

# **THE KENYAN MILITARY INTERVENTION IN SOMALIA**

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## THE KENYAN MILITARY INTERVENTION IN SOMALIA

### EXECUTIVE SUMMARY AND RECOMMENDATIONS

The decision in October 2011 to deploy thousands of troops in Somalia's Juba Valley to wage war on Al-Shabaab is the biggest security gamble Kenya has taken since independence, a radical departure for a country that has never sent its soldiers abroad to fight. Operation Linda Nchi (Protect the Country) was given the go-ahead with what has shown itself to be inadequate political, diplomatic and military preparation; the potential for getting bogged down is high; the risks of an Al-Shabaab retaliatory terror campaign are real; and the prospects for a viable, extremist-free and stable polity emerging in the Juba Valley are slim. The government is unlikely to heed any calls for a troop pullout: it has invested too much, and pride is at stake. Financial and logistical pressures will ease once its force becomes part of the African Union (AU) mission in Somalia (AMISOM). But it should avoid prolonged "occupation" of southern Somalia, lest it turn local Somali opinion against the intervention and galvanise an armed resistance that could be co-opted by Al-Shabaab, much as happened to Ethiopia during its 2006-2009 intervention.

The intervention was hastily approved, after a string of cross-border kidnappings, by a small group without sufficient consideration of the consequences, at home as well as in Somalia. Military leaders were apparently convinced it would be a quick campaign, but the Kenyan Defence Forces (KDF) promptly ran into difficulties on the unfamiliar terrain. Somali allies failed to deliver and began squabbling, while Al-Shabaab, rather than confront Kenyan tanks and armoured personnel carriers head-on, predictably reverted to guerrilla warfare – something the KDF was poorly trained and equipped to fight. Irrespective of whether its troops are "re-hatted" into AMISOM, there is a real prospect Kenya will find itself with undependable allies, enmeshed in a protracted counter-insurgency campaign against a resilient and experienced enemy.

The involvement in Somalia was partly motivated by a desire to inoculate North Eastern Province from the chaos across its border, ease a huge refugee burden and curtail the radical influence of Al-Shabaab, but the unintended consequences may prove destabilising. The venture could reopen old wounds, foment new inter-clan discord, radicalise Kenyan Somalis and undermine recent social, eco-

nomical and political advances. The North Eastern Province is now the soft underbelly in the war against Al-Shabaab. New evidence suggests the radical Islamist movement is intent on destabilising the province, and part of its strategy is to outflank the KDF and wage a low-intensity guerrilla campaign there and in other areas behind Kenyan lines. A string of deadly grenade attacks in Garissa and elsewhere, initially dismissed as the work of local malcontents, now is seen to have a pattern. Most of the venues targeted have been bars frequented by government and security officials and poorly-defended government outposts.

Furthermore, the intervention taps into deep-seated Kenyan fears of Somali encroachment and corresponding Somali qualms that Kenya seeks to assert control over territory that was once part of colonial Kenya. Al-Shabaab is trying to exploit Kenyan-Somali grievances against Nairobi and making pan-Somali appeals, although without much apparent success to date. For Kenya's venture to have a positive outcome, its leadership will need to define its goals and exit strategy more clearly, as well as work effectively with international partners to facilitate reconciliation and the development of effective local government mechanisms in the areas of Somalia where its forces are active, as part of a larger commitment to ending Somalia's conflicts and restoring stability to the region.

While this briefing is an independent treatment of the Kenyan intervention in Somalia, some elements, in particular issues related to Al-Shabaab, Kenyan Somalis, and North Eastern Province, have also been discussed in earlier Crisis Group reporting, most recently the briefing *Kenyan Somali Islamist Radicalisation* (25 January 2012). Crisis Group will publish shortly a briefing on the wider issues involved in restoring peace to Somalia.

### RECOMMENDATIONS

#### To the Kenyan Government:

1. Provide clearly articulated, measurable goals and an exit strategy for its intervention in Somalia and ensure that any major offensives, either individually or as part of AMISOM, are accompanied by a political

- strategy to win the support of local clans and social groups and stabilise those areas in which they are present;
2. Resist the temptation to seek spectacular gains; target Kismayo port both to deny Al-Shabaab critical funds with which to pay and resupply its forces and to force the clans of Kismayo to reassess their interests; but do so only with deliberation, avoiding costly urban conflict whose civilian casualties would damage the goals of countering terrorism and radicalisation and after allowing time for measures such as an economic blockade (with exceptions for humanitarian aid) and attrition from combat on multiple fronts to work;
  3. Develop a mechanism with AMISOM to coordinate the activities of allied local administration security forces;
  4. Initiate – with international partners, including the UN, U.S., UK and others – local peace and reconciliation conferences immediately; allow them to feed into larger conferences only after most local disputes have been resolved;
  5. Develop a plan with regional and other international partners, as well as genuine representatives of local clans and social groups, for administering Kismayo; and consider requiring an international partnership with the local government for transparent management and oversight of the port and airport, much as was done in Liberia; and
  6. Convene an international working group to prepare the political, technical and administrative modalities of a mechanism to assume responsibility for revenue collection at Kismayo port and airport for a five- to ten-year period, including an oversight board with mixed international and Somali composition but controlled by the former and supported by experts (forensic accountants) and international customs officers, much as was done in Liberia; and ensure that the revenue is used to develop all of Lower and Middle Juba, as well as Gedo equitably.

**Nairobi/Brussels, 15 February 2012**

## THE KENYAN MILITARY INTERVENTION IN SOMALIA

### I. WHAT PROMPTED THE INVASION?

The KDF had considered and broadly prepared for an intervention into Somalia for at least a number of years. As early as 2010, a plan was drawn up by the staff of the Eastern African Standby Brigade to capture Kismayo at the behest of AMISOM. Since then, several regional plans for a military intervention in Somalia, with a possible Kenyan military role, apparently have been considered. None were implemented, because of objections from major Western allies and concerns of political leaders they would not succeed.<sup>1</sup>

#### A. THE TERRORIST THREAT

Since the mid-1990s, a number of loosely affiliated extremist groups operating from Somalia have carried out or facilitated terrorist attacks in the region.<sup>2</sup> The first was al-Ittihaad al-Islami (AIAI), a Somali Islamist and nationalist political grouping with some longstanding links to al-Qaeda that aimed to establish an Islamic emirate in the Somali-inhabited territories of the Horn of Africa.<sup>3</sup> Its strategy relied upon regional and wider international networks linked to the Somali diaspora. Members travelled freely between Kenya and Somalia and elsewhere in the region and built considerable infrastructure for recruitment, fundraising and communication among the Somali populations in Nairobi, Mombasa and North Eastern Province.<sup>4</sup> In the mid-1990s, it claimed several terrorist attacks

in Ethiopia. Following Ethiopian retaliatory raids on its Somali bases in early 1997, however, AIAI's military and political command structure was dismantled, and the movement formally disbanded.<sup>5</sup> Some leaders remained active and may have played a supporting role in the 1998 bombing of the U.S. Nairobi embassy.

That 7 August 1998 attack, as well as one the same day against the U.S. Dar es Salaam embassy, were carried out by al-Qaeda in East Africa, also based in Somalia. Its Somali connections were instrumental in planning and executing the twin attacks, which together killed 225 and wounded over 4,000. Twelve of the dead were U.S. citizens; the vast majority were Kenyans or Tanzanians. Increased international attention led to the capture or killing of a number of the group's leaders, but it remained a serious threat, and on 28 December 2002, it attacked the Paradise Hotel, a beachfront lodge in Kikambala, Kenya, owned by Israelis and frequented by Israeli tourists, killing fifteen and injuring about 80.<sup>6</sup>

The latest mass attack – the 11 July 2010 bombings in Kampala that killed 85 civilians and injured dozens more – was attributed to Al-Shabaab, a successor to AIAI (although most participants were East Africans). It confirmed longstanding fears that the group could become a regional threat and came after several explicit warnings that it would “bring war to Uganda and Burundi” in revenge for their troop contributions to AMISOM in support of Somalia's Transitional Federal Government (TFG) and for civilian casualties caused by AMISOM shelling.<sup>7</sup>

<sup>1</sup> Crisis Group interviews, diplomats, political analysts, security experts, Nairobi, 2009-2011. UN Security Council Resolution 1725 (6 December 2006), prohibited bordering states from deploying troops in Somalia.

<sup>2</sup> For more on terrorism and radical Islamist movements in Somalia, see Crisis Group Africa Reports N°95, *Counter-Terrorism in Somalia: Losing Hearts and Minds?*, 11 July 2005; and N°100, *Somalia's Islamists*, 12 December 2005; and Briefing N°74, *Somalia's Divided Islamists*, 18 May 2010; see also Briefing N°85, *Kenyan Somali Islamist Radicalisation*, 25 January 2012.

<sup>3</sup> On 23 September 2001, less than two weeks after the 11 September terror attacks in the U.S., President George W. Bush signed Executive Order 13224, blocking the assets of 27 organisations and individuals linked to terrorism, including al-Ittihaad.

<sup>4</sup> For more, see Crisis Group Report, *Counter-Terrorism in Somalia*, op. cit., pp. 1-5.

<sup>5</sup> Al-Ittihaad's failure to attain its objective of a pan-Somali, Salafi emirate resulted in its steady and involuntary decline. By 2005, it had essentially ceased to exist as an organisation, although many of its leaders re-emerged in the Union of Islamic Courts. Crisis Group Africa Briefing N°45, *Somalia: The Tough Part is Ahead*, 26 January 2007; and Report, *Somalia's Islamists*, op. cit.

<sup>6</sup> That same day al-Qaeda in East Africa also tried to bring down Arkia airline flight 582 departing Mombasa's Moi International Airport for Tel Aviv, but the primitive guidance systems of the two Strela surface-to-air missiles and the terrorists' lack of training apparently caused them to miss their target. Crisis Group Report, *Counter-Terrorism in Somalia*, op. cit., p. 8.

<sup>7</sup> Al-Shabaab has been firing mortars from civilian-populated areas into AMISOM bases, prompting AMISOM troops to re-

## B. THE REFUGEE CRISIS

Kenya is now officially home to almost 500,000 refugees from Somalia.<sup>8</sup> This has exacted an enormous toll on locals and the government. Nairobi is deeply alarmed at the fast-growing refugee population. The Dadaab refugee camps are the third largest settlement in Kenya.<sup>9</sup> But the problem is not simply the crisis in the camps. The government is uneasy about the growth of the native ethnic Somali population (nearly 2.4 million according to the 2009 census)<sup>10</sup> and the increasing economic clout of Somalis. It is also aware of growing anti-Somali sentiments in the major urban centres.<sup>11</sup>

Documentation is a big problem. A large but unknown number have obtained Kenyan papers illegally, largely due to corruption, but also because it is often difficult to distinguish between Kenyan and other Somalis. Another concern is the movement of Somali refugees into Nairobi and Mombasa. The Somali population of Eastleigh, originally an Asian neighbourhood of the capital, is now estimated at over 100,000.<sup>12</sup> Demographic changes are closely watched, because they have direct political implications, a point brought home recently when an ethnic Somali, Yusuf Hassan, won the parliamentary seat in Eastleigh.<sup>13</sup>

Kenya is a signatory to the UN refugee convention, which bars forced return of refugees.<sup>14</sup> Instead it is hoping to establish a “safe zone” to which the Somalis among them could return, but its justification for this – that they are fleeing famine rather than political instability – glosses over the root causes of the problem. Sending refugees back would be no solution to the difficulties that plague Somalia and created the refugee situation in the first place.<sup>15</sup> The government, however, appears set to move ahead on its plan. The internal security ministry’s permanent secre-

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tariate; the invariable result is civilian casualties and a growing rift between the people of Mogadishu and the AU mission.

