to the Djibouti peace process, the Special Representative of the Secretary-General (SRSG) for Somalia, Ambassador Ahmed Ould-Abdalla held a series of secret talks with the Alliance for Re-liberation of Somalia (ARS) led by Sheikh Sharif. During this process, the envoy failed to broaden the reconciliation process by excluding key actors of the ARS from the peace process. By taking such a divisive

approach of unilaterally eliminating major players of the conflict and key leaders of the ARS from the peace process, he has inadvertently contributed to the widening of the complex political schism in Somalia, severely impairing any potential compromise. The practical approach for genuine reconciliation requires inclusion of all stakeholders; in this case the SRSG envoy viewed the reconciliation process as a short-term political goal by leaving out key stakeholders of the conflict on the periphery without foreseeing their potential influence on the peace process. Additionally, when the dispute within the ARS became irreconcilable, the envoy failed to present an alternative plan or work out a strategy to manage potential ARS spoilers, which ostensibly was then predictable when key leaders of the ARS and the government of Eritrea rejected the peace process and attempts to reconcile the ARS leadership in Yemen failed. The extreme wing of ARS and Al Shabab have refused to precipitate in the Djibouti peace conference, claiming that critical national decisions have been made on the fringes without any consultation.

Other gross political mistakes during the peace process include the selection of parliamentarians and the expansion of the parliament. The parties to the conflict were not negotiating genuinely, and the SRSG envoy opted for the easy way out, it was unrealistic then to double the number of parliamentarians and is problematic now as the TFG is unable to pay the salaries of the parliamentarians.

The SRSG envoy and Sheik Sharif have both again erred with respect to parliamentary seat allocation process, using the 4.5 clan formula. The public perception of Sheikh Sharif changed when he accepted such a proposition. The ARS's commitment was to eliminate such clan formula selection process as stipulated in its constitution. Much of the current crisis in Somalia can be attributed to intrinsic flaws in the TFG constitution such as the 4.5 clan power sharing feudal system which impairs any national agenda. Many Somalis question how such a discriminatory system can offer unified agenda for a nation, not to mention equality, fairness, and justice. Somalis have shared language, culture and values and this represents a unique opportunity in Africa for the formation of a strong state which can represent the will of the people of Somalia under strong democratic and just

system. When such despicable tribal system is institutionalized, the most qualified members of society are left out.

As stipulated by the agreement signed in Djibouti, the TFG was mandated to continue the reconciliation process, which is consistent with the analysis of conflict transformation approach. Peace building is a process of slow transformation of conflicts through relationship building among hostile parties and communities that would move them to a desirable future. However, the TFG has not made a genuine effort in engaging dialogue with its adversaries and instead relied heavily on the protection of AMISOM forces in Mogadishu.

The TFG leadership has wasted precious time traveling abroad to solicit funds and resources and spent less time on the ground, subsequently neglecting one of the crucial tasks of post-conflict activities which is to continue the reconciliation process as stipulated in the Djibouti accord.

### **1.3 The Departure of the Ethiopian Troops and the Surge of the AMISOM Troops**

Majority of the Somalis including key ARS leaders were doubtful about the withdrawal of Ethiopia troops despite the inclusion of a provision in the agreement between the ARS and TFG which stated “the TFG will act in accordance with the decision that has already been taken by the Ethiopian Government to withdraw its troops from Somalia after the deployment of sufficient number of UN forces”. At the end of January 2009, Ethiopian troops officially left Somalia. The Somali people welcomed and celebrated the departure of Ethiopian occupation forces from Somalia. When the Ethiopian troops completely withdrew their troops from Somalia, the TFG failed to seize that opportunity. Instead, the armed insurgent groups of Al-Shabab and Hisbul-Islam have taken over all the areas withdrawn from by the Ethiopian troops, including large sections of the capital city, Mogadishu.

The surge of AMISOM peacekeeping troops was another missed opportunity for the TFG and the international community. The troops arrived very late and failed to

help the TFG to hold places previously occupied by Ethiopian forces. In fact the armed opposition groups very shrewdly capitalized on the arrival of the AMISOM troops by firing at them from populated neighborhoods. AMISOM troop's response of firing mortars back at populated areas from the presidential palace has tarnished Sheikh Sharif's image and put him on par with his predecessor.

