



The International Peace Support Training Centre  
Nairobi, Kenya

# Security Sector Reform/Development in Somalia



OCCASIONAL PAPER  
SERIES 4, N<sup>o</sup>7

NANCY MUIGEI



# Security Sector Reform/Development in Somalia

OCCASIONAL PAPER  
**SERIES 4, N°7**

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## Foreword

The International Peace Support Training Center (IPSTC) has made considerable contribution in research and training on peace support issues in the Great Lakes region and the Horn of Africa. The centre is a training and research institution focusing on capacity building at the strategic, operational and tactical levels within the African Peace and Security Architecture and has developed to be the regional center for the African Standby Force (ASF) in Eastern Africa. It addresses the complexities of contemporary UN/AU integrated Peace Support Operations through exposing actors to the multi-dimensional nature of these operations. The research conducted covers a broad spectrum ranging from conflict prevention, management, and post conflict reconstruction.

The Peace and Security Research Department (PSRD) of the IPSTC presents Occasional Paper Series 4 of (2013) on various themes on peace and conflict situation in Eastern Africa. IPSTC produced seven Occasional Papers in 2013. Five of them focused on Somalia while the others dealt with drivers of conflict and integration of child soldiers in eastern DRC. This publication titled: ***Security Sector Reform/Development in Somalia***, explores the dynamics of Security Sector formation in Somalia.

These papers provide insight into pertinent peace and security issues in the region that are useful to policy makers. These publications also provide significant contribution to the security debate and praxis in the region. The research products from IPSTC have been developed by researchers from Kenya, Burundi and Uganda will inform the design of our training modules at IPSTC.

This Occasional Paper is an important contribution to the vision and mission of IPSTC. The research and publication of this Occasional Paper has been made possible by the support of the Government of Japan through UNDP and the European Union.

**Brig. Robert Kabage**  
**Director, IPSTC**

## International Peace Support Training Center (IPSTC)

The International Peace Support Training Centre (IPSTC) is an international center of excellence in peace support operations training and research focusing on capacity building at the strategic, operational and tactical levels within the African Peace and Security Architecture. IPSTC is the regional training center for the African Standby Force (ASF) in Eastern Africa. It addresses the complexities of contemporary UN/AU integrated Peace Support Operations through exposing actors to the multi-dimensional nature of these operations.

The Research Department of the IPSTC undertakes research for two main purposes: a) the design of training curricula to support peace operations, and b) to contribute to the debate towards the enhancement of regional peace and security.

The Peace and Security Research Department (PSRD) develops annual occasional papers and issue briefs covering diverse themes from the Great Lakes region and the Horn of Africa. The 2013 Occasional Papers cover diverse topics in regional peace and security including the eastern Democratic Republic of Congo (DRC) and Somalia. PSRD's Research Agenda is traditionally comprehensive and addresses issues related to a variety of regional issues. The research conducted covers a broad spectrum of peace and security concerns ranging from conflict prevention, management, and post conflict reconstruction. IPSTC has made considerable contribution in research and training on peace support issues in the Great Lakes region and the Horn of Africa.

The Target audiences for our publications are the decision makers in key peace and security institutions in the Great Lakes region and the Horn of Africa. These include policy makers in national security sector such as internal security, defence, judiciary and parliament and regional institutions dealing with conflict prevention and management such as East African Community (EAC), Inter Governmental Authority on Development (IGAD), International Conference of the Great Lakes region (ICGLR), Regional Center for the Control of Small Arms and Light Weapons (RECSA), African Union, Embassies of key development partners with special interests in regional peace and security issues and the United Nations agencies in the Great Lakes region and the Horn of Africa.

Occasional Papers are an important contribution to the vision and mission of IPSTC. The research and publication of this Occasional Paper has been made possible by the support of the Government of Japan through UNDP and the European Union.