<sup>8</sup> “2012 UNHCR country operations profile – Kenya”, UN High Commissioner for Refugees, at [www.unhcr.org](http://www.unhcr.org).

<sup>9</sup> The camps around Dadaab currently hold some 480,000 refugees.

<sup>10</sup> Other ethnic groups considered this number too high and contested it.

<sup>11</sup> Yusuf Ghazzali, “Kenya: Don’t use Linda Nchi Operation to demonise Somalis”, *The Star* (Nairobi), 26 October 2011. See also Crisis Group Briefing, *Kenyan Somali Islamic Radicalisation*, op. cit.

<sup>12</sup> Manuel Herz, “Somali Refugees in Eastleigh, Nairobi” (no date), at <http://roundtable.kein.org>.

<sup>13</sup> See Crisis Group Briefing, *Kenyan Somali Islamic Radicalisation*, op. cit., p. 8.

<sup>14</sup> “Kenya’s political gamble in Somali border regions”, Radio Netherlands Worldwide, 15 November 2011.

<sup>15</sup> “Kenya, Jubaland, and Somalia’s refugees: no quick fixes”, Africa blog, London School of Economics, (<http://blogs.lse.ac.uk/africaatlse/>), 24 November 2011.

tary, Francis Kimemia, recently stated at a press conference, “there are safe places inside Somalia following the operation by Kenyan troops; these refugees will be moved anytime”.<sup>16</sup>

## C. THE JUBALAND PROJECT

More than two years ago, Kenya hatched a plan to create a local administration, Jubaland, in southern Somalia as a buffer between it and Al-Shabaab-controlled territory. This included training some 2,500 militiamen and establishing an administrative structure headed by Mohamed Abdi Mohamed “Gandhi”, then the TFG defence minister and now president of “Azania”.<sup>17</sup> When Gandhi’s forces did not perform well in 2010, Kenya also began to support Ahmed Madobe and his militia, the Ras Kambooni Brigade.<sup>18</sup> Support for the two men has divided the government. Madobe has the backing of many Kenyan-Somali army officers, while Gandhi is reportedly closer to Kenyan intelligence bodies and politicians such as Defence Minister Mohamed Yusuf Haji.<sup>19</sup> He also finds support from the head of the Muslim caucus in the parliament, Aden Bare Duale, and a key Orange Democratic Movement (ODM) member.<sup>20</sup> All are Tolomoge, a sub-clan of the Ogaden.<sup>21</sup>

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<sup>16</sup> Cyrus Ombati, “Relocation of Somali refugees from Dadaab to start ‘soon’”, *The Standard*, 22 January 2012. The U.S. and others have urged Kenya not to send the refugees back to Somalia. See, for example, David M. Robinson, Acting Assistant Secretary of State, Bureau of Population, Refugees, and Migration, “Briefing on U.S. Efforts in the Humanitarian Crisis in the Horn of Africa”, 24 January 2012, at [www.state.gov/p/af/rls/spbr/2012/182438.htm](http://www.state.gov/p/af/rls/spbr/2012/182438.htm).

<sup>17</sup> Most of the militiamen were from the Ogaden clan and were recruited by clan elders and commissioned agents from within southern Somalia and north-eastern Kenya, including the Dadaab refugee camps. “Report of the Monitoring Group on Somalia pursuant to Security Council resolution 1853 (2008)”, S/2010/91, 10 March 2010, pp. 55-56. Gandhi was an academic based in France, who joined the cabinet of TFG President Sheikh Sharif. Azania, the Greek name for southern Somalia, is being used because more local names, like Jubaland, have clan connotations. Crisis Group interview, Mohamed Abdi Mohamed “Gandhi”, Nairobi, 13 April 2011.

<sup>18</sup> Madobe emerged as the top commander of most of the Ras Kambooni militia in early 2010, following the illness of Hasan Turki. Other elements of Ras Kambooni joined Al-Shabaab. For more, see Crisis Group Briefing, *Somalia’s Divided Islamists*, op. cit., pp. 10-13.

<sup>19</sup> Crisis Group interviews, diplomats, KDF officers, Nairobi, October-November 2011.

<sup>20</sup> ODM is one of the two principal parties in the coalition government.

<sup>21</sup> “Kenya’s Somali proxies”, *Africa Confidential*, vol. 52, no. 22, 4 November 2011.

The plan to create Jubaland was controversial, with much of the opposition stemming from concern it might not work, in part because it is seen as Ogaden-dominated but also because of Somali fears it would produce a Kenyan client. Despite Nairobi's requests, Washington refused support, due to worry it would compete with U.S. backing for the TFG and, if it failed, would rally other clans behind Al-Shabaab, producing "a lose/lose situation".<sup>22</sup>

Yet, the project is neither entirely Kenyan-conceived nor part of a "bottom-up" strategy to dismember Somalia. Kenya's aim is not out of step with the wishes of many Somali clans in the region, but its project must be broader based. Many inhabitants of the Juba Valley have long desired an autonomous – not independent – regional state, and this sentiment coincides with that of the majority of Somalis in the periphery, who have historically chafed under the domination of the centre. Regional representation is also important for selecting members of the national constitutive assembly that is supposed to approve a constitution in 2012.

#### D. THE KIDNAPPINGS IN LAMU AND DADAAB

Although a military intervention was in the works, the timeline was accelerated by a string of cross-border kidnapping attacks targeting Western tourists on the Kenyan coast and aid workers from the refugee camp in Dadaab. Tourism is a key industry, and Kenya, particularly Nairobi, is host to a large UN presence, including many international and local NGOs involved in humanitarian relief and other activities.<sup>23</sup> When several Europeans were seized in the Lamu area in September and October 2011, the key tourism industry was hit hard. The last straw appeared to be when two Spanish aid workers with Médecins Sans Frontières (MSF) were kidnapped in a Dadaab refugee camp, near the Kenya-Somalia border, on 13 October (the third incident in less than a month).<sup>24</sup> Several days later, Kenyan troops moved into Somalia.

<sup>22</sup> Robert Young Pelton, "Kenya modified invasion to suit US concerns", *Somalia Report* ([www.somaliareport.com](http://www.somaliareport.com)), 11 November 2011.

<sup>23</sup> Tourism was a major casualty of Kenya's election violence in late 2007-2008. The sector recovered to 2007 levels only in 2010, earning almost \$1 billion. "Tourism Performance Overview 2010", Kenya tourism ministry (no date). The UN has a large campus housing many of its agencies, including the Political Office for Somalia (UNPOS), in Nairobi. UNPOS recently announced it would relocate to Mogadishu. "UN Special Representative moves to Mogadishu – first time in 17 years", 24 January 2012, at <http://unpos.unmissions.org>.

<sup>24</sup> The two aid workers were reportedly sold, in January, to pirates and moved to a hijacked ship. "Update: Kidnapped MSF workers moved to MV Albedo", *Somalia Report*, 12 January 2012.

## II. THE DECISION TO INTERVENE

Although the details remain murky, it appears the decision to intervene was made quickly, by a small group of people and without proper consultation, deliberation or preparation. This led to unnecessary diplomatic tensions, unclear planning and goals, and avoidable delays and setbacks.

### A. A HASTY DECISION ...

The intervention was announced on 16 October by Internal Security Minister George Kinuthia Saitoti and Defence Minister Haji, but President Mwai Kibaki informed the public that Kenya was at war only two days later.<sup>25</sup> This momentous decision was apparently made by a small group of government officials. Reportedly the president hesitated and gave the green light only after lobbying by Haji and Saitoti, as well as the chief of defence forces, Julius Karangi, the head of intelligence services, Michael Gichangi, and the police commissioner, Mathew Iteere.<sup>26</sup> There appears to have been little prior consultation with other senior officials.<sup>27</sup> Most of the region, including allies, seems to have been taken by surprise. The military quickly ran into problems with torrential rains (it was the monsoon season) that made the roads in southern Somalia impassable to KDF armour and trucks.<sup>28</sup>

### B. ... AND DIPLOMATIC FAUX PAS

Operation Linda Nchi was announced on a weekend. Ordinarily, such an operation should have been preceded by regional and wider shuttle diplomacy to obtain moral and material support. Instead, the foreign ministry went into action days after it began. Most surprising was clumsiness with the TFG, which denied Nairobi's claim of prior consultations. On 18 October, two days after the troops went

<sup>25</sup> "The risk of bogging down already looming", *Indian Ocean Newsletter*, 29 October 2011. The intervention was discussed and approved by the cabinet on 18 October. Peter Leftie, "Kenya, Somalia seal pact to hit Shabaab", *Daily Nation*, 19 October 2011. Under the 2010 constitution, a declaration of war must be made by the president with parliament's approval. Crisis Group interview, lawyer, Nairobi, November 2011.

<sup>26</sup> "The risk of bogging down already looming", op. cit.

<sup>27</sup> Ibid. A retired military observer noted that few if any Kenyan politicians understand military operations or Somalia. "The political leadership did not go to this war after months of planning, analysis, budget allocation... it went to this war purely to soothe the Western tourist circuit and gain political mileage and also probably to distract Kenyans' attention from the fight over next year's general elections date", Crisis Group email correspondence, former Kenya army officer, November 2011.

<sup>28</sup> Crisis Group interviews, Western diplomats, Nairobi, October-November 2011.

in, Foreign Minister Moses Wetang'ula and Haji went to Mogadishu to meet President Sheikh Sharif Ahmed and Prime Minister Abdiweli Mohamed Ali. They obtained a joint declaration that the military action should be conducted together with the TFG, but the Somali leaders, because they feared grassroots opposition to foreign intervention, subsequently made confusing and contradictory statements that appeared to object to the intervention.<sup>29</sup> Kenya was forced to seek "clarification".<sup>30</sup> The TFG explicitly supported the campaign only after Prime Minister Abdiweli was summoned to Nairobi on 30 October.

Wetang'ula also travelled to Addis Ababa to obtain the belated support of Ethiopia President Meles Zenawi and the chairperson of the African Union (AU) Commission, Jean Ping. However, it appears that Ethiopian officials were less than enthusiastic about Kenya's venture (see below). Convened on 21 October, almost a week after the start of the offensive, the regional body, the Intergovernmental Authority on Development (IGAD), issued a tepid communiqué that welcomed and supported "the up-scaling of the security operations... under 'Operation Protect the Nation'".<sup>31</sup> Kenya's Western allies were also reportedly surprised, questioned the operation's feasibility and expressed support only days after it was launched.<sup>32</sup> Despite pleas for direct military assistance, several key allies, including the U.S., UK and France, have provided only modest logistical and intelligence help.<sup>33</sup>

Prime Minister Raila Odinga's highly publicised visit to Israel in early November to seek counter-terrorism support was a diplomatic blunder that antagonised many Muslims upset with the country's policies in Palestine. Al-Shabaab exploited Israel's statement promising to help build a "coalition against fundamentalism" in East Africa, incorporating Kenya, Ethiopia, South Sudan and Tanzania. Such aid, it said, was for "destroying Muslim people and their reli-

gion".<sup>34</sup> The fallout in the Muslim world was predictable, as well as embarrassing to President Kibaki, who had intended to use a trip to the United Arab Emirates a week later to obtain Gulf states' support.<sup>35</sup> Not surprisingly, that support has been muted.

