
The New Somalia Roadmap: Perpetual conflict in the making

By Abdi Dirshe



Notwithstanding, the devastating famine that has so far killed thousands of Somalis and put Somalia on the news recently, there was a political consultation meeting that has concluded in Mogadishu on September 6, 2011 in the midst of the famine, which produced a new document named “end of transition roadmap” with key priority tasks, that is presumed to lead to legitimate democratic institutions with elected parliament and government if it is fully implemented as dictated by the Kampala Accord. The core thesis of this paper is to argue not only is the roadmap a perpetual conflict in the making but a direct violation of the law of the land “the current transitional charter”, and particularly a threat to the sovereignty and territorial integrity of Somalia. This roadmap calls for the demarcation of the Somali territorial waters without having legitimate, elected institutions in Somalia. In addition, it proposes the complete overhaul of the current Somali constitution without public consent and in the face of continuing violence in the country. This approach will undoubtedly strengthen support for resistance and the likelihood of wider support for groups like Al-Shabab, an extremist group. In this context, aside from the usual PR that presents this current political development as an historic opportunity that will end the political Somali crisis that has been going on since 1990, this roadmap indeed fails the primary objective of mitigating continued conflict in Somalia. The Special Envoy of the United Nations Secretary General to Somalia, Augustine P. Mahiga said in his September 2011 Statement to the UN Security Council that this meeting “offers a real opportunity to end the transition in a responsible and productive manner”. Moreover, he has characterized it as a “broad-based

consensus and political commitment". In addition, Mr. Mahiga has impressed upon the UN Security Council that the Somalis will be closely managed, monitored and forced to comply by regional and international entities if needed to make sure that this process is successfully completed. Nevertheless, many Somalis and experts on Somalia disagree with this analysis and argue that this latest UN/IGAD/Kampala initiative may not create political conditions conducive to long-term stability. In this perspective, this paper contends that this new Somalia roadmap is not new at all and is, in fact, a continuation of the over twenty years linear trapped policies we have witnessed in Somalia. The new Somalia roadmap undermines the sovereignty of the state institutions of Somalia as the institutional oversight mechanisms are now in the hands of external forces as outlined in the Kampala Accord, leaving the Somalis subservient to these entities. In this sense, Somalia's political misery and subservience will continue to be the fallout from the very process that conventional political spin doctors continue advocating for. Instead of pursuing restoration of law and order to the benefit of every Somali citizen, other grandiose solutions were pursued for over twenty years such as reshaping Somalia completely according to the whims of tribal-bigots, war criminals and foreign-driven agenda. In this context, those pursuing power in Somalia found a new niche in the form of new states, bogus tribal constituencies or external controlled criminal militia organizations. In this analysis, I'll first discuss the objectives and contradictions presented in the new Somalia roadmap, highlight the erroneous Kampala Accord and then textualize it with the contemporary Somali political conflict and its competing groups. Finally, we'll conclude it with possible solutions relative to long-term political stability in Somalia from the perspective of the Somali grass roots.

THE NEW SOMALIA ROADMAP



A meeting funded and facilitated by the UN Political Office for Somalia that operates from Nairobi, Kenya was held in Mogadishu, Somalia from 4 to 6 September 2011 dubbed as the 'First Consultative Meeting on Ending the Transition' in the midst of one of the worst famine crisis that Somalia faced in its history. As its title suggests, this meeting was to bring Somali political stakeholders together to chart out a roadmap to end the Somali transitional authority culminating in a nationwide constitutional referendum and free elections. Delegates participating in this exercise were limited to four groups from the many Somali conflicting parties including the current Transitional Federal Government, Ahlu Sunna Wal-Jamai', Galmudug State, Puntland State, and "approximately three dozen stakeholders from the international community" and other regional organizations according to the roadmap. After three days of deliberations the meeting proposed and