#### **1.4 United States and the International Community Support**

What determines the success of any peace process is the support the newly elected government gets from the international community, in terms of resources, and diplomatic support. Although some key members of the UN have given symbolic support, there has not been any tangible commitment to support the Transitional Government of Somalia. There was a commitment by the donor community in Brussels to allocate over \$200 Million for Somalia, yet there was no follow up, and the TFG did not present needs assessment and budgetary plans. The international community can help empower the TFG by providing direct assistance and sustained funding to strengthen the Somali security forces and other institutions of government.

The Obama Administration has taken a commendable action to engage directly with the Somali government. Prior US administrations have mistakenly used Somali neighboring states such as Ethiopia and Kenya to be the point of contact for Somali affairs. Events in Somalia can transcend Somali borders and can have potential ramifications to global peace and security. Abandoning Somalia is not an option. Somali Cause has called for the appointment of high caliber US envoy to Somalia who can facilitate dialogue among Somali groups and pressure international donors to honor the pledges made to Somalia in Brussels. The US government can show its seriousness to engage Somalia by extending the diplomatic recognition of the TFG by opening US embassy in Somalia and allowing the TFG to open one In Washington, DC. The only workable option that has the support of Somali people is the current TFG framework despite of its flaws. Through the direct US and other international

engagement, the TFG can be steered into the right direction until permanent Somali government is established.

### **1.5 Governance, Security, and Humanitarian Condition**

There was general euphoria at the selection of Sheikh Sharif as the new president of Somalia and at the departure of the Ethiopian troops from Somalia early 2009. While neither led to the cessation of hostilities and the violence remained the same in the aftermath of the Ethiopian withdrawal, there was the general expectation with the majority of Somalis that President Sheikh Sharif would succeed where others had failed.

The wider Somali public was very optimistic that Sheikh Sharif's leadership style would bring about a change as evidenced in his short tenure as the leader of the Islamic Courts Union. However, some segments of the Somali society were not impressed with him during the reconciliation process because of the ARS split.

When the TFG returned to Mogadishu, perplexedly, it failed to show unity of command as there was confusion and lack of cohesion in responding to issues of security, governance, and humanitarian crisis. There were daily clashes between the TFG police units and the UIC militia who were loyal to the new president, Sheikh Sharif. Moreover, there were conflicting statements from different ministers with respect to reconciling with the different armed opposition forces in Mogadishu such as Al-Shabab. This initial lack of preparedness sent mixed messages from which the opposition took full advantage by attacking government troops and institutions.

It is obvious there is no security throughout the country and in particularly, the capital city of Mogadishu, as the number of target killings of government officials, educators, elders and members of the civil society have skyrocketed. The armed opposition groups such as Al-Shabab and Hisbul-Islam control many areas in Southern and Central regions in Somalia. Both armed groups are viewed as a threat to the security of neighboring countries. The Transitional Government of Somalia has so far neither shown the will, nor the capacity to engage with and defeat these

forces that are responsible for the senseless violence. There is lack of coherent security vision at the top of the TFG and confusion at the enforcement level. There is no national security agenda as the government troops are mainly organized in traditional tribal militia model. The infighting among the militia leaders within the TFG has recently forced the president to sack his top generals of the police and the military. There is a general consensus on almost all Somali analysts that the security reality of the country has weakened in the aftermath of the Djibouti agreement and the election of Sheikh Sharif as the president of Somalia.

Now after a year of being in power, the TFG is in an uncertain position of controlling only a few pockets of Mogadishu under the protection of the AMISOM peacekeeping force. This worsening security reality in the capital is reflected in the recent suicide bombing of Shamo Hotel in Mogadishu, which resulted in the tragic death of three cabinet ministers and eighteen graduating students. What is startling is that this took place in an area which is supposedly controlled by the TFG and was considered safe. This worsening security reality is echoed by the Deputy African Union Representative to Somalia Mr. Wafula Wamunyinyi in a recent published op-ed titled AMISOM losing out in Somalia and gave this bleak assessment. "The situation is getting out of hand. It is going to affect everybody in this region, not only Somalia. But it looks like neighboring countries are waiting for Al-Shabab attacks before they treat the situation as very serious."

Not only is the security reality on the ground getting out of hand but also piracy by the sea bandits has escalated and the number of piracy incidents has skyrocketed since the current government was formed in Djibouti. This security fact is echoed in a recent Time Online publication that stated when on November 30, 2009 Somali pirates had hijacked a 300,000-ton supertanker, 800 miles out to sea. "Somalia's abject failure does not end at its own borders: the chaos is spreading far across its frontiers and beyond its coastline."