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## Acronyms and Abbreviations

<b>AMISOM</b>	African Union Mission in Somalia
<b>AU</b>	African Union
<b>CSOs</b>	Civil Society Organizations
<b>DDR</b>	Disarmament, Demobilization and Reintegration
<b>IGAD</b>	Inter-Governmental Authority for Development
<b>JSC</b>	Joint Security Committee
<b>NSA</b>	National Security Agency
<b>NSC</b>	National Security Council
<b>NSF</b>	National Security Force
<b>NSSP</b>	Somalia National Security and Stabilization Plan
<b>SNFS</b>	Somalia National Security Force
<b>SPFS</b>	Somalia Police Force
<b>SSA</b>	Security Sector Assessment
<b>SSD</b>	Security Sector Development
<b>SSI</b>	Security Sector Institution
<b>SSR</b>	Security Sector Reform
<b>TFG</b>	Transitional Federal Government
<b>TFP</b>	Transitional Federal Parliament
<b>TFIs</b>	Transitional Federal Institutions of Somalia
<b>TNG</b>	Transitional National Government of Somalia
<b>UNDP</b>	United Nations Development Program
<b>UNICEF</b>	United Nations Children Fund
<b>UNITAF</b>	United Nations Unified Task Force
<b>UNOSOM I/II</b>	United Nations Operation in Somalia I and II
<b>UNSOM</b>	United Nations Assistance Mission for Somalia
<b>USSR</b>	Union of Soviet Socialist Republics
<b>UNPOS</b>	United Nations Political Office for Somalia
<b>UNSCR</b>	United Nations Security Council Resolution

## Abstract

This Study seeks to examine and assess the current framework and capacity of the security sector in Somalia. It attempts to understand how SSR has evolved and analyze the role of external actors in the process. It observes that the realization of governance and transformation is dependent on Somalia's stability. As it is, undertaking Security Sector Development (SSD) is complex due to the fragile state of Somalia. The study argues that the stability of Somalia is dependent on how questions of state building, federalism, Al Shabaab are addressed. In addition, the stability of Somalia is dependent on the stability of Puntland, Somaliland and other separatist regions. The Federal Government of Somalia 6 pillar policy buttresses the need for Somalia's stabilization. Developing its Security Sector is central to realizing durable peace. Understanding SSD situation in Somalia therefore calls for a nuanced approach towards the process. While it is too early to assess the whole process in Somalia, this study seeks to highlight some issues emerging as action points to policy and practice.

## Mapping the Security Sector in Somalia

*“None of the progress that we are making in Somalia, in terms of political and institutional capacity building will succeed unless the security challenges are met. Security remains the number one challenge and controlling and defeating Al-Shabaab is key to this.”*

**Mr. Nicholas Kay-UN Special Representative to Somalia**

## *Section 1: Background*

Beset by Civil war for over two decades, Somalia has had a tumultuous past characterized by armed warfare, anarchy, failed peace agreements and humanitarian crisis (Bryden 2013:1, Menkhaus 2009:223). Although the disintegration of the central government and destruction of its security sector is traced to the ousting of President Siad Barre in 1991, Somalia's degeneration began after its independence in 1960 (Dagne 2009:95, Bryden and Brickhill 2010:242). Progressively, an informal security sector began to swell and proliferation of militia groups became the norm (Hills 2013:320). These groups, mainly representing the interests of warlords and clan elders, made Somalia precarious, provided security and at the same time threatened civilians. Some groups have acquired autonomy, including the Al Shabaab.

Conversely, Somalia's religious and traditional facets remained intact despite the collapse of its economic and political sector (Hills 2013:323). The existence of the Xeer law, Qadi courts, the Aqil courts (chieftain) and Magistrate courts served as conflict resolution tools (FGS 2013a:1). On the negative side, women were excluded from participating in the Xeer courts (FGS 2013a:5), and although the existence of the customary law, sharia law and pre -1991 penal code were present, they were not adequately functional (Lester 2012:24).

Somalia slipped into fragility and experienced cyclic violence and widespread human rights violations which in turn triggered widespread human displacements. It is estimated that a third of Somalia's population of nine million, dwell in extreme poverty, while another fifth are displaced, and a quarter require emergency support.

In addition, South-Central Somalia has faced devastating drought thereby putting it in dire humanitarian crisis (Hills 2013:320). The table below illustrates how security was provided prior to the development of the Security Sector Reform/Development.