adopted a roadmap that outlines four key tasks that includes “security, constitution, reconciliation and good governance” with benchmarks and timelines for implementation, all to be ambitiously accomplished within one year. As Francis Fukuyama asserts (Fukuyama, 2005) external forces can’t provide “stateness” as this may lead to unresponsive local institutions. In this perspective, any institutional framework dictated from outside frequently faces lack of legitimacy and remains weak. Given that this exercise in Mogadishu was designed to manage or eliminate conflict among contending parties and build legitimate state institutions, this meeting falls short of giving confidence in this sense. None of the Somali entities that attended this meeting claims to legitimately represent the Somali people, nor feel owning the process. In fact, the consultation meeting was not at all inclusive, not Somali-owned and many of the solutions put forward in this roadmap do not address the primary political objectives in Somalia – peace, justice, political unity and freedom. If the participation selection process rationale was based on the merits that one had to be representative of a political organization or a regional authority, then one can argue that only two regions and two political entities attended this meeting, leaving many others outside this important discussion. The UN Political Office for Somalia serves as a catalyst for political transformation in Somalia and in addition, building partnership with other actors in its mandate to advance multilateral diplomacy. The UN Envoy for Somalia and the current TFG were at odds for sometime regarding the participation process in the Consultation Meeting as the current TFG president was pressured to accept “regional states” as political equals in the process of establishing a legitimate government. But Somalia does not have developed regional states and inviting only two regions to the Consultation Meeting makes the entire process illegitimate in the eyes of the wider Somali public. Consequently, some argue, the new roadmap, colonially, seeks to impose a new political framework in Somalia through unelected local politicians without legitimacy in Somalia and who are in the payroll of the UN, the USA, the EU and in some cases in the payroll of neighbouring countries. In addition, It compounds problems of maintaining political solidarity and unity in Somalia as Somaliland and many other regions are marginalized in this process. It is only reasonable to expect that those left outside this process will remain skeptic towards the outcome of the peace process. Worse, this may even legitimize the actions of extremist groups who may champion the aspirations of the wider populations as happened during the Ethiopian invasion of Somalia in 2006. By excluding important stakeholders in the process and by imposing solutions that are deterministic in its approach, the new Somalia roadmap renders the Somalis powerless and humiliated as some have openly admitted after the International Contact Group for Somalia has recently endorsed the roadmap without any prior consultation with the Somali leaders who were present at this

meeting in Denmark. How does defeating the Somalis in this process is expected to create peaceful transformation?

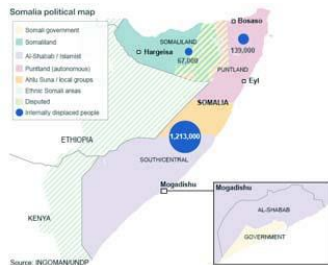
The organizational approach from the international community applied to Somalia in the current conflict management has been one of coercion in that cooperation is sought through micro-management and threats of sanctions as evidenced by the current roadmap that is informed by the Kampala Accord. Legro (1996) suggests that state bureaucracies develop their own "culture" that influences national agenda. A case in point is Mr. Mahiga's recent meeting with the Somali Diaspora in Toronto, he warned that if the current roadmap is not implemented the consequences will be dire and he declined to reveal what calamitous consequences the Somali people would face. This means that in the current framework, Somalis will be unable to develop their own institutional culture as they have to adopt those dictated from outside, the arbiters of nation building, democracy and good-governance. In this alternative political trajectory, the roadmap calls for, among others, the completion of two contentious projects; a constitutional reform and the demarcation of Somali's territorial waters, specifically the Exclusive Economic Zone issue. Both these items are political fault lines in Somalia as both have clearly the potential to impact Somalia's territorial integrity and it is widely opposed by the Somali public in every region.

Interestingly, Somalia has a constitution that has been affirmed in a national referendum in 1963 which guarantees the political unity of the country. There is no immediate need to change this constitution, particularly during a transitional period where no elected national government with legitimacy exists. The proposal to reform it at this time does not serve the interest of the country and creates unnecessary tension among the Somali people, notwithstanding the current Transitional Authority is woefully unprepared to manage competing internal and external interests. Similarly, the demarcation of the Somali waters is pushed at the behest of Kenya and Norway as they are allegedly the biggest proponents that will benefit from this and will likely create preventable tension between Kenya and Somalia. Allegedly, Kenya is desperately seeking to commercially explore parts of the Somali sea waters while Norwegian companies have concessions to carry out this commercial deal. Given that Kenya is already occupying Somali territory, it is pertinent that Kenya takes note of these concerns to prevent fresh conflict with Somalia.

THE CONTROVERSIAL KAMPALA ACCORD

The Kampala Accord came into being on the premise that the Somali top leaders, the President and the Parliament speaker are corrupted, lack statecraft leadership and as a result, Somalia must be put under strict guidance of "IGAD and EAC Political Bureau with participation of the

UN (UNPOS) and the AU”, declares the Kampala Accord. These new entities, according to the KA “reserve the right to evoke the appropriate measures with consequences to ensure compliance”. This Accord, moreover, calls for the resignation of the Prime Minister of Somalia and the nomination of new one within thirty days and creates tasks and timelines to be carried



out by the Somali Transitional Institutions at the behest of United Nations Political Office for Somalia and the President of Uganda. It is important to point out that Uganda has thousands troops in Somalia.

