

# HORN OF AFRICA BULLETIN

January-February 2015

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## Remittances, Radicalisation and Mistrust: US-Somali Policy

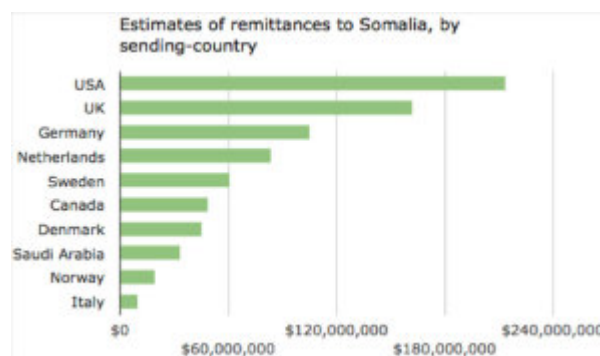
By Najum Mushtaq

Even though the three-day White House summit on countering violent extremism was prompted by the shocking events taking place under the “Islamic State” in Iraq and wider Middle East, Somalia stayed in the headlines. In his opening remarks at the summit on 17 February, Vice-president Joe Biden left the audience puzzled and amused by claiming that, in his Delaware hometown, “there’s an awful lot of [Somalis] driving cabs and are friends with me for real.”<sup>[1]</sup>

Biden’s defensive gaffe came after a barrage of criticism the Obama administration has received for blocking American remittances to Somalia. Late in January Merchants Bank of California, which handled 60%-80% accounts of Somali-American money transfer companies, sent out letters to customers informing them of the decision to close the accounts of companies on its books. It was the last major bank still providing this service to Somali-American diaspora.<sup>[2]</sup>

The bank was complying with a ‘cease-and-desist’ order from US Treasury’s Office of the Comptroller of the Currency, which had reasoned that some of the money sent home by Somalis in the United States falls into the hands of the terrorist group, al-Shabab.<sup>[3]</sup> Similar stringent measures apply for remittances from Somali diaspora in Europe—Barclays stopped the service in 2013, hitting the flow of money transfers from the UK—yet legal means of sending remittances remain available, albeit with rigorous compliance mechanisms and due diligence as well as through innovative adaptive methods used by the money transfer operators.<sup>[4]</sup>

Yet, as the figure below suggests, the drop or disruption in remittances from the United States will have far more severe and far-reaching consequences for the people of Somalia than just a setback to the money transfer companies.



Source: Oxfam 2013, all figures in US\$

### Humanitarian crisis and radicalisation

Remittances from the diaspora amount to between \$1.2 and 1.6 billion a year, which is roughly 50% of Somalia’s gross national income; 40% of the population relies on them for survival. “The bulk of money sent is used by families to cover basic household expenses—food, clothing, education, and

medical care. Contributions are also made to pay for family emergencies or weddings, to community development efforts, to make investments, to promote political projects, and to settle clan disputes,” reports a survey by the Food Security and Nutrition Analysis Unit.[5]

Not being able to receive remittances in a normal and regular manner will hit the already battered Somali society and economy in more ways than one. According to the United Nations, *731,000 people face acute food security crisis in Somalia, whilst 2.16m remain in stress situation, and there are 218,000 malnourished children under age 5.*[6]

“Every time a bank closes, the media asks, ‘What’s the impact?’ You tell them it’s serious, but the remittances don’t stop flowing, so they don’t see the immediate impact – they think we’re exaggerating. But it’s just a slow death,” says Degan Ali, the executive director of the NGO Adeso, who believes the potential impact of the closure of the remittances industry in Somalia “would be devastating...The [last famine](#) is estimated to have killed 265,000 people. Triple that number would not be able to access basic needs if the remittance flows stop.”[7]

George Monbiot calls the US Office of the Comptroller of the Currency as “the world’s most powerful terrorist recruiting sergeant.”

“Over the past 10 years, the money known to have been transferred to suspected terrorists in Somalia amounts to a few thousand dollars. Cutting off remittances is likely to kill more people than terrorists will ever manage,” say Monbiot in his 10 February paper titled “Unremitting Pain”.[8]

Monbiot likens the US Treasury’s decision to “iniquitous mass punishment”.

“So you take a country suffering from terrorism, massive youth unemployment and the threat of famine and you seek to shut off half its foreign earnings. You force money transfers underground, where they are more likely to be captured by terrorists. You destroy hope, making young men more susceptible to recruitment by an organisation promising loot and status.

“Through an iniquitous mass punishment, you mobilise the anger and grievance on which terrorist organisations thrive. You help al-Shabaab to destroy Somalia’s economic life.”[9]

### **Discrimination on the basis of nationality**

In addition to the currency control policy aggravating the humanitarian crisis and increasing the potential for radicalisation in Somalia, blocking remittances put immense pressure on communities in harsh conditions marked by constant conflict and extreme food shortage. A study by Oxfam-America and Adeso describes how closure of Somali accounts affects the economy and community relations not only in Somalia but also in the west.[10] Noting that such restrictions do not completely stop the flow of remittances, they do lead to the following counterproductive consequences:

- Disruption of income in cash-strapped Somalia which, some of the interviewees said, affect virtually every Somali family and hampers investments
- Business performance—both inside the country and in Somali communities abroad—is severely undermined

- Increased costs of sending money home as money transfer companies start sending money through more expensive and indirect corridors
- Informal means of transactions are more frequently used which drives the process underground and increases risks due to lack of transparency and oversight.
- Lack of trust and community relations as Somali communities feel “a sense of frustration with US financial regulators for failing to ensure a secure channel for remittances, and second, a sense of exclusion from US banking institutions based on their nationality.”[\[11\]](#)

Taken together, the closure of Somali companies bank accounts in the United States have exactly the opposite impact of what these measures purports to achieve—that is, containing the influence and growth of militant groups like al-Shabab and bringing the Somali population on board in the fight against extremism. As the sense of exclusion and discrimination on the basis of their place of origin spreads among the Somali population, anti-western, especially anti-US, movements will have an increased pool of disgruntled people to tap into.

### **Building trust between regulators, remitters**

Against the backdrop of US restrictions, it will be instructive to examine how other countries with large Somali diaspora are dealing with the problems posed by remittances to Somalia.