Killing the innocent and creating insecurity is a military and political strategy of both Al-Shabab and Hisbul-Islam. They want to create fear among the public in

order to establish control over the population until a final blow can be meted out against the current TFG and its supporters. Overcoming such a threat demands a comprehensive strategy which has its objective to restore confidence in the ability of the government to provide security and establish core functions of the government such as the provision of services and rebuilding of the rule of law. Providing secure environment for the population is paramount in this struggle, leaving no doubt that there is only one authority in the country.

Despite the enormous efforts and considerations given to the Somali crisis, Somalia continues to be on the verge of an immense humanitarian catastrophe. The international community and the Somali government so far meant very little to the displaced millions inside Somalia particularly to those within the vicinity of the capital city, Mogadishu. While millions remain living in destitute from past exoduses, the continued violence, obstruction to NGO activities and the unwillingness of the international community to address the Somali dilemma assures further humanitarian crisis.

As warring factions reinforce and intensify their hostilities, the humanitarian organizations are abandoning even the small number of places they had presence. On January 5, 2010, World Food Programme (WFP) posted a statement on its website stating, "Rising threats and attacks on humanitarian operations, as well as the imposition of a string of unacceptable demands from armed groups, have made it virtually impossible for the World Food Programme to continue reaching up to one million people in need in southern Somalia."

Meanwhile, the need for emergency humanitarian support continues to increase exponentially. Apart from the other conflicts underway in many parts of the country, in just few weeks, estimated over 63,000 Somalis are displaced as a result of the renewed conflicts in the South Central regions of Somalia. Worse, due to the global economic decline, whatever little amounts of money relatives in the Diaspora used to send as remittances seem to be drying up. According to Consolidated Appeals Process (CAP), another UN organ, "Remittances from the Diaspora, normally over \$1

billion per year, are down by 25% due to the global recession.” It’s anticipated that the Federal government is going to wage soon an all-out-war against opposing groups in an attempt to consolidate power and capture the whole country. Subsequently, unless divine powers intervene, many more people will be displaced, injured or killed.

In such looming catastrophe, much attention is needed in Somalia. The displacement caused by the Somali conflict is impacting the entire region. UN Resident and Humanitarian Coordinator Mark Bowden rightly argued, “The consequences of not addressing the situation in Somalia is that we could expect more displacement into other parts of the region putting a great deal more stress on Djibouti, Ethiopia and Kenya at a time when they can’t afford to support them either.”

The situation in Somalia persists to be fragile and calls for greater international response. However, for any effort to be fruitful it must be timely and directed with precision. Also, it is crucially important to understand that everything in Somalia is intimately interconnected and explicable only by reference to the whole.

## **1.6 Recommendations and the Way Forward**

The task of implementing the Djibouti accord was undoubtedly daunting. It is even more challenging when the country involved is Somalia where peace has been elusive for two decades. The Djibouti accord required a comprehensive strategy of planning, prioritizing and taking incremental result oriented steps that yields viable outcome in a timely fashion with respect to reconciliation, peace-building, rebuilding of the governance institutions, providing for the internally displaced, and creating a positive working relationship with all the stakeholders including the wider Somali civil society, the regional countries and the international community. It also required the tapping of the collective efforts of altruistic, capable, honest and hardworking individuals – both Somalis and non-Somalis.

As a crucial new year begins for the TFG, it is obvious that unless critical and immediate steps are taken to change things for the better to create an environment

conducive for peace and good governance, the TFG is likely to fail. Security must be the first priority of the TFG. In the short- term, the government must present a national security plan. A National Security Commission (NSC) comprised of security and defense experts and chaired by the president or the prime minister must be set up to effectively deal with the national security of the country. The mandate of the African Union Mission in Somalia (AMISOM) is to provide support to the TFG in its efforts towards the stabilization of the country as well as to facilitate humanitarian operations. AMISOM is ill-equipped to carry out this mandate. AMISOM does not have the financial resources and the military capabilities to fulfill its objective. It is time that the UN Security Council authorizes a robust UN mission for Somalia.

Establishing state institutions, such as Security forces, Judiciary system, Social Services Sector, and strong bureaucracy, needs to be incorporated in a national vision. Moreover, the Somali army must be trained not in Kenya, Uganda or Ethiopia, but in the country and should be trained by former Somali military officers. This may minimize the need and dependency on donor money and will be an effective approach to generate employment for former Somali military personnel. This will also help stimulate the economy.