**Table 1: Mapping Security Sector in Somalia Past and Present**

<b>Security Matrix</b>	
<b>Actors</b>	Clan militia, religious militia, private security companies
<b>Nature of Security</b>	Protection of elites and important individuals. Targeting of civilians
<b>Coordination</b>	Warlords and clan elders, disjointed process
<b>Conflict Resolution</b>	Xeer law, Qadi courts, the Aqil courts (chieftain) and Magistrate courts, Pre-91 penal code, Traditional and customary courts

**Source:** Developed by Author

Past external interventions to revive the central government and the security system have been futile. External and local actors undertook top-down approaches that failed to consider the contextual realities of Somalia (Menkhaus 2009:223). Simply put, Somalia’s woes have been both internal and external in nature. As a consequence, Somalia has suffered ‘12 years of ineffectual transitional authorities’ (Bryden 2013:1).

In September 2012, Somalia ended its transitional process after 8 years with transitional institutions handing over power to the Federal Government of Somalia (FGS). The new government unlike its predecessors boasts of a representative government with a new president, prime minister, parliament, and a new constitution (Bryden 2013:3). In addition, the Federal Government of Somalia 6 pillar policy buttresses the need for stabilization and developing its security sector (HIPS 2013:2). Despite this, the precarious condition in Somalia has hindered its realization of security and development. Spoilers such as Al-Shabaab and other militias continue to pose threats to fragile peace. The Federal Government of Somalia (FGS) also suffers from corruption.

Currently, Somalia is in the process of developing its security sector. Somalia became independent in 1960, by combining two colonies. These were Italian Somaliland and British Somaliland. Although it had a lean

army of 5,000 men, it adopted an ambitious Greater Somalia ideology to incorporate neighbouring territories of French Somali Coast (Djibouti), Eastern Ethiopia (Ogaden), and North Eastern Kenya (Northern Frontier District - NFD).

Siad Barre grabbed power in Somalia in 1969 and started pursuing an elaborate expansionist strategy. He equipped the army in preparation for a possible attack on perceived Ethiopian aggression (Bryden and Brickhill 2010:242). Between 1969- 79, Somalia increased its military expenditure, with the highest percentage reaching 39% of the national budget. In the process, Somalia acquired one of Africa's most advanced military arsenals (ibid.242). It started pursuing a 'perceived grievances' and preparation for supposed aggression by Ethiopia. Barre launched the disastrous Ogaden War in 1977. The loss of the war to Ethiopia undermined the Greater Somalia ideology that had held the Somali together (Munene 2010). The war became inward with focus on its population. After the fall of Siad Barre in 1991, Somalia degenerated into geopolitical fragments. Subsequently, Somaliland (in 1991) and Puntland (1998) declared independence.

Despite the fragmentation, the current constitution (Article 7) maintains that Somalia's territory still remains as defined by the 1960 constitution. In effect, it does not recognize the independence of Somaliland and Puntland. Yet, the reality is that the current reconstruction efforts do not target Somaliland and Puntland. They concentrate on South-Central Somalia. The challenge of reconstructing Somalia, therefore, could be the proclivities of the actors involved. They are part of the failure in revival efforts (Law 2006).

Similarly, Somalia's collapse led to the proliferation of various militias; most of whom had been unhappy with Siad Barre's leadership. With accumulated arms and weapons, many in the former Somalia Army retreated to their clans. This set the stage for the current state of affairs in Somalia. Attempts by the US led, UN intervention<sup>1</sup> failed to disarm

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1 Authorised by the UNSC

and restore Somalia in 1992 (Bryden and Brickhill 2010:253). Subsequent interventions by the UN, United Nations Unified Task Force (UNITAF) and United Nations Operation in Somalia (UNOSOM) I and II, failed due to the fact that their arrival coincided with famine that had put Somalia in dire humanitarian crisis. An estimated 500,000 civilians died from the violence and famine related issues (Dagne 2009:95). In effect, the deaths, displacements, and lawlessness in that period became breeding grounds for the emergence of clan-based militia in the protracted conflict (Murithi 2008:79&80).

The exit of both UNITAF and UNOSOM left Somalia with more weapons than it had after 1982. The embryonic police force, equipped by the UN with hundreds of vehicles and radios, as well as over 10,000 UN supplied weapons, disintegrated or merged into factions, who had earlier been disarmed (ibid.256).