In 2013, in response to risks related to remittances to Somalia, the UK government established an Action Group on Cross Border Remittances “to form a public-private partnership to address challenges in remittance markets.”

“Our aim is both to help banks have greater confidence in transactions and protect you by ensuring that funds are transferred through secure channels and reach the people you intend them for,” said an official statement announcing the establishment of The Action Group, which has three work streams:

- To improve guidance on regulatory compliance in the remittance sector
- To improve understanding of risks
- To develop a ‘Safer Corridor’ pilot for UK-Somali remittances. [\[12\]](#)

The steps taken by the UK government included the development of new guidance for remittance companies and for banks that provide services to remittance companies. Detailed consultations were held with banks and remittance companies to assess understanding of the risks in the sector and identify how these risks can be better managed. “The Safer Corridor” pilot for UK-Somali remittances—a collaboration of industry, banks, regulators, government and the community—is meant to develop a set of measures to improve the security and transparency of transactions. At the same time, a stakeholder group is also being set up in Somalia and the pilot is expected to be fully operational within a year.

In its report, “Capitalizing on Trust: Harnessing Somali Remittances for Counterterrorism, Human Rights and State-building”, the Centre on Global Counterterrorism Cooperation recommends regulator-remitter collaboration on joint outreach, risk analysis, and early warning:

“A core group of regulators and Somali remittance organisations (SROs) should work together to develop joint outreach tools explaining Somali remittances to banks and other regulators and joint risk analysis and early-

warning tools” helping regulators and SROs to meet the standards and discharge their obligation provided under anti-money laundering and countering the financing of terrorism regulations.

“Trust”, the report notes, “is central to this industry’s business model, and we argue trust is the key to improving its regulation.”

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[1]

[http://www.huffingtonpost.com/2015/02/17/joe-biden-somali-cab-driv\\_n\\_6701448.html](http://www.huffingtonpost.com/2015/02/17/joe-biden-somali-cab-driv_n_6701448.html)

[2] <https://foreignpolicy.com/2015/01/30/bank-crackdown-threatens-remittances-to-somalia/>

[3]

<http://www.latimes.com/business/la-fi-merchants-bank-somalia-20150206-story.html>

[4] For a full report on how the system works, see

<http://www.riftvalley.net/publication/challenges-somali-money-transfer-sector#.VOMdTvmUe1U>

[5]

<http://www.fsnau.org/in-focus/family-ties-remittances-and-livelihoods-support-puntland-and-somaliland-study-report>

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<http://reliefweb.int/report/somalia/somalia-post-deyr-2014-food-security-and-nutrition-outlook-february-june-2015>

[7] Quoted in The Guardian,

<http://www.theguardian.com/global-development/2015/feb/06/somali-us-money-transfers-merchants-bank-remittances>

[8] The fully referenced paper is available at

<http://www.monbiot.com/2015/02/10/unremitting-pain/>

[9] *ibid*

[10]

<http://www.oxfamamerica.org/static/media/files/somalia-remittance-report-web.pdf>

[11] Summarised from

<http://www.oxfamamerica.org/static/media/files/somalia-remittance-report-web.pdf>

[12]

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/331522/Factsheet\\_-\\_Remittances\\_to\\_Somalia.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/331522/Factsheet_-_Remittances_to_Somalia.pdf)



## Kenya's bid to regulate religious institutions

By Hawa Noor M

In November 2014, a television exposé revealed how a Salvation Ministries Church pastor, Victor Kanyari, performed tricks in Nairobi to lure his followers into donating seed money to his "church". The clip went viral, and the Kenyan government reacted by imposing an indefinite suspension of registration of new religious institutions (associations, societies, churches, mosques, temples etc) while calling for fresh registration of existing ones.[1] The existing religious bodies were also required to file details of their status and financial returns with the registrar of societies.

Attorney General Githu Muigai then announced that a framework was in the making to review the Societies Act and establish a special unit to manage religious institutions so that they operate like trade unions and political parties. According to him, operations of religious communities, churches, mosques and temples should be transparent and accountable and operate within the guidelines of spirituality that they purport to promote.[2]

### What the new rules will mean

If adopted, the new set of regulations, known as the "*Religious Societies Compliance Rules*", will define standards for religious institutions as well as local and foreign clergy. For one to become a local clergy he/she will have to obtain a certificate of good conduct from the police and clearance from the Ethics and Anti-corruption Commission while foreign clergy will have to have work permits and a recommendation from their diplomatic missions. The government will also be supplied with details of religious institutions such as its leaders, committee members and registered trustees as well as their location. Similarly, religious institutions will need to file annual returns of their exemption or no-exemption to pay taxes. Otherwise, they will be declared dormant while a religious body that does not comply with the "*Religious Societies Compliance Rules*" within 60 days will have its license revoked.[3]

Religious institutions like churches, mosques and temples have in the past been registered as charities under the Societies Act. 'Societies', in this case, refers to: any club, company, partnership, or other association of ten or more persons, whatever its nature or object, established in Kenya, or having its headquarters or chief place of business in Kenya and any branch of a society.[4] For a society to be registered, it is required that information such as the full name of the organization, details of office bearers, copies of identity cards, passport photos, and a copy of the Kenya Revenue Authority pin number must be provided.

It is due to these minimal conditions, whereby anyone can register an institution and call it a religious entity, that some are suspicious about the efficacy of the new rules and are calling for stricter regulation in consultation with the clergy.[5] Some other stakeholders argue that instead of introducing new regulations that may or may not necessarily be in accordance with the law, the existing Societies Act should be enhanced for use in cases of breach of conduct by any registered religious entity and individuals.[6]

In reaction to the scandal exposed by a TV channel and as a reaction to the Attorney General's announcement, the National Council of Churches of Kenya, a national umbrella body of churches in the country, cautioned against 'generalization' and treatment of all churches as lawbreakers based on the action of a few individuals<sup>[7]</sup> and instead recommended that criminals should be dealt with according to the existing law. The Supreme Council of Kenya Muslims shares the same sentiment. <sup>[8]</sup>

Through the Attorney General, the government has on numerous occasions stated that its intention is not to interfere with the work of religious institutions but to foster cooperation and promote accountability within religious entities. The government's dilemma, however, arises from tension between its secular nature and the constitutional provisions guaranteeing freedom of religion. On one hand, it realizes the danger of infringing upon the freedom of worship and association while on the other it is mandated to protect national values such as religious responsibility and coexistence (secularism), transparency and accountability regardless of the religious orientation of a society or association. Its stern action is therefore understandably more reactive, in response to pastor Kanyari's exposure and the emerging security threats of violent extremism, as opposed to an intention to curtail religious freedom.