Similarly, self-reliance is essential for any sovereign state. Reliance and dependency on external resources subjugate countries and slow down economic and political transformation. The TFG should consider developing a national economic plan so as to generate enough revenue to conduct state business. One source would be to generate revenue from the airport and Mogadishu ports and taxation.

It is equally clear that the misguided 4.5 power sharing formula is the underlying cause of our misfortunes, and it must be abolished and replaced with one based on Somali citizenry. The sooner the TFG opts out such despicable system the better.

Since transition period of the TFG will run out in August 2011, Somali Constitution experts must be convened now to draft an updated Somali Constitution as outlined by the current one. The process and the ownership of this undertaking must belong to Somalis. Furthermore, this effort must be transparent and inclusive by all sectors

of the Somali society. The government should reject any draft that does not respect the sovereignty and territorial integrity of Somalia.

When the transition period ends, if general election throughout the country could not be held due to the security situation as is now prevails, the Presidential elections similar to Djibouti selection process should be held in Mogadishu. Regardless of the outcome, the government should move from transitional status into permanent status. The Somali people are tired of never ending transitional governments. Permanent government status will bring needed diplomatic boost and respectable status when dealing with international community. There must be a focus on effective ways to prepare the way for a strong federal government and the TFG must reach out to its expatriates for human and capital resources.

With respect to the different jurisdictional powers between the federal and regional administrations, it seems that the Transitional federal charter that governs the current TFG has clear delineation of the different roles of the regional states and the federal government. Furthermore, the federal charter sets aside the right to safeguard security, welfare and monetary system to the federal government. Creation of regional states based on clan identity has brought confusion and distrust among the Somali people. This doesn't serve the interest of Somalia. Unfortunately, some Somali politicians and renowned scholars have fallen into this trap. These politicians have started to advocate for dividing Somalia into more "lands" e.g. Somaliland, Puntland, Bayland, Banadirland, and Jubaland on the basis of clan segregation, claiming it to be an alternative solution to a centralized system of government. One needs to look not further to the ongoing skirmishes between Puntland and Somaliland over their respective claims of Sool and Sanaag and the most recent fighting between Puntland and Galmudug which claimed many innocent lives. One other competing political ideology exists which advocates for a strong central government.

Neither extreme are realistic to the Somali crisis. The solution lies somewhere in the middle, a hybrid system which empowers the federal institutions in terms of

common national identity, common security, common revenue generation, and common international engagements. Likewise, the federal government should empower regional states for participation and representation in the national institutions and in the spirit of cooperation in the context of nation building. To avoid chaos and to respect the federal charter, regional states must not function as independent states within independent state.

The international community's involvement should be focused on the transitional government to pave the way for a strong federal government as regions that are claiming either to be independent or having a complete autonomy have in the past experienced disputes with respect to local borders. Such disputes could only be resolved with strong federal government in Somalia. The international community should genuinely extend moral and financial support to the TFG. International recognition alone is not enough for the TFG to establish national institutions which can provide for its people.

Regarding Diaspora engagement, both the underdeveloped and developing countries look to their expatriates for assistance in terms of skilled manpower and investment. While contributions vary in type and scale, contributions from the Somalis living in the Diaspora, in general, seem to be primarily directed to the health care, education and political sectors. However, a rigorous, systematic and holistic approach could only give surety with such undertaking. As of today, there is no known comprehensive plan to engage with the Somalis living in the Diaspora notwithstanding the nomination of a Diaspora minister. The government would have to develop a comprehensive strategic plan to capitalize on the skills and know-how of those Somalis living in the Diaspora. A merit-based mechanism to recruit individuals would have to be devised and applied.

Somali Cause is an umbrella of seven Somali organizations in the USA and Canada that united to: (a) Educate the world about the plight of the Somali people, (b) Provide humanitarian assistance to the suffering people of Somalia, (c) Provide an alternative to the clan and regional based politics, and (e) Safeguard the sovereignty and territorial integrity of Somalia.

Member organizations include:

1. Alliance for Peace and Development (AFPD), Columbus, OH
2. Baltimore Somali Community, Baltimore, MD
3. Greater Boston Somali Community, Boston, MA
4. Somali Advocacy council, Washington DC
5. Somali Canadian Diaspora Alliance (SCDA), Toronto, Canada
6. Somali Diaspora Network (SDN), Fairfax, VA
7. Somali Institute for Peace and Justice (SIPJ), Minneapolis, MN