The entry of United Nations Political Office for Somalia (UNPOS) marked the beginning of Security Sector Development in Somalia. UNPOS is credited to have contributed towards the initial stages of the security sector development process, through the Joint Security Committee (JSC), which was chaired by both the TFG and UNPOS and had members drawn from African Union (AMISOM) and the Intergovernmental Authority on Development (IGAD)(UNPOS 2013). The main goal of JSC was coordinating justice and security issues in Somalia. In addition, they were also in charge of the oversight and the implementation of the SSR proposed activities contained in the Djibouti Peace Agreement and Kampala Accord.<sup>2</sup> JSC did not make much progress since it treated the sensitive political issues within a security lens. Similarly, its top-down approach led to the exclusion of some actors and instead considered privileging the elites and the international community as signatories (Ibid.2012:2). In effect, they failed to harness local support.

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2 Kampala Accord (9 June 2011), agreed to have a reformed Joint Security Committee based in Mogadishu.

## 1.1 Conceptualizing Security Sector Reform

As an emerging field of policy practice and study, Security Sector Reform (SSR) is relatively new. It has its roots in the development and security fields that emerged towards the end of the Cold War (Bellamy 2003:101, Boone 2013:30, Sedra 2010:16). Similarly, SSR is also considered to be a ‘development strategy that enhances security actor compatibility with democratic principles and human security’ (Boone 2013:29).

The notion of reform or development involves a ‘system-wide approach’ that seeks to ensure civilian control of the security sector (Hendricks 2010:12). SSR is treated as model of security assistance, and has shifted from its focus on state security only, towards governance and human centred approaches (Sedra 2010:16, Boone 2013:30). Similarly, the integration of gender issues into SSR is central to SSR practice, especially for initiatives that seek for an ‘inclusive and socially responsive approach to security’ (Mobekk 2010:282& 278).

In practice, the SSR has experienced various challenges such as lack of political will by the ruling class to reform or develop the process (Sedra 2010:17 cited in Hendricks). In Somalia, corruption in the police and the judiciary has slowed the development of SSR. Correspondingly, the exclusion of local actors and civil society undermines local ownership of the process. The lack of success has also made it hard for those in the SSR practice to come up with best practices. A few cases available, have demonstrated limited success.

SSR process has been criticized for prioritizing of capacity building such as training and equipping, over critical areas such as governance, human rights and transformation (Sedra 2010). In Somalia, the development of Security Sector has been complex. AMISOM, which is in charge of mentoring the police and military, has to conduct PSO as well as train. Its focus is towards counterinsurgency as opposed to addressing the tenets of SSR. Counter-insurgency diverts attention away from ‘democratic development approaches’, (Baranyi and Salahub 2011:48). While Al-Shabaab is an inescapable phenomenon, new strategies of addressing

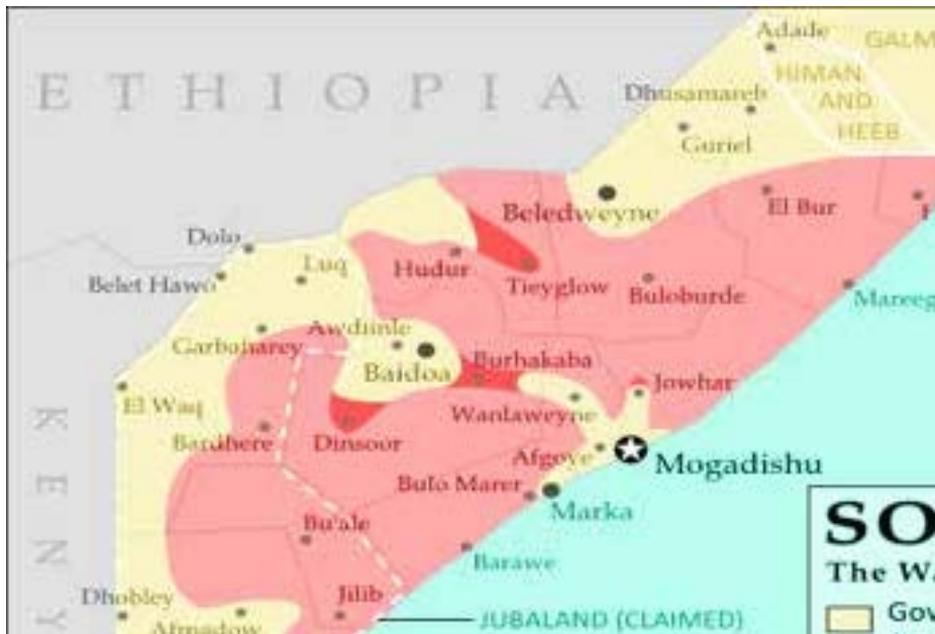
it are needed in order to rebuild the security sector (Mobekk 2010:284, Andersen 2012).