### **Vices in places of worship**

The new rules come in the context of cases of misuse of religion and places of worship, particularly churches and mosques. So, it is a matter of adherence to established cultures, norms and practices in these institutions vis-a-vis stipulations in national laws and religious teachings. The visible increase in aggressive evangelism in several religious traditions has led to commercialization of religion and exploitation of poor citizens in search of spiritual solace and solutions to their day-to-day problems by those operating under religious brand names such as "prophets" and "saints", hence attracting the attention of Kenyan authorities.

Another recent observation that brings the matter to light is the rise of the so-called cult rituals and sacrifice that hit climax with the death of a couple and their three children, alleged to have been members of a controversial Nigerian Church.<sup>[9]</sup> These and many other similar incidents left the Kenyan audience wondering on the interconnection between money and the contemporary position of religious institutions.

Also worrisome is the misuse of mosques by radical groups in Nairobi<sup>[10]</sup> and Mombasa, culminating in police raids<sup>[11]</sup> specifically on Masjid Musa and Sakina mosques in Majengo that in general point to an existing complex problem of radicalization among Muslim communities.

Given the prevailing circumstances, it is expected that the government will not look the other way when unscrupulous clergymen use places of worship to advance their extremist agenda or defraud and abuse citizens. When a religious institution becomes a source of threat to a country's national security or to its citizens, the government is bound to take action. However, the question is: to what extent the government can exercise its powers while providing checks and balances in the activities of religious institutions without necessarily seeming to interfere with its affairs?

The burden lies in balancing its constitutional mandate vis-a-vis the rights to freedom of worship as guaranteed in the constitution and under the norm of

separation of religion and state. Previously, only the government could scrutinize the clergy with the approval of the registrar of societies and the National Security Intelligence Services. Also, in the context of proposed amendments to the Public Benefits Organization Act (2013), which severely restricts the volume of foreign funding to local entities,<sup>[12]</sup> what will be the procedure of administering foreign funding to mosques—mainly from the Gulf States—and churches, mainly from western countries? How does the government intend to ascertain for what purpose these funds are utilized? Will the new regulations guarantee citizen security and safe religious spaces as the government goes about eradicating crimes and other vices from religious institutions?

### **Recommendations**

In an era where the narrative of religious polarization prevails, regulation of religious institutions is necessary in order to curb other vices such as hate speech, to combat radicalization and promote religious tolerance. But, at the same time, for any such action to be successful, it will have to be conducted in a manner that will ensure a win-win situation with a clear-cut mandate of the government, on the one hand, and maintaining the independence of religious organizations on the other. With the proposal of the new rules, some religious institutions and their leaders have already come out to claim that they were not involved in the process of their formulation. This lack of buy-in from key stakeholders is the main flaw in this plan.

To prevent further suspicion of infringement on citizen's right to worship, the process of regulating religious institutions will have to involve all stakeholders, especially the clergy from Christian and Muslim traditions. This will succeed only if their implementation is based on coordination between the government, religious leaders<sup>[13]</sup> and religious bodies such as the National Council of Churches of Kenya and the Supreme Council of Kenya Muslims as well as other civil society activists. One-way implementation of this set of rules may create more problems than it seeks to address.

This is particularly significant because Kenya sees itself as a deeply spiritual society that has strong faith in its clergy and so any exercise without the blessings of the latter will most likely not succeed. The fact that even after his scandal has been made public, pastor Kanyari's church is still popular and is well attended, illustrates this point and the influence and power that religious narratives have in Kenya.<sup>[14]</sup>

Equally important is to carefully consider the aspect of control of funding and taxation. For it to be effective, the proposed framework will also have to be all-inclusive and take consideration of basic details such as the rampant corruption across all sectors, including the government and religious institutions. The misuse of religion and religious institutions is not limited to some sections of the clergy; politicians are equally culpable as they mobilize voters and run campaigns by appropriating religious slogans. Therefore, for the new regulations to prevent misuse of religious institutions and places of worship, promote a culture of peaceful coexistence and ensure rule of law, the relationship between politicians and the clergy will also need to be closely examined.

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[1] See

<http://www.nation.co.ke/news/AG-plans-tough-law-to-tame-seed-preachers/-/1056/2516850/-/u7nnjaz/-/index.html>

[2] Source:

<http://www.theblaze.com/stories/2014/11/17/religious-leaders-storm-out-of-govt-meeting-after-kenya-reportedly-bans-new-churches-over-alleged-miracle-faking-spree/>

[3]

<http://mobile.nation.co.ke/news/Attorney-General-Registrar-of-Societies-Religious-Leaders/-/1950946/2597886/-/format/xhtml/-/s8sryez/-/index.html>

[4] [https://www.imolin.org/doc/amlid/Kenya\\_Societies\\_Act.pdf](https://www.imolin.org/doc/amlid/Kenya_Societies_Act.pdf) (Accessed on 19<sup>th</sup> January 2014)

[5]

<http://www.capitalfm.co.ke/news/2014/11/ncck-backs-plan-to-tame-rogue-preachers/>

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<http://www.ncck.org/newsite2/index.php/information/news/362-kenya-religious-leaders-press-statement>

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<http://www.onislam.net/english/news/africa/482985-muslims-deplore-kenya-restrictions-on-imams.html>

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<http://www.standardmedia.co.ke/thecounties/article/2000143241/police-probe-cult-link-in-couple-s-bizarre-death>

[10] <http://www.issafrica.org/uploads/Paper245.pdf> (Accessed on 20<sup>th</sup> January 2014)

[11]  
<http://www.aljazeera.com/news/africa/2014/02/clashes-after-police-storm-kenya-mosque-20142213377444840.html>

[12] <http://www.icnl.org/news/2013/5-Nov.html>

[13]  
<http://www.standardmedia.co.ke/lifestyle/article/2000057636/church-seeks-self-regulation-to-rein-in-errant-pastors>

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<http://www.the-star.co.ke/news/worshipers-flock-pastor-kanyari-church-despite-fake-miracles-expose-besieged-prophet-locks-out>



## How to ensure responsible oil production in Somalia

By Markus Virgil Hoehne

Prospects for oil production in Somalia look bright—the Somali Federal Government and its partners like the World Bank plan to begin producing oil and gas offshore by 2020. This article addresses the problem of “resource curse” experienced by many other African countries and argues for responsible oil and gas production in Somalia.

