

The Honorable Anthony J. Blinken
U.S. Secretary of State
Office of Secretary of State | Room 7226
Harry S. Truman Building
2201 C Street, N.W.
Washington, DC 20520

March 24, 2024

Subject: Urgent Action Needed to Safeguard Democracy and Rule of Law in Somalia

Dear Secretary Blinken,

My name is **Mohamed A. Fatah**, and I am a former senior foreign policy advisor. Over the years, I have had the privilege of serving both the Barack Obama and George W. Bush administrations. I was a member of the Biden 2020 campaign Foreign Policy Working Group. Currently, I hold an executive position at a global firm, where I specialize in regulatory and financial crimes compliance. I am writing you today as a concerned U.S. citizen who is deeply troubled about the ongoing crisis in Somalia, particularly the political and constitutional turmoil. Your leadership as the United States Secretary of State is crucial in addressing this critical situation.

Since President Hassan Sheikh Mohamud's reelection in May 2022, Somalia has grappled with a complex web of political, security, economic, and constitutional challenges. The country's fragile governance structures have been strained, and the absence of a clear constitutional review framework has exacerbated tensions. Al-Shabaab, an al-Qaida-linked terrorist group, continues to pose a significant threat, launching attacks and undermining stability in Somalia and the region.

President Mohamud's attempts to unilaterally change the constitution have raised concerns about democratic principles, executive branch power grab and consolidation. Additionally, the exclusion of key stakeholders, including federal member states, from the constitutional review process has further fragmented the nation. I appreciate the immense challenges the Biden administration faces, particularly concerning the ongoing wars in Gaza and Ukraine. These geopolitical crises demand urgent attention and strategic responses. However, I write to emphasize that the situation in Somalia also warrants immediate action.

The current constitutional crisis in Somalia poses a significant threat to democracy, the rule of law, security and regional stability. The absence of a clear constitutional review framework undermines governance, exacerbates political tensions, and weakens institutions. It is imperative that the Biden administration takes decisive action to address this crisis promptly. The instability caused by the current crisis directly impacts U.S. national security interests in the region. Somalia remains a key battleground in the fight against terrorism. A fragmented political landscape hampers effective counterterrorism and security operations. The longer this crisis persists, the greater the risk to Somalia security and regional stability as well as U.S. strategic interests and objectives.

The situation in Somalia carries immense stakes and risk for both the nation and the international community. Somalia's instability directly impacts neighboring countries in the region. A fragmented Somalia risks spillover effects, exacerbating existing conflicts and creating new ones. Stability in the region is crucial for peace, trade, and humanitarian efforts. Somalia remains a battleground in the fight against terrorism and violent extremism.

A weakened federal government in Somalia allows these extremists to thrive, posing a direct threat to global security. Effective governance is essential for successful security and counterterrorism operations. The crisis has led to displacement, food insecurity, and humanitarian emergencies. Millions of Somali citizens are affected, and neighboring states bear the burden of hosting refugees. Failing to address this crisis perpetuates suffering and strains humanitarian resources.

The U.S. commitment to Somalia demands proactive engagement. Secretary Blinken, Somalia's stability directly impacts our security interests and humanitarian efforts. I urge you to use your office's influence on safeguard democracy, uphold the rule of law, and promote peace in Somalia.

Thank you for your attention to this urgent matter.

Sincerely,

Mohamed Fatah

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Mr. Mohamed Fatah is a Somali American executive with over 20+ years' experience in foreign policy, national security, regulatory and financial crimes compliance. Mr. Fatah had a distinguished career in the U.S. Government.

CC: Lloyd J. Austin, United States Secretary of Defense
Jacob "Jake" Sullivan, U.S. National Security Advisor
Mary Catherine "Molly" Phee, Assistance Secretary of State for African Affairs
General Michael E. Langley, United States Africa Command (AFRICOM)
Benjamin L. Cardin, Chairman, United States Senate Committee on Foreign Relations
James E. Risch, Ranking Member, United States Senate Committee on Foreign Relations
Jack F. Reed, Chairman, United States Senate Committee on Armed Services
Roger F. Wicker, Ranking Member, United States Senate Committee on Armed Services
Mark R. Warner, Chairman, U.S. Senate Select Committee on Intelligence
Marco A. Rubio, Ranking Member, U.S. Senate Select Committee on Intelligence
Michael T. McCall, Chairman, House Foreign Affairs Committee
Gregory W. Meeks, Ranking Member, House Foreign Affairs Committee
Michael D. Rogers, Chairman, House Armed Services Committee
David A. Smith, Ranking Member, House Armed Services Committee
Mark R. Turner, Chairman, House Permanent Select Committee on Intelligence
James A. Himes, Ranking Member, House Permanent Select Committee on Intelligence

Enclosure:

1. **Constitutional Crisis and Its Impact:** The current constitutional crisis poses a significant threat to democracy, the rule of law, security and stability in Somalia. The absence of a clear constitutional review framework undermines governance, exacerbates political tensions, and weakens institutions. It is imperative that the Biden administration takes decisive action to address this crisis promptly.
 - a. **Implications:**
 - i. **Governance Instability:** The absence of a clear and agreed-upon constitutional review framework undermines effective governance. Without established rules and norms, decision-making becomes chaotic, leading to policy inconsistencies and administrative challenges.
 - ii. **Political Tensions:** The crisis exacerbates political tensions within Somalia. Disputes over constitutional interpretation and power-sharing arrangements can escalate into violence or prolonged political deadlock.
 - iii. **Weakened Institutions:** A lack of constitutional clarity weakens state institutions, including the judiciary, legislature, and executive branches. This undermines their ability to effectively uphold the rule of law.
2. **National Security and Foreign Policy Implications:** The instability caused by the crisis directly impacts U.S. national security interests in Somalia and the region. Somalia remains a key battleground in the fight against terrorism, particularly against al-Shabaab and the Islamic State in Somalia (ISS). A fragmented political landscape hampers effective counterterrorism efforts and security operations. The longer this crisis persists, the greater the risk to regional stability and U.S. strategic objectives.
 - a. **Implications:**
 - i. **Terrorism Threat:** Somalia remains a hotbed for terrorist groups like al-Shabaab and ISS. The political and constitutional crisis disrupts security operations, making it harder to combat these extremist organizations. Their activities pose a direct threat to regional stability and global security.
 - ii. **Strategic Vulnerability:** A fragmented political landscape allows terrorist groups to exploit gaps in security. The longer the current crisis persists, the more vulnerable Somalia becomes to al-Shabaab and ISS attacks, potentially affecting neighboring countries and international trade routes.
 - iii. **Humanitarian Consequences:** Instability leads to displacement, humanitarian crises, and refugee flows. The strain on resources affects neighboring states and international humanitarian efforts.

3. **Efforts to Change the Constitution:** President Mohamud's recent attempts to change the constitution raise serious concerns. The proposed changes consolidate power within his **New Blood faction, "Damul Jadeed,"** potentially allowing him to remain in office beyond his term. Such actions undermine democratic principles and risk further destabilization of Somalia.

a. **Implications:**

- i. **Democratic Erosion:** Unilateral attempts to change the constitution undermine democratic principles. By bypassing proper channels and excluding key stakeholders, President Mohamud risks eroding public trust in democratic processes.
- ii. **Power Grab and Consolidation:** The proposed changes could consolidate power within President Mohamud's faction, potentially allowing him to extend his term. This undermines constitutional checks and balances, concentrating authority and risking authoritarian tendencies.
- iii. **Fragmented Unity:** Excluding federal member states and other stakeholders from the review process fragments national unity. A lack of consensus undermines stability and perpetuates divisions.

4. **Term Limits and Constitutional Change:** The provisional constitution currently restricts the president to serving only two terms. However, President Mohamud, now in his second term, is attempting to change the constitution to lift these term limits. This move has raised concerns about democratic principles and the consolidation of power.

5. **Proper Constitutional Review Process and Stakeholder Exclusion:** It is essential that the proper review process be followed. Unfortunately, key stakeholders have been excluded from this process. Their perspectives and input are critical for a legitimate and inclusive constitutional reform.

a. **Implications:**

- i. **Inclusivity and Legitimacy:** A legitimate and inclusive constitutional reform requires the participation of all relevant stakeholders. By excluding key entities such as Puntland, Somaliland, Jubaland, Southwest States, and other stakeholders, the process lacks the necessary diversity of perspectives. This exclusion undermines the legitimacy of any resulting constitutional changes.
- ii. **Regional Representation:** Puntland, Somaliland, Jubaland, and Southwest States represent distinct regions within Somalia. Their input is crucial for ensuring that the constitution reflects the needs, aspirations, and unique challenges faced by different communities. Excluding them risks perpetuating marginalization, regional disparities, grievances.

- iii. **Risk of Fragmentation:** When significant stakeholders are left out, it can lead to fragmentation and discord. Discontent among excluded regions may escalate into political tensions, and violence, potentially destabilizing the country further.
- iv. **End of Federalism:** The current crisis has escalated to the point where Puntland, a semi-autonomous region, is considering secession from the rest of the country. The exclusion of key stakeholders and the erosion of democratic norms has exacerbated tensions and pushing regions like Puntland to seek independence. Somalia could become the next former Yugoslavia.
- v. **Long-Term Consequences:** A constitution shaped without broad-based input will fail to address critical issues, perpetuate power imbalances, and hinder effective governance. The repercussions of an inadequate constitution can reverberate for generations.

6. **Stabilizing Somalia:**

- a. **Geostrategic Importance:** Somalia occupies a critical position in the Horn of Africa. Its stability directly impacts neighboring countries, regional security, and international trade routes. Neglecting Somalia risks allowing extremist groups to exploit its vulnerabilities, posing a significant threat to global security.
- b. **Humanitarian Consequences:** The crisis affects millions of Somali citizens, leading to displacement, food insecurity, and humanitarian emergencies. Our commitment to human rights and humanitarian assistance demands proactive engagement.
- c. **U.S. Investments:** Over the years, the United States and the International Community partners have invested tens of billions in Somalia's development, security, stability and governance. These investments are at risk as the crisis deepens. We cannot afford to lose ground after 20+ years of effort and sacrifices.