Kenya wants its troops to be "re-hatted" into AMISOM, making it financially and legally easier (because of the UN arms embargo on Somalia) for its allies to give it more assistance. In December 2011, the AU approved their participation in the mission. The UN Security Council has given a "favourable response", but not yet formal assent.<sup>36</sup> There are concerns that AMISOM's mandate – to protect the Transitional Federal Institutions – may restrict KDF operations, so Nairobi is seeking to broaden it.<sup>37</sup> Reportedly, there are also disputes among troop contributing countries over leadership and command and control.<sup>38</sup> An even bigger challenge may be to put in place the logistical network to support a large force in southern Somalia, far from Mogadishu.<sup>39</sup> The UN Support Office for AMISOM (UNSOA) has required months to increase the numbers it

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<sup>29</sup> On 24 October, the president stated that although he welcomed Kenyan support, he was against the military presence. "France to support Kenya's incursion into Somalia", BBC, 25 October 2011. On 26 October, the president and prime minister issued a joint statement denying there was any agreement between the Kenyan government and the TFG to allow the incursion. "Why Somali president wants Kenya army out", *The Star*, 27 October 2011.

<sup>30</sup> "The risk of bogging down already looming", op. cit.

<sup>31</sup> "Communiqué of the 41st Extra-Ordinary Session of the IGAD Council of Ministers", 21 October 2011.

<sup>32</sup> Crisis Group interviews, Western diplomats, Nairobi, October-November 2011.

<sup>33</sup> Reportedly these allies also have provided limited covert special operations forces support. "Somalia: the permanent battlefield", *The Guardian*, 8 January 2012. Apparently the U.S. is considering giving Kenya weapons used in Iraq. Kevin Kelly, "Nairobi joins Uganda in arms shopping spree", 15 January 2012.

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<sup>34</sup> "Israel-Kenya deal to help fight Somalia's Al-Shabaab", BBC, 14 November 2011. "Somalia's Al-Shabaab bashes Kenya-Israel security pact", Associated Press, 16 November 2011. Israel has reportedly agreed to provide Kenya with drones, tanks, ammunition and electronic surveillance equipment. Maxime Perez, "Israel's big return to East and Horn of Africa", *The Africa Report* ([www.africareport.com](http://www.africareport.com)), 16 December 2011.

<sup>35</sup> "Kibaki wants Gulf countries' support", *The Indian Ocean Newsletter*, 26 November 2011.

<sup>36</sup> "Security Council Press Statement on Somalia", SC/10517, 11 January 2012. Another difficulty will be finding donors to finance the expensive operation. AMISOM requires Security Council "authorisation" to increase its force level and to accept a Kenyan troop contribution. When the mission was first established, its authorising resolution, 1725, prohibited neighbouring states from deploying troops to Somalia. This prohibition has not been formally lifted.

<sup>37</sup> Ken Menkhous, "After the Kenyan Intervention in Somalia", Enough Project, January 2012, p. 7.

<sup>38</sup> "Kenyan army does not want to be accountable to AMISOM", *Indian Ocean Newsletter*, 24 December 2011. U.S. Ambassador (and alternate representative for special political affairs) to the UN Jeffrey DeLaurentis and UN Under-Secretary-General for Political Affairs Lynn Pascoe cited the need to clarify "command and control" arrangements for the added AMISOM troops. "Security Council Press Statement on Somalia", SC/10517, 11 January 2012. Diplomats say Kenyan officials are reluctant to place Kenyan troops under Ugandan commanders. Uganda has the largest detachment in Somalia, and its commanders have key operational responsibilities for the AU troops.

<sup>39</sup> One of the main constraints to increasing the size of AMISOM is logistical. The lack of Ugandan and Burundian logistics capability has been compensated for by the UN Support Office for AMISOM (UNSOA) and private military contractors, such as Dyncorp and Bancroft (paid for by donors, such as the U.S.).



can assist in Mogadishu; it would need even more time in other parts of the country.<sup>40</sup>

### C. THE EVOLVING GOALS OF OPERATION LINDA NCHI

The operation's purported aims have evolved. First came "hot pursuit" of kidnappers identified as Al-Shabaab.<sup>41</sup> At the 21 October IGAD meeting, the stated goal shifted to destroying or weakening Al-Shabaab and establishing a buffer zone between Kenya and Somalia.<sup>42</sup> Ten days later, the chief of the defence forces, General Julius Karangi, declared the operation had no time limit and would continue until Kenya was safe.<sup>43</sup> Over time, it has come to appear that another aim is to capture the port city of Kismayo. Al-Shabaab earns substantial revenue there, the loss of which, it is argued, would break its economic back.<sup>44</sup>

The initial estimation was that the operation would be completed swiftly, but the rains forced a rethink.<sup>45</sup> There has been only modest progress. Afmadow town has not yet been captured, which must happen before an attempt on Kismayo can begin. Defence Minister Haji acknowledged the challenge, when he said on 15 January that Kenya was unwilling to take Kismayo without international financial and logistical support.<sup>46</sup> If Kismayo is captured, the crucial question will be what to do with it. There are three options for the city: i) hand control to a Somali militia ally; ii) stay and control it; or iii) give it to the TFG, which has been unable to police even Mogadishu effectively.<sup>47</sup>

### D. THE STRATEGY

The current military strategy appears to be to capture Kismayo, after Afmadow (midway between the border and the port city). The KDF is operating along three axes with corresponding sectors: Northern Sector, proceeding from the Kenyan town of El Waq toward Baardheere (on the Juba River); Central Sector, proceeding from Liboi (the border post on the road from Garissa to Kismayo) to Afmadow; and Southern Sector, proceeding from the Somali coastal town of Ras Kambooni (with a second apparent base at Kulbiyow<sup>48</sup> to the north east) presumably to Kismayo, but hampered by many inlets and a lack of roads.

The KDF divulges little about which and how many forces are involved, though prior to January, it appears to have been less than 2,000.<sup>49</sup> The army is also working with proxy forces that initially were intended to do much of the fighting.<sup>50</sup> In Northern Sector, the KDF deals mostly with the remnants of the 2,500-strong Ogaden force it trained at the beginning of the Jubaland project in 2009; in Central and Southern Sector, the proxies are mostly the Ras Kambooni brigade.

Conflict between allied militias, especially the Isiolo (now also known as TFG forces)<sup>51</sup> and the Ras Kambooni Brigade, hampers the operation and explains in part why the offensive along the Liboi-Afmadow-Kismayo road has made little progress. Tensions and conflict between Somali allies will probably increase if major towns are taken, leading to competition over establishment of local administrations. Kenya risks losing these allies unless it urgently initiates a process aimed at creating a lasting détente between them and a mechanism for political cohabitation.

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<sup>40</sup> It would probably take UNSOA six months to establish a logistical network and bases in southern Somalia. Crisis Group interview, UN official, New York, 3 February 2012.

<sup>41</sup> Crisis Group interview, Kenya army officer, Nairobi, October 2011; "Confused war aims cause alarm", *Africa Confidential*, vol. 52, no. 22, 4 November 2011; "Somalia: The perils of a carve-up", *The Africa Report*, February 2012.

<sup>42</sup> Crisis Group interview, army spokesperson, Nairobi, November 2011.

<sup>43</sup> Gabe Joselow, "Kenya to stay in Somalia until safe from Al-Shabab menace", *Voice of America*, 29 October 2011.

<sup>44</sup> Crisis Group interview, Kenya army officer, Nairobi, November 2011. According to the UN, Al-Shabaab collects an estimated \$35 million-\$50 million annually in custom tolls and taxes on businesses in Kismayo and secondary ports higher up the coast. "Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 1916 (2010)", S/2011/433, 18 July 2011, p. 28.

<sup>45</sup> *Ibid.*

<sup>46</sup> Fred Oluoch and Mwaura Kimani, "Haji says no to Kismayo attack without back-up", *The East African*, 15 January 2012.

<sup>47</sup> See Section VII.C below for discussion of an option for international administration of Kismayo port.

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<sup>48</sup> Forces could move from Kulbiyow towards Baadhaade, an axis that allows direct access to Kismayo.

<sup>49</sup> Reportedly two battalions, according to Crisis Group interviews, diplomats, Nairobi, October-December 2011. These numbers have increased significantly. Crisis Group email communication, NGO, January 2012. The AMISOM request is for about 4,700 Kenyan troops.

<sup>50</sup> Over the course of 2011, Kenya worked with at least six Somali groups: Ras Kambooni, the TFG, the Azania administration, the only nominally TFG Isiolo militia, Ahlu Sunnah Wal Jama'a and various Gedo region clan militias. Ken Menkhaus, *op. cit.*, p. 3. The Kenyan military threw its support behind the Ras Kambooni militia headed by former Al-Shabaab commander Ahmed Madobe. Crisis Group interview, Army spokesperson, Nairobi, November 2011.

<sup>51</sup> Many "TFG forces" are only nominally under central government control. Government troops are usually loyal to individual commanders, rather than the institution.

## E. PROGRESS SO FAR

The operation quickly bogged down on all three axes. Heavy rain made the dirt roads impassable for armour and APCs, supply lines were overstretched, Somali allies were much less effective than hoped, and Al-Shabaab reverted to guerrilla warfare.<sup>52</sup> Ill-equipped to deal with these conditions, especially counter-insurgency warfare, the KDF has advanced only to Ceel Cadde and Faafax Dhuun in Northern Sector, Bilis Qooqaani in Central Sector (relatively close to Afmadow) and Buur Gaabo (on the southern shore of a large inlet) and Badhaadhe in Southern Sector.<sup>53</sup> A push towards Afmadow would further extend the communication lines in an environment that has already proven hostile.

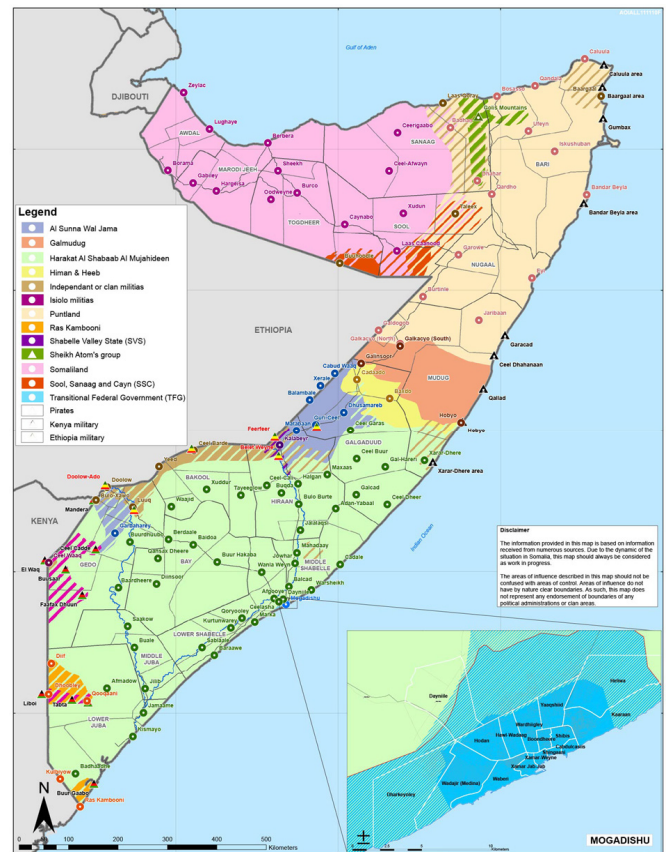
In Central Sector – arguably the most important because it leads most directly to Kismayo – the advance stalled before Afmadow, though credible information suggested the town was virtually defenceless until mid-November, when hundreds of Al-Shabaab fighters were reported to have deployed there and begun to reinforce positions.<sup>54</sup> There are now indications that Kenyan forces may be preparing a new push to take the town, but, as noted above, Defence Minister Haji has publicly indicated they will not try this without more international help.<sup>55</sup>

The Southern Sector was more active in December, because the Ras Kambooni Brigade was operating alongside Kenyan forces. This allowed the clearing of several Al-Shabaab training camps and bases, providing a bit more protection to Kenya's northern coastal resorts, but further advances are blocked by a large inlet about 50km south of Kismayo.<sup>56</sup> The Ras Kambooni Brigade also reportedly seized the border town of Kulbiyow from which hit-and-run attacks had been launched against military bases in Kenya.<sup>57</sup>

Kenya is stepping up its aerial bombardments in Gedo and Juba, causing little harm to Al-Shabaab but significantly increasing collateral damage. In one instance, an attack on Jilib, five young siblings were killed. This caused an uproar and, for the first time, an official apology and high-level intervention (by the prime minister), followed by

promises of a joint inquiry.<sup>58</sup> Such incidents risk turning Somali opinion solidly against the mission.