The general resource curse problem is well-known. On the one hand, oil is in high demand at a time when various former “second” or “third-world” states are about to industrialize, and industrialized countries are facing the decline of their natural resources. It promises quick wealth. On the other hand, oil, particularly in fragile or unstable settings, is likely to fuel conflict, stabilize authoritarian regimes or help to create new such regimes, prevent the development of alternative economic infrastructure, lead to environmental disaster and heighten corruption and social inequality.<sup>[1]</sup> But it is not only domestic factors that decide whether natural resources become a curse or a blessing. International organizations, like the World Bank, and transnational companies are involved. Key questions are: what are the preconditions for responsible oil production? And what will such a production look like? While there is no blueprint for this, one can try to learn from previous endeavors in settings that in some regards can be seen as structurally akin to, e.g., Somalia.

### Oil and domestic politics: the example of Chad

One of the more recent examples where a well-planned initiative by the World Bank to foster responsible oil production failed is Chad. The country in the Sahel zone was characterized as fragile state, ruled by a military regime with huge levels of corruption and poverty in place when the World Bank, together with Exxon Mobil, began developing a framework for oil production in its southern Doba region in the late 1990s. A crucial part of the project was to develop binding legislation that, inspired by the “Norwegian model” of responsible resource exploitation, would provide for social and economic development, transparent revenue management and establishing a fund for future generations.<sup>[2]</sup> In 1998 Law 001 was passed by the Chadian government to ensure that “10% of revenues goes into a London-based escrow account to be used for future generations. Of the remaining 90%, 15% was intended for direct use within the Chadian government; 5% was to be dedicated directly to the development of the oil-producing area; while the remaining 80% was supposed to cater for poverty alleviation - notably the development of educational and health-related infrastructure and economic planning.”<sup>[3]</sup>

The project was considered a test case by the World Bank, bringing together one of the poorest and least stable countries in the world with one of the richest private corporations.

Oil production started in 2003. Already at that time, some actions of the

Chadian government indicated that the spirit of the agreement with the World Bank, which had provided funds to start the project in the first place, had been violated. Some money was taken out of the revenue stream for private purposes by the president. In 2005, President Idriss Déby singlehandedly changed the constitution and extended his term of office indefinitely. This triggered a rebellion within the ruling elite, supported by parts of the military, who felt that they had been excluded from resource sharing, since the president could—sustained by oil money—rely on a small but well equipped security apparatus.

In 2006, the Chadian parliament changed Law 001 (using a legal loophole in the agreement with the World Bank) and replaced it by legislation that abandoned the future generations fund and other measures to ensure the responsible investment of the oil wealth, and instead allowed spending increasing amounts of money on countering rebellion and stabilizing the regime. The influence of supervision bodies that initially had been set up in 1998 to oversee the implementation of the project was dramatically restricted.<sup>[4]</sup> The World Bank withdrew, but the private companies extracting oil remained in Chad. What followed was an extended period of violent rebellion and repressive governance in the country.

### **The case of Somalia**

Preliminary processes for exploring and producing oil in Somalia are underway. Balthasar reported that the “Federal Government of Somalia (FGS) announced in 2012 that it sought to auction some of its 308 newly delineated oil blocks during the course of 2013.”<sup>[5]</sup> Against the background of the increasingly successful military campaign against al-Shabaab currently ongoing in southern Somalia, some key players seem to have found that the time is ripe for concretizing exploration and exploitation plans in the area.

By early 2015, the World Bank in cooperation with Somali counterparts (mainly the Ministry for Petroleum and Mineral Resources) had started commissioning studies to assess the legal, economic and policy implications of oil exploration and exploitation in Somalia. Bob Sheppard, chief executive of Soma Oil and Gas, a London based company backed by a Russian billionaire, Alexander Djapardize, is confident that the regions’ geology looks positive.<sup>[6]</sup> The company recently completed a seismic survey, concentrating on possible offshore deposits. Soma Oil and Gas as well as Somali officials emphasize that there was tremendous improvement in security in Somalia over the recent year. Also older, well-established companies “like Royal Dutch Shell and Exxon Mobil are being encouraged to reactivate dormant contracts to explore for oil and gas. They withdrew from Somalia two decades ago after civil war broke out in 1991.”<sup>[7]</sup>

There are reasons, however, to view oil production in Somalia with suspicion, at least against the backdrop of the given political and military situation in the country. Somalia is far from stable. The government in Mogadishu has yet to establish authority in much of the south. Large junks of the hinterland are still under al-Shabaab control. Even if al-Shabaab further loses its grip on territory, the group can be expected to continue to be active as a terror cell operation in southern Somalia and also across the borders of Kenya and possibly Ethiopia.<sup>[8]</sup> The infrastructure necessary to exploit oil would certainly be sensitive to terror attacks.

A critical issue is that security in southern Somalia is largely the domain of

the thousands of foreign troops on the ground. As these troops come from neighbouring states like Kenya and Ethiopia, and other potential oil producers in the region such as Uganda, it cannot be expected that the possible oil production in southern Somalia will be sufficiently controlled by the Somali people. Somali leaders in Mogadishu are marred by a record of inefficiency and alleged corruption. The neighbouring states exercise pressure on the Somalia government. Furthermore, there is a lack of downward accountability of the Somali leaders, transparency in financial and economic transactions and administrative capacity of the government. All these factors mean that a huge leak of oil revenue has to be expected if drilling starts without assuring the full sovereignty of the Somali people over their national resources.

