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*Before the*

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*on*  
**Security and Governance in Somalia**

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Chairman Coons, Ranking Member Flake, Subcommittee Members:

Thank you for the opportunity to participate in this important panel at this critical juncture in Somalia's history.

My name is Abdi Aynte, and I am the Executive Director of the Heritage Institute for Policy Studies. Although born in Mogadishu, I was reared in the United States. Our family fled to America to escape the violence that engulfed Somalia as it degenerated into civil war and state failure. I went to college in Minnesota, and graduate school at Johns Hopkins University in Washington, DC.

I include this personal history because in the aftermath of the cruel attack on civilians at the Westgate Shopping Mall in Nairobi, some reports suggest one or more Somali-Americans, perhaps from Minneapolis, may have participated in the attack. As once a member of the Somali diaspora in America, I want to assure Subcommittee members, and indeed all Americans, that the overwhelming majority of Somalis living in the United States love and respect this country and are indebted to it for the opportunities it has provided to them. They have nothing but contempt for the al-Shabaab terrorists and what they have done to Somalia and stand with all civilized nations in denouncing their actions.

The Heritage Institute for Policy Studies was established in Mogadishu in January 2013. It is Somalia's first independent, non-profit, non-partisan think tank. It aims to inform and influence public policy and practice through empirically based research and analysis, direct engagement with senior policymakers and advocacy through the media, and to promote a culture of learning and research in the Somali region. Our most recent publications are briefing papers recommending how the international community can support the Federal Republic of Somalia through the "New Deal" development assistance and option for resolving the crisis between the central government of the Federal Republic and the people of Lower Jubba, Middle Jubba, and Gedo regions. More on the institute is on its website:  
[www.heritageinstitute.org](http://www.heritageinstitute.org)

One year after the formation of the first non-transitional government in over 20 years, there are reasons to be cautiously optimistic about the future of Somalia. The Somali people are determined, more than ever, to reclaim their dignity and, above all, their place among the community of nations.

They have also identified a common enemy to peace and stability. Citizens across the country are countering al-Shabaab's destruction and despair with construction and hope. Signs of economic vibrancy are re-emerging. The Somali diaspora are returning in large numbers, bringing with them much-needed skills, business opportunities and, most importantly, a sense of normalcy. Significant parts of Somalia, such as Somaliland in the northwest and Puntland in the northeast, are enjoying relative peace, stability and self-governance.

With regards to security, gains are less encouraging. Despite losing control of most major cities in Somalia, al-Shabaab fighters remain a major threat to peace and stability. The capital Mogadishu, where I came from 2 days ago, is under constant assault. Grenade attacks, assassinations, suicide bombings, and IED attacks remain all too common. And as the recent Nairobi attack demonstrates, the Shabaab remains a lethal force as a militia in an asymmetrical warfare.

A key challenge to the restoration of stability is the chronic weakness of the security apparatuses. Command, control, and coordination is demonstrably weak due to the fragmentation of militias forming the security forces. Training, especially on protection of vulnerable civilians, remains poor and uncoordinated with various countries running programs. The composition of forces does not reflect the regional and clan diversity of the Somali people, depriving the security forces of a much-needed legitimacy. This is largely due to the unintended consequences of liberating parts of the country from al-Shabaab, and recruiting from these regions.

The U.S. Government has provided much needed support to Somalia's struggling security forces, and the African Union's peacekeeping mission for many years. This support, from the U.S. and other development partners, is literally all that stands between the collapse of the Federal Government and its survival.

The U.S. Government must, however, utilize its support innovatively. Tactical counterterrorism measures, surgical strikes, and the provision of ammunition were necessary for sometime, but now there is a greater need for strategic partnership. Resources must now be channeled toward rebuilding competent, professional, accountable and broadly representative Somali security services with clear command and control. In order to defeat al-Shabaab, the Somali security forces need to be given a qualitative advantage over their enemy. At the moment, both sides are using mainly AK47s and RPGs. Armored personnel carriers, night vision goggles and air capability would be necessary.

AMISOM has done an excellent job of recovering regions from the Shabaab's tyranny, but they cannot become a substitute for indigenous forces. Somali forces can ultimately defeat al-Shabaab.

Security is inextricably linked to political accommodation and reconciliation, which is partially why Somalia adopted a federal model of governance nearly 10 years ago. But a consensus on which type of federalism remains elusive. Successive governments have failed to translate the federal vision into practical and viable member states. Frustrated with lack of progress at the national level, communities across the country have taken matters into their own hands, and carved out fiefdoms along clan lines. The American Dual Track Policy, which led to direct U.S. engagement with subnational entities, sent the wrong signal that the international community was promoting sectarian polities at the expense of a contiguous, federal government. Regional administrations practically run their affairs like independent states with virtually no input from the federal government.

The process of federating the country faces three enormous challenges. First, the Provisional Constitution is deeply ambiguous and contradictory about the shape of the future federal government of Somalia, and division of powers between the center and peripheries. The meaning of federalism is broadly misunderstood by the Somali people, many of whom are legitimately worried about an overly centralized state, much like the military regime of Siyad Barre. This is compounded by the absence of an effective judicial branch that can interpret constitutional provisions.