In this context, the Kampala Accord sets a roadmap for the country that is in direct contrast to the transitional federal charter; strangely though, KA begins with reaffirmation that reads the KA “Recognizes the Transitional Federal Charter as the basis for the legitimacy of all transitional federal institutions” and in spite of such recognition, the Kampala Accord clearly violates and/or supersedes the Transitional Federal Charter. The idea of constitutional law or constitutionalism refers to the rule of law and is defined as” the absolute supremacy or predominance of regular law as opposed to the influence of arbitrary power”. (Dicey 1959), in the case of Kampala Accord under the auspices of Ambassador Mahiga and the president of Uganda made an arbitrary decision in the accord demanding inter alia the resignation of the popular prime minister. Moreover, the accord undermines the sovereignty of the state institutions of Somalia as the institutional oversight mechanisms are now in the hands of external actors, leaving the Somalis subservient to these entities. It makes the Somali leadership irrelevant and humiliates the Somali people.

The accord entrusts IGAD heads of state to act as a political Bureau with oversight authority to oversee the performance of Somalia’s Transitional Federal Institutions- the accord basically transfers authority of the TFI to neighboring countries with divergent and vested interest. Now the bogus consultative meeting held in Mogadishu, was intended to show case for the Kampala Accord, how else could one explain the outcome of that meeting and the priority tasks in the roadmap to end the transition which literally makes regional states equals with the transitional federal government in terms of implementation. Given that the Kampala Accord and the new Somalia roadmap humiliate the Somali people, we must conclude that the UN/AMISOM mission in Somalia needs speedy reevaluation and modification.

CONCLUSIONS

The role of the international community is seriously undermined by the shallow and sometimes misguided responsibility of the many interest groups involved in the Somalia file, which includes the TFG, the neighboring countries of Kenya and Ethiopia and particularly the United States of America for its lack of long-term vision for Somalia, its dual track policy and its main focus on the

war of terror only. The new roadmap must have a comprehensive approach to Somalia as a state, seeking the support of the Somali people and rejecting the self-serving tribal-bigots who advocate for the balkanization of Somalia. Somalia is facing multiple threats to its existence. The current famine, poverty, piracy and institutional weakness in Somalia are all sources of growing threats to, primarily, the Somali people but also to the international community as the narrative of grievances by extremist groups will definitely continue to pose grave danger to the stability of the region and to international security.

The current roadmap and the Kampala Accord leaves the Somali people powerless and humiliated. Signs for continued resistance is evidenced by the strong legislative stance taken by the Transitional Parliament on October 8, 2011, making illegal to enter any bilateral or multilateral agreement that may have bearing on the territorial integrity of Somalia until such time that Somalia has elected parliament and government. This legislation speaks to the growing outcry of the Somali people against the perception of increasing encroachment to the sovereignty and territorial integrity of Somalia.

The conflict in Somalia is very complex and can seem hopeless at times. This paper calls for bold and pragmatic incremental political solution in Somalia with measured and responsible international assistance. Building upon the growing demand for peace and stability by the Somali people, a primary objective should be restoring law and order. In this context, strengthening the Somali security forces and an effective judiciary system can offer a strong spur for the other political and socioeconomic institutions. A lesson can be drawn from the rise of the Union of the Islamic Courts' six months rule in Mogadishu in 2006. By constituting a small scale judiciary system and an effective law enforcement mechanism, the Islamic Courts managed to process the largest land and property claims in twenty years. This initiative alone has given the Islamic Courts unmatched legitimacy as it restored confidence in the system.

Restoring an effective independent judiciary system in Somalia will send a strong message to the Somali people that justice is restored and that impunity is no longer acceptable. In such an environment, the international community can be friends and allies as opposed to dominating force. The Somali people have an inherent traditional hospitality with respect to friends and guests. In this context, a lesson can be drawn from the pragmatic actions of the government of Turkey which is enjoying the highest public support in Somalia today. Many Somalis view Turkey as an honest broker as they call for dialogue among the conflicting parties in Somalia, while also carrying out needed development projects in Somalia. Turkey has recently evacuated a number of Somalis who have been wounded by recent terrorist attacks in Mogadishu and its universities are offering scholarship to qualified students from all over Somalia.

Applying the Turkish model, the United Nations' Somalia agencies in Nairobi, Kenya should move inside Somalia with a robust comprehensive international approach to the political conflict in Somalia that addresses Somalia as a state, working with the Somali people and rejecting extremists who advocate for the balkanization of Somalia, while also assisting the Somali people to rebuild the country. Rebranding the failed timid, band-aid measures will only keep Somalia weak and unstable. It is time for bold action for both the Somali people and the international community. It is time to end the humiliation of the Somali people by abolishing the Kampala Accord and the new roadmap. It is time to strengthen the Somali judiciary and security forces to restore the confidence and trust of the Somali people.



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