Besides these immediate problems, Balthasar outlined that the planning and the infrastructure necessary to translate oil wealth into sustainable development is absent in Somalia.[\[9\]](#)

A final major problem with regard to oil production in Somalia would be that the relations between the central government in Mogadishu and the various regional governments, particularly in Somaliland and Puntland, but also in Jubbaland, Galmudug and elsewhere, are unclear and conflict-ridden. Somaliland does not accept any authority of Mogadishu over its claimed territory. Puntland is highly suspicious of any attempts of Mogadishu to monopolize resources. Against this background, oil production in Somalia is—at least in the foreseeable future—a very risky business that may lead to massive conflict which, given the history of the country, may well turn into large-scale violence.

### **Caution is the mother of wisdom**

Above, the example of Chad was used to indicate how an agreement between the World Bank and a fragile state that, however, at the time of entering into the agreement faced much less internal problems than Somalia, worsened the situation for much of the local population once oil production began. What would be needed at the moment in Somalia would be a cautious approach and a combination of activism and restraint by Somali people and their civic partners worldwide. Somalis including diaspora actors and international nongovernmental organizations would have to develop a united position and voice their concerns about unsustainable and premature plans to explore and extract oil.

The natural resources of Somalia can only provide for nation-wide prosperity if the country truly is at peace. This will take many years. The tasks on this way are threefold. First, Somalia must regain national sovereignty vis-à-vis its neighbours and actors in the “global north”. Second, the successful settlement of domestic conflicts over regional administrations, wealth sharing, and the provision of security are prerequisites for responsible oil production. Third, transparency and downward accountability of the central government and the regional authorities need to be firmly established. Only afterwards can Somalis have a chance to explore the riches of their country in a responsible and truly beneficial way.

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[1] For a good summary of this debate, see Balthasar, Dominik 2014: Adding Fuel to the Fire? Heritage Institute for Policy Studies, pp. 5-6. Online: [http://www.heritageinstitute.org/wp-content/uploads/2014/06/HIPS-Oil\\_in\\_Somalia-ENGLISH.pdf](http://www.heritageinstitute.org/wp-content/uploads/2014/06/HIPS-Oil_in_Somalia-ENGLISH.pdf)

[2] Oil production in Norway began in the 1970s. From the 1990s onward, numerous measures to ensure social and other benefits deriving from the oil wealth were implemented. This model for responsible oil production is being exported by the Norwegian Agency for Development Cooperation (NORAD) that administrates the Oil for Development Program launched by the Norwegian government in 2005. Under this program, “economically, environmentally and socially responsible management of petroleum resources which safeguards the needs of future generations” shall be promoted. See:

<http://www.negotiationsupport.org/matrix/norwegian-agency-development-cooperation-%E2%80%93-oil-development-programme>

[3] Hoinathy, Remadji and Andrea Behrends 2014: Does rationality travel? Translating a World Bank Model for fair oil revenue distribution in Chad. In: Andrea Behrends, Sung-Joon Park and Richard Rottenburg (eds.): Travelling Models in African Conflict Management: Translating technologies of social ordering. Leiden: Brill, pp. 76-91, p. 81.

[4] Ibid., pp. 82-83.

[5] Balthasar, Adding Fuel to the Fire, p. 2.

[6] This seems to be one of the usual statements by company heads to keep shareholder interest alive and increase the market value. Purcell, Peter 2014: Myths of oil riches drive resource conflict. Horn of Africa Bulletin 26(4), p. 3.

[7] BBC World Service 8 December 2014: Somalia invites energy companies to explore for oil. Online: <http://www.bbc.co.uk/news/business-29993447>

[8] DW 2 December 2014: Kenya shocked by al-Shabab terror. Online: <http://www.dw.de/kenya-shocked-by-al-shabab-terror/a-18106001>

[9] Balthasar, Adding Fuel to the Fire, p. 7.



# The Tigrayan People's Liberation Front (TPLF) still going strong at 40

By Demessie Fantaye

## Ethiopia: TPLF going strong at 40

By Demessie Fantaye

The 18<sup>th</sup> of February this year marked the official anniversary of the founding of the TPLF (Tigrayan People's Liberation Front)<sup>[1]</sup>. Beginning from December 2014, a range of events and extensive media coverage has been taking place to mark the Front's 40<sup>th</sup> anniversary. Newspaper articles, programs covering events on television and several radio stations and interviews with veterans of the struggle—have all been a feature of the celebrations. The anniversary is not only important to Ethiopia but also has regional significance.

The TPLF has achieved important successes in its 40 years of existence. It overthrew the military junta and has overseen an impressive process of political and socio-economic changes in Ethiopia since 1991. The consistently high rates of economic growth registered in Ethiopia and all the concomitant changes are impressive testimony to what it has done right during its rule.

TPLF has also weathered difficult tests such as the war with Eritrea, domestic opposition to its hold on power and the passing away of its former leader and prime minister, Meles Zenawi.

## Evolution of the Front

The TPLF has its roots in the Ethiopian Student Movement (ESM) of the 1960-70s. In its four decades of existence, the TPLF has evolved substantially. It emerged as an insurgent movement in 1975 during the height of the Cold War and formally adopted a hard line Hoxhaite<sup>[2]</sup> Marxism as its ideological framework in 1984<sup>[3]</sup>. Already prior to 1984, the TPLF had emerged as the most important insurgent movement against the military junta in northern Ethiopia by defeating other insurgent movements operating in Tigray/northern Ethiopia. It had also managed to establish collaborative relations with the EPLF (Eritrean People's Liberation Front). The relationship with the EPLF, while occasionally going through rocky patches, was by and large maintained until and beyond the downfall of the Derg (the Amharic for the 'committee'). A few years before the downfall of the junta, the TPLF formed a front, the Ethiopian People's Revolutionary Democratic Front (EPRDF) with other likeminded organizations.

The TPLF's policies such as land reform, the provision of basic services and measures to assure the security of rural inhabitants from the depredations of bandits, coupled with the brutal counter insurgency campaign and the shortsighted socio-economic policies pursued by the military junta, allowed the TPLF to win widespread support in Tigray and later other parts of northern Ethiopia<sup>[4]</sup>. The extreme pragmatism (some would even say opportunism) exhibited by the TPLF should be understood as a key factor in explaining many of its successes during the armed struggle and, after the victory, its continued hold on power. With the capture of power, it incrementally backtracked from its ideological premises and initiated

policies and changes (e.g. economic and political liberalization) that contradicted its initial world outlook.