The most important recent military development is the direct, large-scale involvement of Ethiopia National Defence Forces (ENDF) and their proxies in Hiraan (central Somalia) and Gedo. On 31 December 2011, ENDF, operating with the Shebelle Valley Administration and Ahlu Sunnah Wal Jama'a militias, captured the strategic town of Beledweyne from Al-Shabaab. Ethiopian forces are also reportedly massing in Luuq (Gedo) and may be planning a push towards Baidoa (Bay), the major inland city in south and central Somalia. Al-Shabaab has reinforced its units there, and pro-government media report it is preventing inhabitants from fleeing.<sup>59</sup> The offensive is both taking valuable territory and weakening Al-Shabaab by forcing it to fight on multiple fronts.



<sup>52</sup> Virtually no roads in Somalia have been maintained since 1991. Not having fought a foreign conflict before, Kenya lacks the logistical equipment to support a large force in the field. Most military engagements reported in the Central Sector have been initiated by Al-Shabaab groups operating behind Kenyan lines.  
<sup>53</sup> Crisis Group email communication, NGO, 8 January 2012.  
<sup>54</sup> Crisis Group interviews, Somalia experts, diplomats, Nairobi, November 2011.

<sup>55</sup> The Kenyan army is apparently advocating an immediate offensive on Kismayo. "The army wants to march on Kismayo", *Indian Ocean Newsletter*, 11 February 2012.

<sup>56</sup> Crisis Group email communication, NGO, 8 January 2012.

<sup>57</sup> Crisis Group email communication, NGO, January 2012.

<sup>58</sup> "Kenya to investigate alleged civilian deaths in Somalia", *Africa News*, 1 November 2011.

<sup>59</sup> "Al-Shabaab using human population as human shield", *Radio Mogadishu*, 15 January 2012.

### III. THE CHALLENGES OF DEFEATING AL-SHABAAB

#### A. COUNTER-INSURGENCY

Although Al-Shabaab has been weakened, it remains a formidable adversary that understands local dynamics better than its foreign foes and can maximise its asymmetric advantage. One tactical change has already become clear. Rather than fight in the open, it has melted into the background, allowing Kenyan mechanised infantry to move deeper into its heartland. Its fighters blend into the civilian population and distribute weapons. This is a result of lessons learned during the December 2006 Ethiopian intervention, when the Union of Islamic Courts deployed many of its combatants, including Al-Shabaab, conventionally in the vast arid plains of south-western Somalia, and they were decimated by ground and air fire.

That almost finished Al-Shabaab, but it adapted, becoming an efficient guerrilla force. During the Ethiopian occupation, it grew and gained increasing support from Somalis, at home and abroad, not because of its extremist orientation but because it was seen as the most effective force fighting a foreign and “Christian” occupation. It bled Addis’s resolve over three years and wants to fight on its own terms again. It will seek to draw the KDF into a guerrilla war, principally in the jungles of southern Somalia and urban areas where technical superiority is minimised, and it can use civilians as human shields.

Al-Shabaab’s policy in Jubaland has been to promote commanders from groups that were supportive in the past, thus putting pressure on the fragile coalition of interests among the Kenya-sponsored militias. At the same time, it has launched a recruitment drive among Harti (mostly Majerteen but also Awrmale), Hawiye (Shekhal, Galjeel) and Dir (Gatsan and Bimal) to fight against the “Ogaden and Christian invasion”.<sup>60</sup> This may work, if Kenya’s proxies fail to respect non-Ogaden clans. Reportedly Ras Kambooni’s Madobe has recruited a Marehan and an Ogaden/Anlihan (from Middle Juba) for deputies to counter Al-Shabaab’s policy.<sup>61</sup>

Although Al-Shabaab is unpopular, because of its poor handling of the famine and harsh enforcement of Sharia (Islamic law), inter-clan fighting has driven many into its arms, especially in rural areas.<sup>62</sup> The Kenyan intervention is

also increasingly questioned in parts of Somalia untouched by the fighting, including Puntland. Resentment of foreign occupation has always been an effective rallying tool. That, together with the perception that Somali refugees in Kenya are badly treated, is stirring up nationalism, on which both Al-Shabaab and TFG President Sheikh Sharif are trying to capitalise.<sup>63</sup>

#### B. PROTECTING SUPPLY LINES AND WINNING HEARTS AND MINDS

A big challenge for the KDF has been supplying its forward-deployed forces, and this will become more difficult the farther they are from the border. This is not only because Kenya lacks logistical capabilities, but also because of the threat of ambush to supply convoys.<sup>64</sup> Kismayo is only 120km from Afmadow, but the KDF will have increasing problems in protecting its supply lines if it makes a push for the port city.<sup>65</sup>

To date, the KDF has not succeeded in the critical task of winning hearts and minds in Somalia. The window for possibly being viewed as liberators and before it can expect to be considered invaders is very narrow and closing fast. Al-Shabaab has begun a campaign of painting the Kenyans as an occupying force. Even if Kenya captures all, or large chunks, of southern Somalia, it will have to provide a credible alternative political leadership in a region where Al-Shabaab has been relatively successful. The allied Somali militias are unlikely to achieve the necessary unity and will be hard pressed to provide security. Something similar happened in 2006, when Ethiopian troops were sucked into an unpopular “occupation” that turned local Somalis against them and the TFG of President Abdullahi Yusuf that they were propping up.

#### C. URBAN CONFLICT

If Al-Shabaab decides to fight in Afmadow and Kismayo, Kenya and its allies will have to engage in grinding urban warfare, in which the KDF has no experience, and its technical superiority will be minimised. It has taken AMISOM’s thousands of Burundian and Ugandan troops almost two years and some 500 casualties<sup>66</sup> to capture most of Mogadishu, and only after receiving extensive urban warfare

<sup>60</sup> “Confused war aims cause alarm”, *Africa Confidential*, op. cit.

<sup>61</sup> Crisis Group interview, Somalia analyst, Washington, D.C., January 2012. There are also reports of forced recruitment in the Juba Valley by Madobe. Crisis Group email correspondence, Somalia analyst, 1 February 2012.

<sup>62</sup> Many rural Somalis were grateful for the relative peace and stability Al-Shabaab brought to their region.

<sup>63</sup> See, for example, “Kenya: Security Forces Abusing Civilians Near Somalia Border”, Human Rights Watch, 12 January 2012.

<sup>64</sup> Many of the attacks reported by Al-Shabaab (via twitter) are accounts of ambushes of KDF convoys.

<sup>65</sup> The terrain in the Juba Valley, and especially along the river, is heavily forested and ideal for guerrilla warfare.

<sup>66</sup> “Somalia”, *The New York Times*, Topics (online), 25 January 2012.

training from their Western allies.<sup>67</sup> Much of the AU's success was also due to painstaking political work to gain the support of district leaders and militias.<sup>68</sup>

It makes military sense for the KDF to aim at gaining control of Kismayo port, which is so important to Al-Shabaab,<sup>69</sup> but this should be attempted deliberately. Indirect measures, such as a blockade (with exceptions for humanitarian aid)<sup>70</sup> and patience until attrition resulting from its enemy's need to fight on multiple fronts has taken a toll, are likely to be more effective than a precipitous assault. Such a strategy would not only deny Al-Shabaab revenue to pay and resupply its forces, but would also force the Kismayo clans to reassess whether it is in their interest to side with the radical Islamist movement. Moreover, all indications are that urban combat would be extremely costly. The likely massive loss of civilian life would damage the goal of countering terrorism and radicalisation and undermine any political outreach strategy designed to weaken Al-Shabaab's support base.

#### D. GUERRILLA AND TERRORIST THREAT IN KENYA

Kenya itself is rapidly emerging as a theatre of conflict.<sup>71</sup> Since the intervention was launched in October, it has experienced more than twenty attacks linked to Al-Shabaab. In the first few weeks, these mainly targeted bars and nightclubs, including a Nairobi nightclub bombing on 24 October, but also churches. With the build-up of security across the country, particularly in Nairobi, the majority of

subsequent attacks have been in North Eastern Province, along the Somalia border. These increasingly target military and other security forces.<sup>72</sup> In the most recent major one, on 9 January 2012, insurgents raided a police post, killing at least six and taking two hostages. The founder of the Muslim Youth Centre (MYC), based at the Pumwani mosque, Sheikh Ahmed Iman Ali (not a Somali), was recently named Al-Shabaab's leader and coordinator in Kenya,<sup>73</sup> and there are indications a major terrorist attack is imminent. The UK foreign office recently said "that terrorists may be in the final stages of planning attacks" and warned British citizens in Kenya to be "extra vigilant".<sup>74</sup>

The Dadaab refugee camps have become increasingly insecure. The surge of kidnappings, grenade attacks and violence within them have hampered aid efforts. Humanitarian agencies, UN officials and Somali refugees appear to be the key targets. The overcrowded and vulnerable population is particularly at risk. Recent reports also accuse security forces of harassing innocent Kenyans and Somalis in the area.<sup>75</sup> While Al-Shabaab sympathisers within Kenya pose a major threat, reckless police action has become a deepening concern and could radicalise Kenyan Somalis, as well as Muslims in general.<sup>76</sup> Kenya urgently needs to reform its internal security services; what is presently on display is an incoherent system that weakens national security.<sup>77</sup>

Al-Shabaab counts on its operations in North Eastern Province and elsewhere triggering heavy-handed security responses that inflame passions and help it to radicalise and recruit affected Kenyans.<sup>78</sup> At the same time, it has been

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<sup>67</sup> Crisis Group interviews, AMISOM officers, diplomats, security experts, Mogadishu, Nairobi, July 2010, October 2011. The training was provided by contractors.

<sup>68</sup> Crisis Group email communication, Somalia expert, 10 February 2012.

<sup>69</sup> It is estimated Al-Shabaab generates between \$35 million and \$50 million per year from port revenues, of which at least \$15 million is based on trade in charcoal and sugar. Of that trade, Kismayo accounts for \$8 million to \$9 million, and Marka, Baraawe and Eel Ma'aan ports together contribute another \$6 million to \$7 million. "Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 1916 (2010)", op. cit., p. 28.