The ambiguity of the Provisional Constitution has allowed political elites to interpret it to suit their own narrow interests. Consequently, existing and emerging member states are being formed with little or no consideration to economic, political, and social viability of the state, and with a deeply worrying lack of inclusivity and transparency. Rights of unarmed clans and minorities are routinely ignored, and processes to establish federal member states are done in the most secretive fashion.

Second, state institutions intended to play a leading role in national dialogue and the design of a suitable and agreeable federal structure are yet to be established. The Provisional Constitution calls for the formation of nearly a dozen independent commissions, half of which are instrumental to the federation process, such as the Boundaries and Federation Commission, the Inter-state Commission, and the Constitution Review and Implementation Commission. The Federal Government is far behind schedule on the establishment of these commissions.

These delays are inexcusable. The Federal Government garnered an unprecedented support from the Somali people following its inauguration in September 2012. It also won an unparalleled backing from the international community, including formal recognition by the U.S. Government for the first time in 20 years, easing of the UN arms embargo, monthly direct budgetary support from Turkey, and an expanded African Union Peacekeeping Mission.

Many Somalis believe that the Federal Government has fallen short of using that positive momentum to advance inclusive politics and dialogue with key domestic actors, including existing and emerging federal member states, traditional elders, and civil society.

Third, neighboring countries are undermining national reconciliation efforts by encouraging and sometimes helping with the formation of more subnational entities to suit their own domestic interests. Jubbaland was the most recent example. It was no secret that Kenya has organized, financed and lobbied the international community to recognize the establishment of a “buffer zone” in its border with Somalia. While Ethiopia and Kenya face real threats from Somalia—as we’ve witnessed in the recent appalling attack in Nairobi—their unchecked interference risks further destabilizing of the country and a reversal of recent fragile gains.

The Provisional Constitution of Somalia envisions elections to take place toward the end of 2016. While this is not impossible, it’s highly improbable given the magnitude of the tasks ahead. It should remain an admirable goal for the current government, but we must not substitute state-building for process-building. Elections are not an end in themselves, but rather a means toward the significantly more important objective of viable state formation, including finalizing the Constitution, settling on a federal structure and adopting political party laws. In the absence of these steps, preparing for elections is a futile exercise.

The challenges facing the processes of federation and political consolidation in Somalia are tremendous, but not insurmountable.

First, the Provisional Constitution is a deeply flawed document that contradicts itself and puts future member states and the federal government on a direct collision course. The Somali people and their government need urgent assistance in this regard.

Priority must be given to the formation of the Review and Implementation Commission and Boundaries and Federation Commission. Once established, they will need considerable financial and human resources to engage in genuine national dialogue. There are a number of American institutions with relevant experience that can provide essential support in this area.

Second, assistance to the Somali government must be contingent upon measurable gains. It must be held accountable to the Provisional Constitution and its own national plan. The culture of willfully missing constitutional deadlines must not be tolerated. If none of commissions is established by early next year, the Somali people will lose faith in the Government's commitment to offer something more than its predecessors.

Somalis are rightfully worried that important transitional tasks will remain unfinished in three years when the government's mandate comes to an end. Without strong support from the U.S. and other development partners there is a grave risk of the country slipping back into chaos. The United States and its allies must seize this opportunity to consolidate recent gains.

The U.S. and its allies should assist the Somali people to develop mechanisms to hold their government to account. Somali civil society has always been, and will continue to be a powerful force for progress. The role of the civil society is currently worryingly absent. Civil society institutions must be strengthened and given the tools they need to effectively monitor the progress and integrity of the government. Properly amplified internal voices can induce change from within.

Third, as an important ally to both Ethiopia and Kenya, the United States has a moral obligation to exert pressure on the two countries to allow the Somali people and their government to engage in a national reconciliation. Interference galvanizes militant groups and further divides Somali communities.

The U.S. should certainly continue to assist both countries in mitigating the security threats they face. But Kenya and Ethiopia must realize that a democratic, strong, and vibrant Somali state on their borders is the greatest guarantor of security and prosperity in the region.

It is, at times, easy to dismiss Somalia as being irreparable, the archetypal failed state beyond hope. But as those of us who have given up their comfortable lives and families in the diaspora to return home can attest to, progress is possible. And it is happening across the country.

Somalia has made a profound leap from where it was just three and half years ago, when I first started returning home. At the time, al-Shabaab controlled 75% of Mogadishu and almost 60% of the entire nation. Pirates were disrupting global shipping lanes. The very notion of government was contested across the country.

With the support of international partners like the U.S., the EU, the African Union, the UK, Turkey, and others, Somalia is slowly emerging from the abyss. What it needs now is relentless efforts to rebuild inclusive state institutions that have the legitimacy, capacity, and resources needed to finish the mammoth tasks ahead.

I thank the subcommittee for this opportunity to present my views.