The 2000-2001 split in the TPLF is also an important event in the evolution of the TPLF. The split led to the departure of many of key senior figures in the TPLF and ascendancy of the late former prime minister, Meles Zenawi, in the party and state apparatus. More substantively, it marked the further erosion of the TPLF's albeit diluted ideological legacy. It also heralded a shift from the culture and practice of collective leadership that had characterized the TPLF in the past.

### **Continuity and change**

The TPLF is also in many ways no longer the same organization that overthrew the military junta. While its core leadership and figures are still veterans and leaders dating back to the era of the armed struggle the TPLF, similar to the other components of the EPRDF, has experienced a substantial expansion of membership coupled with a conscious effort to bring up a new generation of leadership<sup>34</sup>. This will have unforeseeable effects in the future. Some observers opine that a newer generation of leadership and a more expanded membership could over the long run translate into greater willingness to experiment with further economic liberalization.

The TPLF no longer occupies the office of prime minister, which is held by another component of the EPRDF. But the continued preeminence of the TPLF in the security apparatus and its hold on some key ministries means that it still remains the core of the power structure in today's Ethiopia even if its dominance has diminished to some extent.

There are elements of continuity, however, that should not be discounted in understanding the TPLF at its 40<sup>th</sup> anniversary. Certain principles and modes of behavior seem to be ingrained in the movement. One could point to the 'State Capitalist' model of development that the Ethiopian government is following—so far successfully—which could be a vestige of the Marxian legacy of the TPLF. In this regard, one could also mention certain elements of the constitution and the federal system in Ethiopia.

Ethiopia under the TPLF-EPRDF has made impressive strides in the socio-economic sphere. Sustained economic growth involving large scale investment in a context of gradual economic liberalization, coupled with a strong state role in the economy, have created a distinct model of economic development, according to some observers. Ethiopia's model of development has also been touted as being 'pro-poor' due to its emphasis on the education sector and infrastructure development. One of the most striking developments has been the Ethiopian government's all-out effort to develop Ethiopia's hydro-electric power generation capacity. Ethiopia's Growth and Transformation Plan 1 envisaged that by 2015 Ethiopia will be generating 10,000 MW of electricity.

The Ethiopian model of federalism has also been regarded as fundamentally transforming the nature of the relations between the centre and the regions in the country and has also been regarded by some as a possible model for handling the issue of diversity in the broader African context.

In the aftermath of the overthrow the Derg in 1991, the TPLF-EPRDF introduced a multiparty system and recognized both in the Transitional Charter and the FDRE (Federal Democratic Republic of Ethiopia) Constitution, basic civil and political rights, which marks a fundamental advance in Ethiopian political history. But some critics, citing the record of



the ruling party's interactions with the private media and the opposition over the past decades, remain doubtful about the prospects for democratization in Ethiopia.

An incident that occurred in the context of the anniversary celebrations brought home to the public the above mentioned aspect of the TPLF. In December in relation to the anniversary celebrations, a large delegation of artists (singers, individuals involved in the film industry etc) travelled to Dedebit and had a meeting with key figures in the EPRDF comprising high ranking officials and veterans.

During the course of the meeting a film producer and director, Aster Bedane, asked a question that shocked the audience and left her interlocutors speechless. She said that the struggle was begun to overthrow a dictatorship and usher in democracy, and asked the assembled dignitaries (rhetorically) whether they would give up political power electorally<sup>34</sup>.

### **Becoming a regional power**

Since the end of the military junta, Ethiopia has also undergone a radical shift in its regional role and standing. The socio-economic changes in Ethiopia has meant that in the past 23 years, it has managed to transform itself into a hegemonic state regionally with far reaching influence and impact in the Horn of Africa region. The Ethiopian state has become a linchpin of regional stability and potentially of future regional integration in the Horn of Africa.

Ethiopia's expanding hydro-electric power generation has already led to a situation where it is exporting electricity to Kenya, Djibouti and the Sudan. Economic links with the member states of the IGAD (Inter-Governmental Authority on Development) are also expanding.

Ethiopia's transformed regional role also derives from the intent of the TPLF-EPRDF to put the country's relations with its neighbors on a new footing. It is premised on the necessity to depart from the old adversarial and confrontational orientation to inter-state relations with neighbours in the Horn of Africa, which is supposed to have characterized Ethiopia's conduct of its regional relations under the past two regimes. The stress on 'economic diplomacy' and the perspective that underdevelopment constitutes the biggest threat to Ethiopia's national security has led to an emphasis on the socio-economic realm and not a single-minded focus on the pillars of 'hard security'.

The approach preferred by the TPLF-EPRDF was tested during the Ethio-Eritrean war. The war was costly and some analysts argue, involved the antagonists also in a proxy war in Somalia which is still ongoing. But, in hindsight, it could be argued that the strategy of the TPLF-EPRDF has been proven right. The Ethiopian government has managed to isolate the Eritrean regime while, at the same time, fostering closer relations with Djibouti, Kenya, Uganda, the Republic of Sudan and South Sudan.

Ethiopia under the EPRDF has become and is widely regarded as a foundation for regional security in terms of its contributions to peacekeeping operations in Africa and the Horn of Africa, in particular. Ethiopia has also played a central role in holding off and rolling back the advances of al-Shabab in Somalia. Ethiopia is also currently leading the IGAD mediation effort in the South Sudan conflict.

Overall however, it is undeniable that the TPLF can justifiably point to many successes over the past 40 years. Together with its allies in the EPRDF, it

has put the Ethiopian state which many believed was on the point of collapse in 1991, on a new and much stronger footing. Economically and politically, Ethiopia is no longer a synonym for conflict and poverty. If the TPLF-EPRDF can continue to maintain the present momentum and direction of transformation, the positive effects will accrue not only to Ethiopia but also the larger region.

While the opportunities are clear cut, the challenges are also present. The tensions with Eritrea remain and the potential for their escalation constitutes an ever present danger. The successes of the TPLF-EPRDF in further deepening democratization in Ethiopia will over the long run constitute a key test of the historical legacy of the TPLF and the continuity of its achievements so far.

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<sup>[1]</sup> The date, according to some sources, marks the beginning of the armed struggle not the formal launching of the organization, which is held to have occurred some 4 months later. See, for instance, *Finote Gedil* (2011) by Bisrat Amare.