<sup>70</sup> The monitoring group called for the TFG to "ban all trade by large merchant vessels with Al-Shabaab-controlled ports ... and seek the cooperation of neighbouring states, especially the United Arab Emirates, as well as countries with naval assets in the Indian Ocean, in enforcing the ban". Ibid, p. 115. The TFG has tried to ban the charcoal trade, with little success. "Charcoal Trade Booming Despite Ban", IRIN, 20 January 2011.

<sup>71</sup> Insecurity had already increased after Ethiopian military operations in Bulo Hawa and Gedo in 2011 attracted hardline Al-Shabaab to the region. Since the intervention, assassinations and security incidents have increased dramatically. Crisis Group email communication, Somalia analyst, 2 February 2012.

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<sup>72</sup> See for example, "Somalia's al-Shabab seizes Kenyan officials in Wajir", BBC, 12 January 2012; "Gunmen attack bars in north-east Kenya, 5 dead", Reuters, 1 January 2012; "Al-Shabaab attacks Kenya's security forces", *The Standard*, 13 December 2011.

<sup>73</sup> Jay Bahadur and M.H.D., "Al-Shabaab names Kenyan leader: Appointment of Sheikh Ahmed Iman could signal coming terror attack", *Somalia Report*, 10 January 2012. MYC is not a Kenyan Somali organisation.

<sup>74</sup> Clar Ni Chonghaile, "Kenya: warning of imminent terrorist attack", *The Guardian*, 7 January 2012. Recently Al-Shabaab leader Ahmed Abdi Godane formally joined al-Qaeda. Tristan McConnel, "Al Shabaab and Al Qaeda co-produce video", *Global Post*, 10 February 2012.

<sup>75</sup> "Kenya: Security Forces Abusing Civilians Near Somalia Border", op. cit.; "Kenya: Security Forces Arbitrarily Detaining People", Human Rights Watch, 28 November 2011.

<sup>76</sup> For more, see Crisis Group Briefing, *Kenyan Somali Islamic Radicalisation*, op. cit.

<sup>77</sup> The level of intelligence that Nairobi has about Somalia should have been enough to mitigate the security threat that Al-Shabaab poses to Kenya. Most of the money Al-Shabaab handles passes through Kenyan banks; seizure would severely hamper the movement, perhaps ultimately more than a military operation.

<sup>78</sup> A jihadi leader from Kenya has been using the Internet (YouTube) to call on ethnic Somalis in the province to rise up.

disappointed by the mostly laid-back attitude of the province and the active collusion of the region's top leadership in the intervention – in fact, it accuses ethnic Somali leaders of instigating it.<sup>79</sup>

#### IV. PERCEPTIONS IN KENYA AND SOMALIA

Control over the Somali-inhabited region now spanning southern Somalia and north-eastern Kenya has long been contested.<sup>80</sup> In 1895, the British government proclaimed a protectorate in the region,<sup>81</sup> but the area that is now southern Somalia was of marginal economic interest, and, in 1925, Britain transferred control of Jubaland and the port of Kismayo to Italian Somalia.<sup>82</sup> Thereafter, the colonial border between Kenya and Somalia remained uncontested until the latter's independence in 1960. The emergence of a sovereign Somali state raised the issue of the status of other Somali-inhabited regions.<sup>83</sup> As Kenya approached its own independence, the majority of Kenyan Somalis favoured joining Somalia, but the Regional Boundaries Commission recommended that the predominantly Somali-inhabited areas remain in Kenya, constituted into a separate North Eastern Province.<sup>84</sup>

##### A. SOMALI ENCROACHMENT

Unable to secede peacefully, Kenyan Somalis launched an insurgency, supported by Somalia, known as the Shifta War (1963-1967). The official account cast it as a struggle between treacherous *shifta* (bandits), backed by Somalia, and a new nation striving to create a democratic, just, multi-ethnic society. Mogadishu portrayed it as a struggle by an oppressed people to regain freedom and rejoin *Somaliweyn* (Greater Somalia).<sup>85</sup> Most Kenyans were unaware of the vicious conflict and abuses perpetrated in the region during and after the conflict. The insurgency was

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<sup>80</sup> See also Crisis Group Briefing, *Kenyan Somali Islamic Radicalisation*, op. cit., for discussion of the history recounted in this paragraph and in Section V.A below.

<sup>81</sup> I.M. Lewis, *A Modern History of the Somali* (Oxford, 2002), pp. 183-201.

<sup>82</sup> *Ibid.*, p. 98. It did so to reward Italy for its World War I alliance.

<sup>83</sup> Kenya's Northern Frontier District was an arid, desolate and obscure corner of the greater Horn. Over centuries Somali cattle-keepers – mainly Ogaden clans – moved south to where perennial water sources existed (the Juba and Tana Rivers) forcefully displacing other nomadic tribes, such as the Boran, Samburu and Rendille. Somali camel-keepers – Hawiye and Dir clans – moved into more arid regions in the north. I.M. Lewis, op. cit., pp. 18-32; Gideon S. Were and Derek A. Wilson, *East Africa through a Thousand Years* (London, 1984), pp. 61-63.

<sup>84</sup> Ian M. Lewis, op. cit., pp. 183-201; David D. Laitin, *Politics, Language, and Thought: The Somali Experience* (Chicago, 1977), p. 75.

<sup>85</sup> The insurrection espoused a strain of pan-Somali nationalism largely inspired by Somalia. Then-Somali President Siyad Barre used the plight of ethnic Somalis as the pretext to intervene (the 1977 Ogaden War in Ethiopia) or meddle (Kenya).

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Patrick Mayoyo, "Al-Shabaab propaganda video declares Jihad against Kenya", Daily Nation, 9 January 2012.

<sup>79</sup> Crisis Group email correspondence, Somalia analyst, 1 February 2012. Defence minister Haji is a Kenyan Somali.

ended by military means and brutal repression.<sup>86</sup> Many underlying political issues were not properly addressed, but were left to fester, without dialogue and reconciliation. Remnants of the rebellion regrouped and created armed gangs engaged in highway banditry, cattle rustling and wildlife poaching. The wave of criminality served as an excuse to maintain the emergency laws, which were not lifted until 1991. The North Eastern Province, which was landlocked, sparsely populated and with no proven resource potential, was largely ignored and neglected.<sup>87</sup>

The collapse of the Siyad Barre regime in Somalia in 1991 and the lack of a functioning government in that country since then have ended the threat of state-sponsored rebellion. Nevertheless, Somalia groups that pander to pan-Somali sentiments and mobilise recruits and resources on the basis of uniting Greater Somalia, such as al-Ittihaad al-Islami and the Islamic Courts Union have done in the past, are seen as genuine regional security threats.<sup>88</sup>

Of more immediate concern to Kenyan elites is the explosive growth of the Somali population and the growing influence of Somali businessmen in the economy. The Kenyan Somali population has grown to nearly 2.4 million,<sup>89</sup> and there are almost 500,000 Somali refugees in the country.<sup>90</sup>

This makes the Somalis politically powerful in a country where most people vote along ethnic lines. The business community is also unhappy with growing Somali competition in telecommunications, real estate and transportation.<sup>91</sup>

## B. ECONOMIC INTERESTS AND FEARS OF KENYAN DOMINATION

Despite the conflict in Somalia and underdevelopment in North Eastern Province, the region is now of major economic interest. Kismayo is in effect Kenya's second port and the hub of profitable trade – both legal and illicit – that enriches both Al-Shabaab and Kenyan elites. Historic Lamu, just 60km south of the Somali border, is a popular tourist destination, and the proposed site for a huge new port and transport corridor nearby. There are believed to be potentially large and unexploited reserves of oil off the coast of Kismayo and possibly inland as well, in both North Eastern Province and southern Somalia.<sup>92</sup> All this stimulates Somali fears of Kenya's intentions in southern Somalia.

Kismayo port is the economic engine of southern Somalia. Although the port (and its hinterland) are inhabited by many different clans and social groups, three major Dardood clans from the region, the Marehan, Ogaden and Harti, have regularly clashed over control. It is valuable because it is the entrepôt for southern Somalia, as well as parts of Kenya and Ethiopia. It also has become the keystone of a large smuggling trade, in which goods landed in Somalia are moved across the region's borders.<sup>93</sup> For example, sugar is brought from Brazil or Pakistan via Dubai to Kismayo, where it is trucked to Wajir, Mandera, Dadaab and Garissa, as well as Nairobi, Mombasa and Isiolo. Traders have

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<sup>86</sup> The Truth, Justice and Reconciliation Commission of Kenya is investigating gross human rights violations it calls the North Eastern Massacres (including the infamous 1984 Wagalla Massacre) committed in the province during the 1970s and 1980s. "Grave Violations in NEP: Kenyans Expect Justice", in the web-published newsletter "The NEP Special Pull-out", Truth, Justice and Reconciliation Commission, August 2011. See also, "Kenya: Wagalla massacre survivors testify", BBC, 18 April 2011. Al-Shabaab spokesman Ali Mohamud Rage has played to Kenyan Somalis' sensitivities by reminding them of the Wagalla Massacre. Hamsa Omar and Sarah McGregor, "Somali rebels threaten to carry out attacks against Kenya", Bloomberg, 28 February 2011.

<sup>87</sup> Human development indicators are much lower in North Eastern Province than in other provinces in Kenya. "5th Kenya Human Development Report", UN Development Programme (2006), p. 15. Turkana (not part of North Eastern Province) is the poorest of Kenya's 47 counties. Mandera and Wajir, which are in the province, rank as second and third poorest respectively. Garissa county (the administrative and business hub of North Eastern Province) ranks as 23rd poorest. "Kenya County Fact Sheet", Kenya Commission on Revenue Allocation, December 2011, at [www.crakenya.org](http://www.crakenya.org). For discussion of recent improvements in North Eastern Province, see Crisis Group Briefing, *Kenyan Somali Islamic Radicalisation*, op. cit.

<sup>88</sup> Crisis Group Briefing, *Kenyan Somali Islamic Radicalisation*, op. cit. The absence of a central authority has made Somalia a fertile ground for lawlessness and increasingly a safe haven for foreign fighters seeking a pan-Islamist state in the Horn of Africa.

<sup>89</sup> "2009 Population and Housing Census Results", 31 August 2010, at [www.knbs.or.ke](http://www.knbs.or.ke).

<sup>90</sup> "2012 UNHCR country operations profile – Kenya", op. cit. For more on the growth of the Somali population and concerns

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about refugees, see Crisis Group Briefing, *Kenyan Somali Islamist Radicalisation*, op. cit., pp. 8-9.

<sup>91</sup> Paul Goldsmith, "Forget piracy, Somalia's whole 'global' economy is booming – to Kenya's benefit", *The East African*, 10 May 2010; Farah Abdulsamed, "Somali Investment in Kenya", Chatham House, March 2011; Crisis Group Briefing, *Kenyan Somali Islamist Radicalisation*, op. cit., pp. 8-9.

<sup>92</sup> A major international petroleum company has had interest in exploring the oil deposits off the southern Somalia coast since the 1990s. Crisis Group email communication, political analyst, 13 November 2011. Oil exploration goes back at least to 1986, when Chevron signed a concession agreement with Somalia. In the last several years, a number of smaller oil companies, including Africa Oil and Range Resources, have signed exploration agreements with Puntland.

