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OCCASIONAL ANALYSIS:

SOMALIA / The never-ending transition

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On 03 February 2011 in Mogadishu, Somalia's transitional parliament voted to extend its mandate for another three years. The proposal by the East African Security and Development block of the regional organisation IGAD¹, received 434 votes in favour, 11 against and 3 abstentions, out of a total of 550 members that make up the parliament since 2008.

This decision is at odds with the duration of the 2008 Djibouti Agreement, which was due to expire in August 2011. The Djibouti Agreement, signed under United Nations auspices between the Transitional Federal Government (TFG) and part of the Somali opposition, put an end to the occupation of the country by Ethiopian troops and the confrontation that had predominated following the ousting of the Islamic Courts Union. It also allowed for part of the opposition to incorporate the government and parliament, notably the Islamist faction ARS-D², whose leader Sheikh Sharif Sheikh Ahmed was elected president in 2009. The three-year duration of the principles agreed upon in Djibouti, conceded the Somali institutions (government, president and parliament) a transition period. These institutions, with the collaboration of the UN agencies, have the task of developing a constitution and preparing elections to choose a president before 20 August 2011, the deadline that is meant to bring to a close the interminable period of transition that commenced in 2004. However, two years on, the institutions are very behind in their work, whilst a complicated political context and an extremely adverse situation around the country, make the preparation of elections impossible.

Despite the military's efforts³, Sheikh Ahmed's government only controls small parts of the capital Mogadishu, in a fierce battle waged against Al Shabaab. The radical Islamist group holds sway over much of the south and centre of the country thanks to its military power, and is supposedly supported by elements of Al Qaeda. In fact, the Somali government, whose security and military forces are scant, depends exclusively on the military forces of the African Union mission, AMISOM, deployed since 2007 in strategic locations around the capital⁴. Its fundamental role is to protect the transitional government and ensure the free movement of humanitarian aid under the international World Food Programme. Also, in a country broken financially and with a malnourished population⁵, the government is financially dependent on external support from the United Nations, United States and the African Union, which allows it, among other things, to pay the salaries of MPs and the security forces.

Meanwhile, despite United Nations pressure on Sheikh Ahmed's government, via its Special Representative for Somalia, consultations on the drafting of the Constitution have proved difficult between the parliament, government, and the array of figures and experts inside and outside the country that make up the constituent council. The details of the more controversial

¹ Initials of the East-African Intergovernmental Authority on Development, which is made up of seven countries from the region: Sudan, Somalia, Kenya, Uganda, Ethiopia and Djibouti.

² Initials of that faction of the Alliance for the Re-liberation of Somalia that settled in Djibouti following the Ethiopian army's intervention.

³ Last December, given the ineffectiveness of the current strategy, the TFG promised that it would instigate a new military strategy to overwhelm Al Shabaab's resistance in the capital, Mogadishu. For now this strategy has proved ineffective.

⁴ The African mission AMISOM counting close to 8,000 soldiers in place, has been recently authorised by the UN to increase its numbers to 12,000 (UN Resolution 1964, 22 December 2010).

⁵ According to UN figures, the humanitarian crisis in Somalia continues, with 42% of the population (some 3.2 million people) in need of emergency humanitarian aid. One in six children suffers chronic malnutrition. See: "Humanitarian crisis persists in Somalia with malnutrition rampant in young, UN warns", <http://www.un.org/apps/news/story.asp?NewsID=33688&Cr=somalia&Cr1=>

elements of the Constitution's preparation are unknown, but they have led to mixed reactions in opposition to Sheikh Ahmed's government. Last September, Prime Minister Ali Sharmake resigned after nearly two years in office, while in January, the authorities of Puntland, a semiautonomous north-eastern region of Somalia which advocates a federal system for the country, withdrew their support for the TFG

The government's inability to bring about some consensus on a constitutional text, that could be the starting point for Somalia's future rehabilitation, is bad news, endangering the future of the country's reconstruction and stabilisation process. The umpteenth attempt at rehabilitation may fail and, therefore, prolong the deleterious process of disintegration afflicting the country for the last two decades.