<sup>[2]</sup> Named after Enver Hoxha, the leader of Albania and its communist party during much of the Cold War.

<sup>[3]</sup> The formal adoption of Hoxhaite Marxism by the TPLF is associated with Meles Zenawi ascending to the leadership of the TPLF and emerging as its preeminent intellectual. It was Meles who was the main driving force behind this shift and he became the general secretary of the TPLF and the newly formed MLLT (Marxist Leninist League Tigray) in this period.

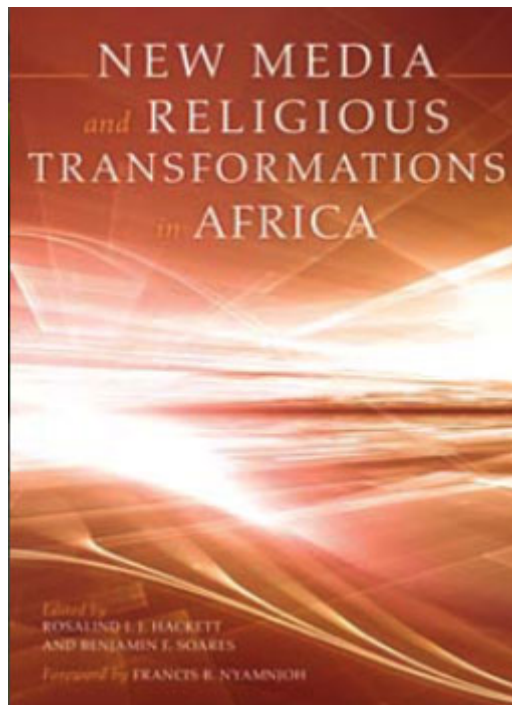
<sup>[4]</sup> Several works have covered the early history of the TPLF. One could refer to the works by Aregawi Berhe, *Peasant Revolution in Tigray People's Liberation Front (1975-1991): Revolt, Ideology and Mobilisation*, 2009. and John Young, *Peasant Revolution in Ethiopia: The Tigray Peoples Liberation Front, 1975-1991*, 1997.

<sup>[5]</sup> The process is formally referred to as 'Metekakat' in Amharic and was initiated under the former PM.

<sup>[6]</sup> The event drew attention because it was so unusual. In the Ethiopian political context and more specifically in the context of events such as these, such an occurrence is interpreted as a major embarrassment and is equivalent to an 'emperor is naked' moment.



## Resources



### **New Media and Religious Transformations in Africa**

“New Media and Religious Transformations in Africa”, edited by Rosalind I J Hackett and Benjamin F Soares, provides a critical look at Africa’s rapidly evolving religious media scene. Following political liberalization, media deregulation, and the proliferation of new media technologies, many African religious leaders and activists have appropriated such media to strengthen and expand their communities and gain public recognition. Media have also been used to marginalize and restrict the activities of other groups, which has sometimes led to tension, conflict, and even violence.

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## The 2013 general elections in Kenya

The integrity of the electoral process

Collette Schulz-Herzenberg, Peter Aling'o and Sebastian Gatimu

### Recommendations

- 1 Kenya's Independent Electoral and Boundaries Commission (IEBC) should strengthen its role as an independent, non-partisan electoral management body.
- 2 The IEBC should learn from the defensive approach of the 2013 elections and could use upcoming by-elections and calls for elections to showcase a revised approach.
- 3 The IEBC should expand voter registration among ethnic groups that perceive registration as primarily negative.
- 4 Institutions that provide election-related information should be non-partisan, transparent and accountable and adopt a pro-active and rights-based approach.
- 5 Election observers should ensure that work remains relevant and resonates with the will of the people.

### Summary

The Comparative National Elections Project (CNPE) post-election survey was held in Kenya following the 2013 general elections. Its primary objective was to generate data that could provide insights into the views and attitudes of Kenyan voters towards their political institutions and the 2013 general elections in particular. This policy brief forms one of a series and focuses on the integrity of the 2013 electoral process. Its purpose is to make findings and provide recommendations that can assist Kenya's electoral management body, political parties, media, civil society organisations and citizens of Kenya to improve integrity and public confidence in electoral processes and election outcomes.

On 4 March 2013 Kenyans voted in the fifth multiparty elections since the introduction of multiparty democracy in 1992. These elections were the first to be conducted under a new legal framework, defined by a new constitution adopted by Kenya through a national referendum in August 2010 and under the management of a new electoral management body, the Independent Electoral and Boundaries Commission (IEBC). It marked the first elections to follow the direct ballot 2013 general elections, which will reach the 18 million people aged and more than 400,000 internally displaced.

### Context of the 2013 elections

Over 100,000 registered presidential candidates ran for the 2013 general elections. The most successful, narrowed down to two presidential candidates, Uhuru Kenyatta and Raila Odinga and their respective party's positions, ODM and Jubilee Alliance, who finally contested the position. The IEBC's official results showed a narrow margin of victory for Kenyatta's Jubilee with 50.07% of the vote share, while Odinga's ODM garnered 49.91%. The winning margin for presidential elections as per the new constitution is 50% plus one of the total votes. Allegations of vote rigging and other irregularities

## Kenya: Integrity of the electoral process

On 4 March 2013 Kenyans voted in the fifth elections since the introduction of multi-party democracy in 1992. This policy brief by the Institute of Security Studies focuses on the integrity of the 2013 electoral process. Its purpose is to make findings and provide recommendations that can assist Kenya's electoral management body, political parties, media, civil society organisations and citizens improve integrity and public confidence in electoral processes and election outcomes.

**Collette Schulz-Herzenberg** is a specialist in voter behaviour and elections in sub-Saharan Africa, **Peter Aling'o** focuses on democracy and elections and **Sebastian Gatimu** is a governance and human rights researcher.