<sup>93</sup> "Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 1916 (2010)", op. cit., pp. 12, 28, 31, 180-203. Kenya Revenue Authority officers alleged that Kismayo was also being used to smuggle drugs into Kenya. Peter Gastrow, "Termites at Work: Transnational Organized Crime and State Erosion in Kenya", International Peace Institute, September 2011, p. 4.

reportedly formed partnerships with corrupt Kenyan officials to facilitate this.<sup>94</sup>

Lamu is at the northern edge of the \$1 billion coastal tourism industry.<sup>95</sup> When several Europeans were kidnapped in that area in September and October 2011, reservations plummeted, staffs were laid off, and hotel operators demanded increased security.<sup>96</sup> Of longer-term economic interest, the government plans to build just to the south a multi-billion-dollar port to serve all East Africa that will include pipelines, rail lines, highways, airports, an oil refinery and extra-deep berths for next-generation supertankers.<sup>97</sup> The initiative (the Lamu Port and Southern Sudan-Ethiopia Transport Corridor, LAPSSSET) is expected to pass through Garissa, in North Eastern Province, before continuing to Ethiopia and South Sudan.<sup>98</sup> To build it, Kenya needs more than \$20 billion in foreign investment.<sup>99</sup> Many Somalis suspect that Kenya's recent attempts to demarcate the borders of the two countries' offshore Exclusive Economic Zones are intended to secure rights to offshore oil deposits.<sup>100</sup>

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<sup>94</sup> Muchiri Karanja and Isa Hussein, "Border where anything gets in, for just Sh1,000", *Daily Nation*, 19 July 2010; Ken Opala, "Dreaded Somali terrorist group taps into sugar racket", *Daily Nation*, 10 April 2009. Sources allegedly privy to the smuggling told the newspaper that those found transporting 20-50kg bags of sugar grease the palms of senior officials. Muchiri Karanja and Isa Hussein, op. cit. This trade has now reportedly been disrupted by the conflict in southern Somalia. Julius Sigei, "How the trade flourished before Kenya army launched Operation Linda Nchi", *Daily Nation*, 21 January 2012.

<sup>95</sup> More than a million tourists visited Kenya in 2010, and the goal is to have two million in 2012. "Tourism Performance Overview 2010", op. cit.

<sup>96</sup> Malkhadir Muhumed, "Tourists kidnappings ravage Kenyan tourist area", Associated Press, 5 October 2011.

<sup>97</sup> Jeffrey Gettleman, "Lamu Journal: Future Kenya port could mar pristine land", *The New York Times*, 11 January 2010. Mombasa port is already operating above capacity and cannot easily be expanded. Many Kenyan elites allegedly have bought land in the Lamu area in anticipation of the economic boom.

<sup>98</sup> The railway and road scheme is heavily promoted by Defence Minister Haji. "Garissa's blueprint for success; Livestock, railroad and mideast Loans", *Daily Nation*, 1 September 2011. Prime Minister Odinga said the project would start in 2012. "PMPS", "Lamu port project takes off in 2012", *Daily Nation*, 19 December 2011. For a more critical view, see Paul Goldsmith, "How grandiose Lamu port project is alienating coastal communities from country", *The East African*, 18 September 2011.

<sup>99</sup> "LAPSSSET Corridor and New Lamu Port Feasibility Study and Master Plan Report", May 2011 at [www.savelamu.org/wp-content/uploads/2011/08/Lapsset-Executive-Summary.pdf](http://www.savelamu.org/wp-content/uploads/2011/08/Lapsset-Executive-Summary.pdf).

<sup>100</sup> In 2009, the then UN Special Representative in Somalia, Ahmedou Ould Abdallah, nearly succeeded in getting agreement on demarcating those borders, but the attempt collapsed under Somali parliamentary opposition. The same issue is part of the "Road Map to End the Transition", signed by officials from the

## V. REGIONAL IMPLICATIONS

The intervention has not gone down well in the wider Horn of Africa, despite official statements of support. There is a rift over the regional strategy to pacify Somalia and contain Al-Shabaab. Unless the rivalry between Ethiopia, Kenya and Uganda is tackled and a common stabilisation strategy developed, each may seek to undermine the other's efforts, a prospect that would compound Somalia's political and security crisis.<sup>101</sup> In the absence of improved international coordination, Somalia could in effect be carved into spheres of influence. AMISOM, dominated by Uganda, might have influence in Mogadishu and Lower and Middle Shebelle; and Ethiopia in Galgaduud, Hiraan, Bakool and Gedo; while Kenya would want influence in Lower and Middle Juba and parts of Gedo.

Nairobi seeks to cast its decision to send in troops as part of an ongoing Western-led counter-terrorism struggle. Many in the West privately say a Kenyan campaign to weaken Al-Shabaab might not be a bad thing, though they are apprehensive about possible blow-back.<sup>102</sup> There is modest covert Western support for the Kenyan military.<sup>103</sup> Some form of specialised combat and logistical support is crucial, but increased Western involvement could inflame Somali sentiment; catalyse radicalisation and help Al-Shabaab's attempts to revive its political fortunes.

A number of high-level meetings have been held, including an AU summit at the end of January, one goal of which was to gain continent-wide consensus on the way forward, as well as to press for Security Council authorisation to increase the AMISOM troop level from 12,000 to 17,000. On 23 February, the UK will host the London Somalia Conference, bringing together senior officials

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TFG, Puntland, Galmudug and Ahlu Sunnah Wal Jama'a in September 2011. Somali parliamentarians question why this is a priority; a commonly held view is that to explore offshore near Lamu, Kenya, those petroleum companies involved will require clarity about the boundaries as well as security guarantees for staff from the Kenyan government. The President of Jubaland/Azania, Mohamed Abdi Mohamed "Gandhi", is believed to be part of this plan. "Confused war aims cause alarm", *Africa Confidential*, op. cit.

<sup>101</sup> In January 2012, Ethiopia and Kenya agreed on a common initiative on Somalia, but it is too soon to tell whether it will hold up under competing national interests and be implemented. Crisis Group interview, UN official, New York, 3 February 2012.

<sup>102</sup> Crisis Group interviews, Western diplomats, Nairobi, October-November 2011.

<sup>103</sup> "Somalia: the permanent battlefield", *The Guardian*, 8 January 2012.

from over 40 countries and organisations to create a long-term stabilisation plan,<sup>104</sup> including support for:

- ❑ security: sustainable funding for AMISOM and backing for Somali security and justice sectors;
- ❑ political process: agreement to what should succeed the transitional institutions in Mogadishu in August 2012 and the establishment of a Joint Financial Management Board,<sup>105</sup>
- ❑ local stability: a coordinated package of support to Somalia's regions;
- ❑ counter-terrorism: renewed commitment to tackle collectively the terrorist threat emanating from Somalia;
- ❑ piracy: breaking the piracy business model;
- ❑ humanitarian: renewed commitment to tackling the humanitarian crisis; and
- ❑ coordination: agreement on improved international handling of Somalia issues.<sup>106</sup>

## A. THE TFG AND SOMALIS

The TFG fears Kenya wants to impose a local administration it can control. Even though increasingly appreciative of the KDF military operation, many in Mogadishu still oppose creation of a Jubaland. The prime minister, who belongs to the TFG's federalist wing and whose relationship with the Kenyan establishment is much warmer, has repeatedly counselled Nairobi to go slow on the project. According to sources close to him, he favours a gradual, consensual, Somali-driven process within a post-conflict constitutional settlement to devolve power and lead to the emergence of viable regional governments.<sup>107</sup> President Sheikh Sharif reportedly met with his Ugandan counterpart, President Museveni, in Kampala in November to discuss the risks to himself and the TFG from Kenya's

support for Jubaland.<sup>108</sup> Since then Museveni has met Sheikh Sharif and Kibaki in Nairobi on this threat.

Many other Somalis also have major concerns with the possible Ogaden domination of the proposed buffer zone in Jubaland. The region was controlled by Ogaden and Marehan in the final years of the Barre regime, but many Harti, Hawiye, Dir and Rahanweyn have since moved there. It is unlikely that these groups would be prepared to return to the status quo of the Barre days, especially if it were to be enforced by a foreign army.<sup>109</sup>

## B. ETHIOPIA

Establishment of an Ogaden-dominated buffer zone is a major concern to Ethiopia. The Ogaden National Liberation Front (ONLF) is fighting a secessionist war, and Addis will not countenance an Ogaden-dominated semi-autonomous state, with a large port, that could support its kin in southern Ethiopia. For Addis, any administration in southern Somalia would need to have greater representation from other clans to balance the Ogaden. Reportedly, Ahmed Madobe has begun talks with the Marehan to negotiate a power-sharing agreement for Kismayo aimed at preventing the Marehan clan from aligning with Al-Shabaab and addressing Ethiopia's concerns.<sup>110</sup> Al-Shabaab in Kismayo likewise tries to play the clan card, with Marehan commanders recruiting clansmen to resist an "invasion" led by Ogadeni militias.<sup>111</sup>

Initially Ethiopia's support for Kenya's intervention was limited to rhetoric, but in 2012 it has sent troops back into Somalia and taken the important city of Beledweyne in the centre of the country. Its proxies also hold the significant town of Luuq (Gedo) on the Doolow (Ethiopian border)-Baidoa-Mogadishu road, and there are indications the ENDF and its allied militias may make a push for Baidoa.

## C. UGANDA

Kampala has troops in Somalia serving under AMISOM, is increasingly assertive in domestic Somali politics and wants to be seen as the key regional partner in international policy on the country. It apparently does not approve of Kenya's and Ethiopia's support to proxy forces and creation of buffer zones, arguing such actions further weaken the TFG its troops are dying to protect in Mogadishu.<sup>112</sup> It

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<sup>104</sup> The meeting in London is to include representatives from the TFG, UN, AU, Somaliland, Puntland and Galmudug, Somali political parties and the Somali diaspora.

<sup>105</sup> The joint Somali- and international-member board would be intended to improve financial management, increase transparency and combat corruption.

<sup>106</sup> "Conference Details", UK Foreign and Commonwealth Office, [www.fco.gov.uk](http://www.fco.gov.uk) (no date).

<sup>107</sup> Crisis Group interview, Kenyan official, Nairobi, December 2011. There is some sympathy for this argument within a segment of the Kenyan leadership, but the ministries in charge of the campaign (defence and internal affairs) appear unwilling to make the Juba plan dependent on the fate of the TFG and a process that is bound to be lengthy, with no guarantee of success.

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<sup>108</sup> Fred Oluoch, "Museveni discusses Somali fears with Kibaki", *The East African*, 27 November 2011.

<sup>109</sup> "Kenya's Somali proxies", *Africa Confidential*, 4 November 2011.

<sup>110</sup> Crisis Group interview, Somalia analyst, Washington, D.C., January 2012.

<sup>111</sup> "Confused war aims cause alarm", *Africa Confidential*, op. cit.

<sup>112</sup> Crisis Group interviews, diplomat, Nairobi, November 2011.



also wants to retain command of the AMISOM mission. Sheikh Sharif relies on Uganda to sustain his regime and does not want to antagonise Museveni.<sup>113</sup> In August 2011, when the TFG's mandate was coming to end, it was he who pushed for its extension by at least one year in the Kampala Accord.

Uganda is a member of the East African Community (EAC),<sup>114</sup> and Museveni is always keen to project himself as a key regional player. Over the years, he has astutely cultivated his status as the West's point man in the Great Lakes region; by sending his troops into Somalia, he has expanded his influence in the Horn of Africa. If the Kenyan army manages to contain Al-Shabaab, however, his influence and that of the TFG would likely be diminished.