7. **Constitutional Crisis and Democracy:**

- a. **Democratic Backsliding:** President Mohamud's attempts to unilaterally change the constitution undermine democratic principles. The exclusion of stakeholders from the process erodes trust and exacerbates tensions.
- b. **Power Consolidation:** The proposed changes risk consolidating power within President Mohamud's faction, potentially allowing him to extend his term. Such actions undermine checks and balances.

8. **Security Implications:**

- a. **Al-Shabaab Threat:** Al-Shabaab remains a formidable terrorist group, exploiting Somalia's instability. A fragmented Somalia provides a safe haven for their operations.

- b. **Strategic Vulnerability:** Somalia's coastline is vulnerable to piracy, illegal trafficking, and maritime security threats. A destabilized government undermines efforts to secure critical sea routes.
9. **Recent Counterterrorism Failures and Implications:** President Mohamud's administration has faced significant setbacks in countering terrorism, with serious implications for Somalia's security and stability because the government took its focus away from counterterrorism operations:
- a. **Somali National Army (SNA) Setback:** Despite receiving substantial international support, including training and equipment, the SNA has struggled to effectively combat al-Shabaab. Recent military operations have not yielded the desired results, and territorial gains have been elusive. The lack of progress weakens the SNA's ability to secure key regions and protect civilians.
 - b. **Corruption and Misuse of Security Assistance:** There have been alarming reports of corruption within the Somali security forces leadership and the Ministry of Defense. Funds and resources provided by the United States and other partners for counterterrorism and security efforts have been misappropriated, hindering operational effectiveness. This diversion of resources undermines trust and cooperation between the international community and Somalia.
 - c. **Al-Shabaab's Resurgence:** Al-Shabaab, a ruthless terrorist group, has exploited the political instability and security gaps in Somalia. Their attacks have intensified, targeting civilians, government officials, and the African Union (AU) forces. The recent attack in Mogadishu's SYL Hotel, which killed several people, underscores the urgency of addressing the crisis. Al-Shabaab's resurgence threatens regional stability and poses a direct danger to U.S. interests.

10. Implications for U.S. National Security:

- a. **Terrorist Safe Haven:** A fragmented Somalia provides a fertile ground for terrorist groups to operate freely. Al-Shabaab continues to recruit, train, and plan attacks from within the country, the region and beyond. A weakened government further exacerbates this threat.
- b. **Maritime Insecurity:** Somalia's coastline is vulnerable to piracy and illegal trafficking. A destabilized and fragmented Somalia hampers efforts to secure Red Sea, and Indian Ocean maritime routes critical for global trade and security.
- c. **Refugee Crisis:** Ongoing conflict and insecurity force Somalis to flee their homes, contributing to a regional refugee crisis. This instability affects neighboring countries and strains humanitarian resources.

- d. **Strategic Competition:** Somalia's strategic location along the Horn of Africa makes it a focal point for geopolitical competition. Failing to address the crisis risks allowing China, Russia, and Iran to gain foothold and influence in Somalia and the region.

11. Formation of a New Government for Somalia's Salvation:

- a. **President Mohamud's Extended Tenure:** President Mohamud has served as president for 6.5 years, and during this time, Somalia has experienced regression rather than progress. His second term has been marred by tribalism, clan tensions, violence, and perpetual political instability.
- b. **Inefficiency and Corruption:** The current federal government exhibits inefficiency and corruption. Public resources are mismanaged, and essential services remain inadequate. This undermines public trust and exacerbates the crisis.
- c. **Signs of Authoritarianism:** President Mohamud's actions show signs of authoritarian tendencies. Attempts to change the constitution unilaterally and consolidate power risk undermining democratic processes.
- d. **The Urgent Need for National Reconciliation Government:** To avert further violence and division, Somalia must form a national reconciliation government. Inclusive representation, dialogue, and consensus-building are essential. A new prime minister, and cabinet committed to unity, security, and stability, to replace the ineffective current prime minister and cabinet can lead this effort.

12. Recommendations: I urge the Biden administration to take the following actions:

- a. **Engage Diplomatically:** Initiate high-level diplomatic efforts to mediate between the Somali government and regional administrations. Encourage dialogue and inclusivity in the constitutional review process.
- b. **Pressure for Inclusivity:** Publicly call for the inclusion of all relevant stakeholders in the constitutional discussions. Emphasize the importance of transparency and broad-based participation.
- c. **Conditional Support:** Condition U.S. assistance and support on adherence to democratic norms, respect for the constitution, and genuine efforts toward reconciliation.
- d. **Regional Cooperation:** Collaborate with international community partners, the African Union, and the United Nations to address the crisis collectively.
- e. **Sanctions and Accountability:** Targeting Key Figures to prevent further deterioration, consider targeted sanctions against President Hassan Sheikh Mohamud, Prime Minister Hamza Abdi Barre, Ahmed Moalim Fiqi, the Minister of Interior, and other officials actively destabilizing Somalia. Holding them accountable sends a strong message that actions undermining democracy and stability will not go unchecked.