**Download the report at:**

<http://www.issafrica.org/uploads/PolBrief74.pdf>

# Sudan and South Sudan's Merging Conflicts

Africa Report #223 | 26 January 2014

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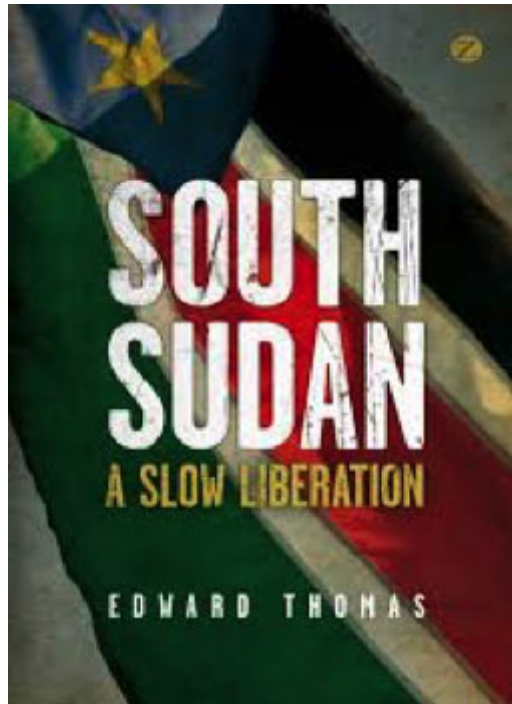
## Sudan and South Sudan's Merging Conflicts

Neither the peace agreement that ended Sudan's second civil war (1983-2005) nor South Sudan's 2011 independence brought stability to the region. A difficult divorce from Khartoum that included a border conflict, an oil shutdown, then brief cooperation, has been followed since December 2013 by a new phase of civil war in South Sudan in which the now two Sudans' wars are increasingly merged. The regional organisations like the African Union that seek to mediate have achieved few tangible results, in part because neighbouring countries have competing interests, while outside powers do not invest sufficiently in conflict resolution.

The International Crisis Group's latest report, "Sudan and South Sudan's Merging Conflicts", stresses the significance of the social and historical background of the conflict. It identifies the most pressing regional dynamics affecting the conflict in the Sudans as well as the key actors involved. In addition, the report includes some recommendations for international actors: China, US, the United Nation Security Council, IGAD and the African Union.

Download the full report at:

<http://www.crisisgroup.org/~media/Files/africa/horn-of-africa/south%20sudan/223-sudan-and-south-sudan-s-merging-conflicts.pdf>



### South Sudan's slow liberation

Edward Thomas, the author of “South Sudan: A Slow Liberation”, points out that the causes of the violence in South Sudan are not mainly ethnic but economic. The book describes the environment which hosts the Sudanese conflicts and it focuses on the absence of a central state able to organize its productive capacities. For instance, the resource obtained through the extraction of oil after 2005 should have made the South Sudanese government one of the richest in the region—yet it remains a violent and unstable country.

The state couldn't really foster 'development' in a conventional sense because (as the author says) the state “couldn't intervene meaningfully in the economic life of most people. Instead of finding economic groups and interests to invest in—small businessmen, or factory workers—the government doles out small amounts of money in wages. And because there aren't clear economic interest groups, this government like every single government before it, organizes its relationship with the population around ethnicity”.

Edward Thomas has lived and worked as a teacher, researcher and human rights worker for Sudanese and international organizations in Sudan and South Sudan for over eight years.

**Find out more and order the book from Zed Books:** <http://zedbooks.co.uk/node/20209>



## Weekly Review

January 27, 2015

*Simplifying the Arusha Intra-SPLM Reunification Agreement*

*Agathe Tsig Mimi*

*Jd. Mada/Id*

South Sudan broke apart and plunged into a violent confrontation in December 2013 following bitter disagreements within the top leadership of the ruling Sudan People's Liberation Movement (SPLM), splintering the party into several groupings. The conflict shockingly started merely two years after the country seceded from the Sudan. The violence has claimed thousands of lives and displaced millions others, both locally and to the international borders. The tragedy has not only taught many by surprise given the long history of struggle for statehood in the region, but has also confirmed well expressed reservations especially from the northern Sudanese about South Sudanese ability to self-govern. Since its commencement a little over a year ago, an array of mediators and concepts has been mobilised not only to understand both the proximal and distal drivers of, but also exert efforts to avert the substantially devastating violence as quickly as possible. The Inter-Governmental Authority on Development (IGAD), a regional political and economic development block for Eastern Africa, has been in the forefront in these sorts of endeavours. These have been frustratingly slow, nevertheless, with the parties to the conflict showing limited signs of seriousness about ending the violence peacefully. Several other significant processes meant for nudging the belligerent parties toward peace have recently popped up, such as international sanctions, arms embargoes, and intraparty dialogues. A plethora of these initiatives have culminated in a range of agreements, most of them subsequently discontinued by the parties.

Other African ruling parties with liberation background, such as Ethiopia's EPRDF, South Africa's ANC, Uganda's NRM and Tanzania's CCM, and a number of regional think tanks and analysts figured that one of the biggest roadblocks to the IGAD's peace process is the troubles of leadership within the SPLM. They stress that until these internal problems are addressed, it would be difficult to get a comprehensive peace agreement in South Sudan. This reality had increasingly been frustrating not just to the people of South Sudan who have to live with violence on a daily basis, but also to the leaders of the neighbouring countries who face similar consequences of South Sudan's war on their own security and economic interests. In light of these immediate spillover effects to the region, the "Intra-SPLM" consultations began in the Tanzanian city of Arusha under CCM's

## Simplifying the Arusha Intra-SPLM Reunification Agreement

South Sudan broke apart and plunged into a violent confrontation in December 2013 following bitter disagreements within the top leadership of the ruling Sudan People's Liberation Movement (SPLM), splintering the party into several groupings. The conflict shockingly started merely two years after the country seceded from the Sudan. The violence has claimed thousands of lives and displaced millions others, both internally and into neighbouring countries.

Known as the "Agreement on Reunification of the SPLM" (commonly referenced as blueprint), the accord was signed on 21 January 2015 under the auspices of the Chama Cha Manpinduzi, Tanzania's governing party and attempts to reunify the SPLM through a conflict resolution mechanism.

This report published by the Sudd Institute explains the terms of the agreement and depicts the real effects that it should have on civil society. The text, in addition, highlights both the enthusiasm and the pessimism the accord aroused among the people. Although almost everyone welcomed the peace agreement, some commentators cast doubts on its durability based on the fact that the same political leaders who caused the war in first instance are now supposed to maintain peace without a proper process of reconciliation.

### **Download the report:**

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