## VI. KENYA'S INTERNAL WOES

### A. DOMESTIC POLITICAL IMPLICATIONS

The war on Al-Shabaab has led to an increase in ethnic profiling of and discrimination against Somalis in particular and Muslims in general, including those from northern Kenya and the coast who have a Somali "look".<sup>115</sup> Though the government has repeatedly urged citizens not to stereotype or discriminate against Somalis, politicians' statements and media rhetoric on Kenya's struggle against terrorism risk further demonising Kenyan Somalis.<sup>116</sup>

The intervention in Somalia is likely to have a complex impact on Kenyan Somalis' political positions, because their attitude toward it is not straightforward. The government's desire to establish a buffer zone between the border and the rest of Somalia privileges the Ogaden, the majority Kenyan-Somali clan. The possibility of a semi-autonomous state in the south of Somalia politically dominated by Ogaden may not be favoured by the minority, marginalised clans of north-eastern Kenya, such as the Ajuuran and Degodia. While the Somali community in Kenya has tended to take a neutral, almost "non-ethnic" role in politics,<sup>117</sup> further raising the profile of a particular clan may risk cultivating tensions within it. Tensions may in any event be further compounded by ethnic, county-based politics under the 2010 constitution, which will have major implications for border areas.<sup>118</sup>

The war on Al-Shabaab will likely also have implications for the presidential election in late 2012. It has been suggested that the war might lead to its postponement,<sup>119</sup> or that the conflict might be hijacked by politicians for their

<sup>113</sup> The largest number of AMISOM troops currently deployed in Mogadishu are Ugandan, some 4,500. Burundi has 4,200 and Djibouti 850, plus support personnel.

<sup>114</sup> With the Kenyan and Tanzania presidents leaving office in the next two years, Museveni will become the most senior head of state in terms of age in the EAC, which has a population of 132 million and is in the process of admitting a new member, South Sudan.

<sup>115</sup> This has happened even though the man convicted of the 2011 grenade bombings in Nairobi was not Somali. That he was from western Kenya shows that Al-Shabaab is able to recruit beyond the traditional areas, a development partly explained by the difficult economic situation. See Crisis Group Briefing, *Kenyan Somali Islamist Radicalisation*, op. cit., pp. 7-8.

<sup>116</sup> For example, Deputy Defence Minister Joshua Orwa Ojode recently likened Al-Shabaab to a snake with its tail in Somalia and head in Eastleigh, a heavily Muslim district of Nairobi. Tom Odula, "War fears: Somalis in Kenya afraid of xenophobia", Associated Press, 11 November 2011, and *ibid.*, pp. 10-11.

<sup>117</sup> Fred Oluoch, "Museveni discusses Somali fears with Kibaki", *The East African*, 27 November 2011.

<sup>118</sup> The 2010 constitution creates a new level of county-based political institutions, including governors and assemblies, that will have significant administrative power. These positions are scheduled to be filled in December 2012 elections.

<sup>119</sup> Makau Mutua, "Could Al-Shabaab war postpone elections?", *Sunday Nation*, 26 November 2011. The date has already been pushed back because of delays in creating institutions and laws needed to hold the elections under the 2010 constitution.

campaigns.<sup>120</sup> Raila Odinga's trip to Israel may have lost him the support of the Kenyan Muslim community, as evidenced by a recent statement of Sheikh Dor, an ODM-nominated member of parliament.<sup>121</sup>

## B. BUDGET AND INFLATION

The slow pace of the military operation and the high cost of keeping troops in the field are the main reasons behind Nairobi's desire to operate under AMISOM command. The treasury would then not have to pay the full cost of the campaign. It is estimated that Linda Nchi is costing the government at least KSh 210 million (\$2.8 million) per month in personnel costs alone in a year of a record KSh 236 billion (\$3.1 billion) budget deficit.<sup>122</sup> If the intervention's cost is not contained, already high inflation will spiral, and local discontent could become more serious.<sup>123</sup>

## C. BLOW-BACK AND SOCIAL COHESION

Views within the ethnic Somali and wider Muslim community regarding the war are mixed but predominantly critical. Even those now mildly supportive could easily become hostile, especially if things go badly wrong, and civilian deaths mount. The notion that the war is popular within the Muslim community is wishful thinking, and the potential to exacerbate already worrying radicalisation in the country is very real.<sup>124</sup> The police and other security services have shown some restraint in bigger cities, but there have been numerous reports of abuses in North Eastern

Province.<sup>125</sup> The crunch will come if Al-Shabaab makes good its threat to attack Kenya. If that triggers a draconian crackdown, it would have grave consequences for inter-communal relations and societal cohesion.

Instead of creating support for the mission among the Kenyan-Somali and Muslim population, the security forces have begun alienating them, which may starve the operation of valuable human intelligence required to fight the kind of non-conventional conflict in Somalia the KDF is not trained for. The tendency to criminalise Somalis living in Kenya, especially those in the Eastleigh area, as potential Al-Shabaab members<sup>126</sup> does not bode well for either the military mission or the country's social cohesion in a crucial election year. The government needs to reach out to Kenyan Muslims to explain its mission and discuss how to mitigate risks.

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<sup>120</sup> Crisis Group email correspondence, former Kenyan army officer, November 2011.

<sup>121</sup> Sheikh Dor stated: "As leaders we 100 per cent support the Operation Linda Nchi in Somalia and would like security forces in the sea to be increased and expanded but we oppose the initiative by the Israel government to come to Kenya and offer anti-terror training". Alphonse Gari, "Muslims oppose Israel intervention in Somalia", *The Star*, 22 November 2011. Ahead of the 2007 presidential election, Odinga signed a memorandum of understanding with Kenyan Muslims that expressed their support for him against Kibaki. Bernard Namunane, "Revealed – Raila's real MoU with Muslims", *Daily Nation*, 28 November 2007. The document he signed in November 2011 with Israel may cost him that backing in 2012.

<sup>122</sup> Kenya does not release military budget details. A newspaper reached that estimate by assuming a force of 1,000 at Ksh 7,000 (\$93) per day per soldier. "High cost said behind Kenya's move to put troops in Somalia under AU command", *Business Daily (Nairobi)*, 8 December 2011. But there are probably at least 1,700 troops in Somalia at a correspondingly higher cost.

<sup>123</sup> Michael Onyiego, "Cost of Living Rising in Kenya", *Voice of America*, 6 May 2011; Jason Straziuso and Tom Odula, "Kenya, Uganda protest as maize prices skyrocket", *Associated Press*, 20 April 2011.

<sup>124</sup> For more, see Crisis Group Briefing, *Kenyan Somali Islamic Radicalisation*, op. cit.

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<sup>125</sup> "Kenya: Security Forces Abusing Civilians Near Somalia Border", Human Rights Watch, 12 January 2012.

<sup>126</sup> Tristan McConnell, "Kenya: where all Somalis are suspects?", *Global Post*, 4 November 2011.

## VII. AN EXIT STRATEGY?

What Kenya must avoid at all costs is a prolonged occupation of southern Somalia. That would quickly turn local opinion against the intervention and possibly galvanise an armed resistance co-opted by Al-Shabaab. Al-Shabaab is not monolithic. It has disparate elements with divided loyalties to different leaders and clans (the much smaller group of foreign and jihadi fighters is a separate problem). It would be militarily very difficult, if not impossible, to eliminate the movement, so the focus should be to convince clans and their leaders who currently support it to change their allegiance, whether to a highly federalised TFG or an inclusive local administration.

### A. THE NEED FOR CLEAR MILITARY AND POLITICAL GOALS

A major problem with Operation Linda Nchi is that there are differences on its strategy, its goals are not sufficiently articulated, and the official line and rhetoric are incoherent and confused. In its early days, statements suggested it was a limited operation designed to stop tourist abductions that threatened a crucial industry. Since then, some in authority have suggested the core goal is to eliminate Al-Shabaab (a much greater threat, presumably prompting a more severe response), while others have said it is to accelerate creation of an autonomous regional state, first called Jubaland, now officially referred to as Azania, as a buffer zone between Kenya and the remnants of Al-Shabaab.

These are different aims, indicative of differences on strategy within the political and military leadership. The ambiguity could lead to mission creep – a situation in which goals progressively accumulate, requiring ever greater resources, time and commitment. It is therefore imperative to spell out the war aims and accompanying political goals clearly and maintain focus on the key objectives.

### B. BUILDING A STABLE ADMINISTRATION

A minimal aim of Kenya's operation is to push out Al-Shabaab and speed creation of an autonomous regional buffer state. As noted above, this is not necessarily inconsistent with the feelings of many inhabitants of Juba, who have historically chafed under Mogadishu's domination. Where the Kenyans got it wrong is in the way they went about encouraging its establishment: handpicking its president, Gandhi, and a few other leaders and hastily legitimising them through a highly arbitrary process. Had they stepped back, allowed the process to evolve organically and reached out more to where opposition is strongest, especially among the minority and mixed-race communities in

the centre and the coastal strip, the project might have gained wider support.

The most stable regions in Somalia – Somaliland and Puntland – were only stitched together by slow and painstaking local peace and reconciliation conferences that built on each other to form larger and economically viable regions in which political power, revenue and resources are shared relatively fairly between sub-clans and clans.<sup>127</sup> It is not too late for such outreach. Azania's president and his team will resist any attempt to unlock the process, but it would be in their best interest. Kenya is working with both Gandhi and Ahmed Madobe to drive out Al-Shabaab, but the relationship between the two men, whose forces have clashed in the past, is far from amicable. Unless Kenya initiates a process to create a lasting détente between the two camps and others and a mechanism for political cohabitation, it risks losing its allies. The process of establishing a stable Jubaland regional state should be allowed to grow over several years if necessary and not be rushed.

### C. A SPECIAL STRATEGY FOR KISMAYO

The status of Kismayo will be more difficult. The lucrative port, with estimated monthly revenue over \$1 million, is the primary source of conflict between the three major clans in the region.<sup>128</sup> Any durable solution to instability in southern Somalia and the criminality it enables must include a negotiated deal between these clans over the port's administration and ultimately the distribution of the revenue and other benefits it generates.<sup>129</sup> Simply allowing Madobe, or any other leader, to impose control would undermine Kenya's long-term interests, since it would undoubtedly trigger further unrest in the city and the region.

Local and regional clans could probably develop a devolved system of government if there were no conflict over port revenues. Somalis, the international community and Kenya may want to consider a Governance and Economic Management Program for Kismayo, a partnership between local government and internationals, like that in post-civil war

<sup>127</sup> For more on local peace and reconciliation conferences, see Mark Bradbury, "A Search for Peace: A Synthesis Report of the Peace Mapping Study", Interpeace, Academy for Peace and Development, Center for Research and Dialogue and Puntland Development Research Center, June 2009.

<sup>128</sup> It is estimated Al-Shabaab generates between \$35 million and \$50 million per year in revenues from the ports of Kismayo, Marka, Baraawe and Eel Ma'aan. Kismayo is the biggest and most lucrative harbour the group controls. "Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 1916 (2010)", op. cit.

<sup>129</sup> Some revenue would need to be shared with a reformed national government.

Liberia.<sup>130</sup> The aim was to seal leakage from revenue-generating institutions, including Monrovia port. International experts were deployed in revenue and finance departments, as well as the port. In return for acceptance of this “intrusion” on sovereignty, donors and IFIs guaranteed “capacity development”. A high-level oversight body (Liberian and international) was supported by a technical committee that worked with ministries and did day-to-day monitoring.