The vote in favour of extending the parliament's mandate has been unanimously criticized by external donors. In the words of the UN special envoy for Somalia, Augustine Mahiga, this "disappointing decision" was taken "in haste" and "without the required level of discussion and consultation on how to end the transition and on the next political dispensation after 20 August 2011."⁶ Mahiga refers to the fact that the decision was made without consulting those donors among the international community who want to see changes to the deadlock in place since 2008. Changes, that the Mr Mahiga himself had evoked furthermore, just days before the parliament made its vote. The UN special representative had indicated that, besides the fact that the transitional period should end in August, the basis for national reconciliation and dialogue should be expanded. To achieve this, he had proposed organising a meeting or conference, involving the different Somali stakeholders to collectively consider the post-transition phase.

For its part, the U.S. administration, via a statement from its Embassy in Nairobi, also criticized what it labelled a "unilateral" decision, calling for it to be reconsidered⁷. Other players, such as the High Representative of the European Union for foreign affairs and security policy, and the British Representative for Somalia, criticized the move and regretted that the international community's call for consultation on the proposal had gone unheeded. Much tougher, France expressed its displeasure with the measure and indicated that it would review its support for the Somali government and ask its European partners to do the same.

The extension of the parliament's mandate has also been challenged internally by various stakeholders. The leaders of one of the major Somali clans, the Hawiye, have stated that the measure is "unacceptable" and have condemned it in "the strongest of terms." For their part, the authorities of the semi-autonomous region of Puntland, as well as one of the most important government-allied factions, the Sufi Ahl Al-Sunna Wal-Jamaa, have also criticized the measure which they consider a "hasty decision taken without deliberations and consultations".⁸

On the other hand, support for the measure has come, primarily, from neighbouring Ethiopia, whose government has kept Somalia under permanent scrutiny for the last two decades. In contrast to the rest of the international community, Ethiopian President Meles Zenawi greeted the parliament's decision.

⁶ "Statement by Augustine P. Mahiga on Parliament's decision to extend its mandate", 4 February 2011, http://www.garoweonline.com/artman2/publish/Press_Releases_32/Statement_by.shtml

⁷ "UK, U.S. condemn extension of Somali assembly term", 4 February 2011, <http://af.reuters.com/article/worldNews/idAFTRE7134U320110204?sp=true>

⁸ "Ahlul Sunna: We are against Somali parliament mandate extension", 5 February 2011, <http://www.shabelle.net/article.php?id=2814>

Meanwhile, the parliamentary speaker, Sheikh Hassan Sheikh Adan, an important figure in Somalia who was the finance minister in the previous government, came out in defence of the decision. Sheikh Adan justified the extension of the parliamentary mandate as a necessary step to "prevent a power vacuum and a constitutional crisis during the transition." In an official statement, the Cabinet stressed the Somali government's power to make decisions and although it did take note of the international community's reactions, indicated that the ultimate decision rests with the Somali people represented by their government. In addition, the Speaker announced that the presidential elections will take place in July, and that the elected president, as stipulated, will be the person responsible for appointing the new government.

The parliament's decision casts even more uncertainty over the political future of Somalia, inadequately underpinned by the flawed Djibouti Agreements of 2008. The TFG has shown no progress on what were the major objectives for its mandate: restoring security and order to the country, bringing about national reconciliation and drafting a constitution. This has brought about criticism from international donors who see a lack of effort on the part of the transitional government. The dichotomy between the parliament's determination to extend the transitional period and the majority of the international community's inclination to end it, may put an end to the credibility and legitimacy of the Somali government, adversely affecting the financial support it receives.

The current government is unconvincing and an extension of its unsatisfactory activity for another three years may end up exhausting donors, who would like to see an alternative formula for the Somali government. The consequences of failing to support the TFG however, could be worse, with Al Shabaab ever more powerful territorially speaking. The international community may find itself before a difficult decision.