Because revenue collection in Kismayo is presently obscured from the start, corruption is easy to engineer. But once funds enter the treasury transparently, Somalis should decide their use, though international monitors, as part of public oversight of procurement, should still be available to help prevent gross abuse.

#### D. A DEVOLVED NATIONAL GOVERNMENT

The international community’s strategy to prop up the TFG at all cost has failed to advance the basic goals of Somalia’s stalled transition. The alternative is a much more decentralised system, in which most power and resources are devolved to local multi-clan administrations, while the federal government performs fewer functions and mainly coordinates the activities of the local administrations. This is acknowledged in principle in the 2004 Transitional Federal Charter and the recently agreed “Garowe Principles” that are supposed to form the basis for negotiation of a new permanent constitution.<sup>131</sup>

Rather than await promulgation of a new constitution, the TFG must be reformed or replaced with an authority willing to devolve power to local administrations. The international community should deal directly with those authorities willing to cooperate with the TFG and to renounce Al-Shabaab’s extremist goals. However, implementing a new international plan to support local administrations has

risks. Unless support is pegged to clear criteria and stringent benchmarks, it could prop up TFG-style regimes on the periphery. Furthermore, opposition may come from TFG elites determined to retain control over the reins of power and donor support.

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<sup>130</sup> See Crisis Group Africa Report N°87, *Liberia and Sierra Leone: Rebuilding Failed States*, 8 December 2004. An intriguing suggestion is to treat Kismayo as a “cosmopolitan city” with temporary international custodial control over customs revenues, like the International Civil Aviation Organisation trusteeship over Somali airspace, which includes collecting overflight fees for Somalia and investing them in airport maintenance and air traffic control. A comparison is also made with Hargeysa, Jigjiga and Garissa, where local clans have benefited from letting other Somali clans live and do business. Ken Menkhaus, *op. cit.*

<sup>131</sup> See Crisis Group Africa Report N°170, *Somalia: The Transitional Government on Life Support*, 21 February 2011. It notes, fn. 101, that calls for decentralisation are not new. In 1995, the London School of Economics presented models for how political authority could be devolved. I. M. Lewis and J. Mayall et al., “A Study of Decentralised Political Structures for Somalia: A Menu of Options”, report commissioned by the European Commission Somalia Unit, with assistance of the UN Development Office for Somalia, August 1995.

## **VIII. CONCLUSION**

The government's hasty, insufficiently prepared decision to intervene militarily in Somalia will have profound consequences for stability in both countries. Al-Shabaab now clearly intends not only to destabilise the North Eastern Province, but also to undermine Kenya's social harmony. Unless there is a settlement in southern Somalia, Nairobi cannot expect stability in its own border regions; indeed, instability might also reach the centre.

Creating stability in southern Somalia does not mean only defeating Al-Shabaab. Kenya, with the help of its partners, must now develop a political plan that includes attractive incentives for local clans to work together and share the region's wealth and foreign assistance. That will require careful planning and support, as well as continued international involvement in development and capacity-building. It will also mean taking control of Kismayo port's revenues – a perennial source of inter-clan conflict – out of individual clan calculations by creating an internationally-supported and monitored mechanism that will transparently and equitably allocate this resource throughout the region. Unless this occurs, there is little chance for long-term peace in the Juba Valley.

**Nairobi/Brussels, 15 February 2012**

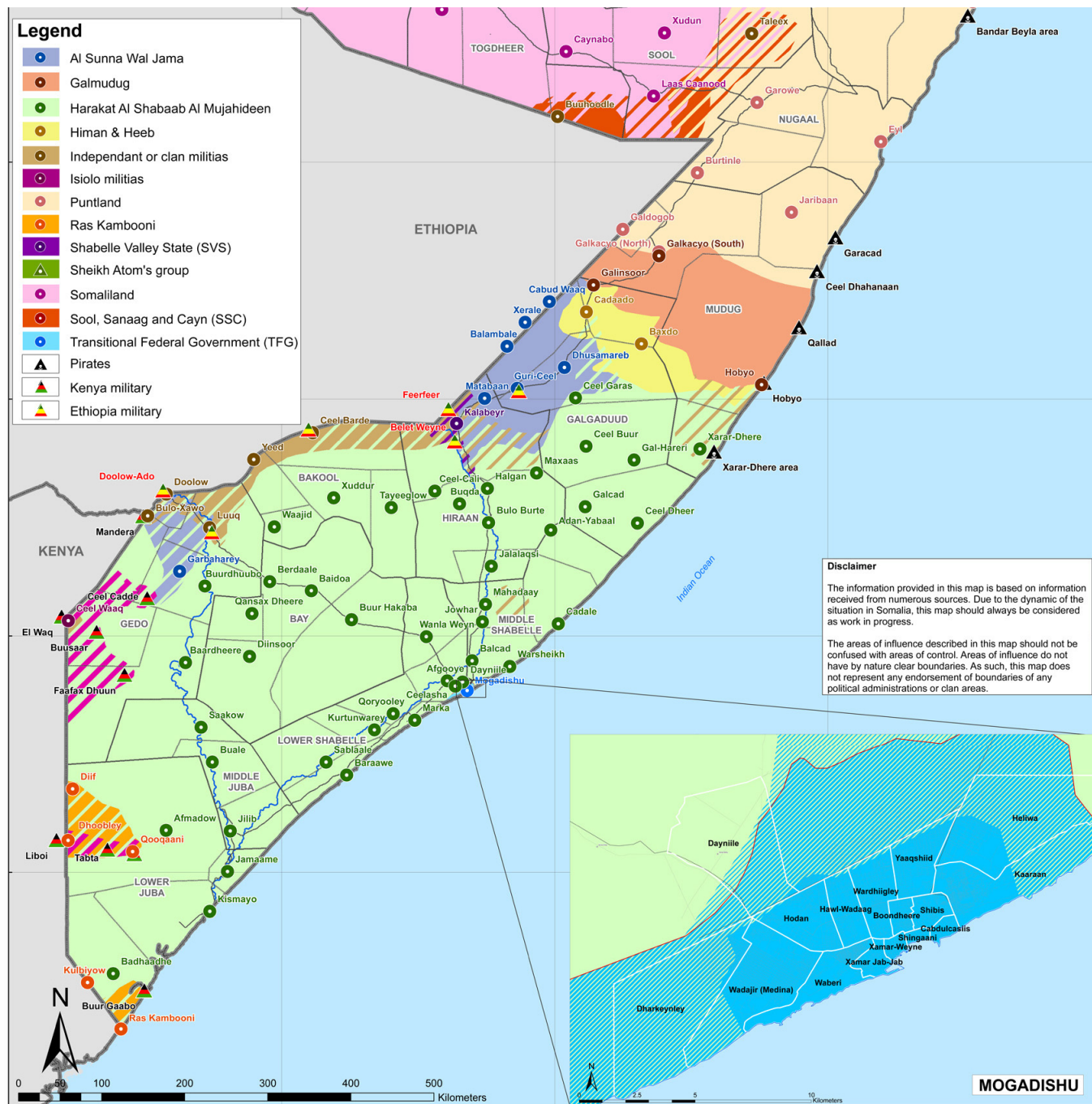
## APPENDIX A

### MAP OF HORN OF AFRICA



## APPENDIX B

### AREAS OF INFLUENCE IN SOMALIA, AS OF 24 JANUARY 2012



## APPENDIX C

### ABOUT THE INTERNATIONAL CRISIS GROUP

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The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 130 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and made available simultaneously on the website, [www.crisisgroup.org](http://www.crisisgroup.org). Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is chaired by former U.S. Undersecretary of State and Ambassador Thomas Pickering. Its President and Chief Executive since July 2009 has been Louise Arbour, former UN High Commissioner for Human Rights and Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and for Rwanda.

Crisis Group's international headquarters is in Brussels, with major advocacy offices in Washington, D.C. (where it is based as a legal entity), New York and a smaller one in London, as well as liaison presences in Moscow and Beijing. The organisation currently has field offices or analysts based in 27 locations: Abuja, Bangkok, Beirut, Bishkek, Bogotá, Bujumbura, Cairo, Dakar, Damascus, Gaza, Jerusalem, Kabul, Kathmandu, Islamabad, Istanbul, Jakarta, Johannesburg, Nairobi, Port-au-Prince, Pristina, Rabat, Sanaa, Sarajevo, Seoul, Tbilisi, Tripoli, and Tunis. Crisis Group currently covers some 70 areas of actual or potential conflict across four continents. In Africa, this includes, Burundi, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia, Guinea, Guinea-Bissau, Kenya, Liberia, Madagascar, Nigeria, Rwanda, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Uganda and Zimbabwe; in Asia, Afghanistan, Burma/Myanmar, Indonesia, Kashmir, Kazakhstan, Kyrgyzstan, Nepal, North

Korea, Pakistan, Philippines, Sri Lanka, Taiwan Strait, Tajikistan, Thailand, Timor-Leste, Turkmenistan and Uzbekistan; in Europe, Armenia, Azerbaijan, Bosnia and Herzegovina, Cyprus, Georgia, Kosovo, Macedonia, North Caucasus, Serbia and Turkey; in the Middle East and North Africa, Algeria, Egypt, Gulf States, Iran, Iraq, Israel-Palestine, Lebanon, Libya, Morocco, Saudi Arabia, Syria, Tunisia and Yemen; and in Latin America and the Caribbean, Colombia, Guatemala, Haiti and Venezuela.

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**February 2012**



## APPENDIX D

### CRISIS GROUP REPORTS AND BRIEFINGS ON AFRICA SINCE 2009

#### Central Africa

*Chad: Powder Keg in the East*, Africa Report N°149, 15 April 2009 (also available in French).

*Congo: Five Priorities for a Peacebuilding Strategy*, Africa Report N°150, 11 May 2009 (also available in French).

*Congo: A Comprehensive Strategy to Disarm the FDLR*, Africa Report N°151, 9 July 2009 (also available in French).

*Burundi: réussir l'intégration des FNL*, Africa Briefing N°63, 30 July 2009.

*Chad: Escaping from the Oil Trap*, Africa Briefing N°65, 26 August 2009 (also available in French).

*CAR: Keeping the Dialogue Alive*, Africa Briefing N°69, 12 January 2010 (also available in French).

*Burundi: Ensuring Credible Elections*, Africa Report N°155, 12 February 2010 (also available in French).

*Libye/Tchad : au-delà d'une politique d'influence*, Africa Briefing N°71, 23 March 2010 (also available in Arabic).

*Congo: A Stalled Democratic Agenda*, Africa Briefing N°73, 8 April 2010 (also available in French).

*Chad: Beyond Superficial Stability*, Africa Report N°162, 17 August 2010 (only available in French).

*Congo: No Stability in Kivu Despite a Rapprochement with Rwanda*, Africa Report N°165, 16 November 2010 (also available in French).

*Dangerous Little Stones: Diamonds in the Central African Republic*, Africa Report N°167, 16 December 2010 (also available in French).

*Burundi: From Electoral Boycott to Political Impasse*, Africa Report N°169, 7 February 2011 (also available in French).

*Le Nord-ouest du Tchad : la prochaine zone à haut risque ?*, Africa Briefing N°78, 17 February 2011.

*Congo: The Electoral Dilemma*, Africa Report N°175, 5 May 2011 (also available in French).

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