The label, Security Sector Reform is credited to Clare Short, the former UK Secretary for International Development. Later, its practice was institutionalized by Organisation for Economic Co-operation and Development (OECD) through the production of handbooks in 2005, 2007 and an additional chapter on gender in 2009 (Boone 2013:32). The advancement of the SSR field in the international scene has been driven by international actors and organizations (Ibid.31, Jackson 2011:1810). Their roles have been mainly in conceptualizing SSR as well as financing and institutionalizing its practice. In Somalia, some of the international actors in SSR include AMISOM, UNSOM, IGAD, the EU, US, UK and the UN.

As an approach, SSR represents the liberal peace building model, rooted in Western Liberal norms and principles (Andersen 2012:109, Sedra 2010:104). In addition, SSR belongs to the broader globalization discourses which justify external intervention in war-torn societies. Unpacking SSR therefore calls for situating it within its origins and the wider discourses of democratization (Sedra 2010:104). Equally important, SSR is central to state building (Jackson 2011:1803) and it seeks to entrench Weberian form of state, a situation where security institutions reclaim the ‘monopoly of coercive force’(Sedra 2010:16, Andersen 2012:103, Jackson 2011:184).

The field findings from Somalia reflect this reality, where such armed groups as the al-Shabab continue to threaten the fragile peace and hinder the state from exercising coercive force. As a result, it has slowed down stabilization. The following map captures the current realities of Somalia. It highlights the Al Shabaab stronghold regions as per June 2013. In the recent past however, Al Shabaab have changed tactics and are no longer confined to specific regions (Howie 2013, personal Interview).

### Map 1: Al Shabaab Strongholds as of June 2013



Source: Political Geography Now 3

Ideally, when a state has a functional security sector, it is bound to realize stability, security and sustainable peace (Andersen 2012:109, Mobekk 2010:279, Jackson 2011:1803). Employed in different post-conflict contexts, the objective of Security Sector Development is to achieve the transformation of all the actors of the security sector. It is assumed the security sector has some defects and therefore, the need for an accountable, transparent and democratic security sector (Mobekk 2010:279).

The central emphasis of the SSR model is governance and coordination. Owing to the nature of the assistance drawn from external actors, there is a need for an efficient and effective coordination mechanism in all the sectors (Heupel 2012:167). These include the 'traditional' security actors (Defence forces, police, border guards, intelligence services), justice institutions (judiciary, prosecution services), non-state security and justice actors (private security companies, traditional

3 <http://www.polgeonow.com/2013/05/somalia-war-map-al-shabaab-2013.html> (accessed 19th September 2013)

justice mechanisms), and management and oversight bodies (Ministries, Parliament)' (Mobekk 2010:279).

SSR should not merely focus on guaranteeing state security but should also address concerns of human security (Mobekk 2010:279). Addressing the problem of security is therefore seen as a precursor to realizing development and democratization (Brzoska 2006:4). A stable and secure environment is pre-condition to realizing development and security (Ebo 2004:481, Andersen 2012:104). Since SSR may be perceived as limiting the power of political and societal elites, it is likely to provoke resistance (Heupel 2012:159).

SSR, termed a 'model in crisis' suffers from issues of operationalization (Andersen 2012:109). Most SSR programmes have failed to realize their objectives owing to the short donor timelines, exclusion of some oversight actors and the prioritizing of the technical aspects of SSR over state building (Bryden and Olonisakin 2010 cited in Zyck 2011:498). The minimal success realized in SSR is attributed to the demands and supply side of both donors and the recipient states. Donors have focussed on what they perceive to be realistic goals when working in complex situations. As a result, issues such as governance are not really upheld, instead focus is directed to 'training and equipping' (Sedra 2010:18). The success of SSR is therefore dependent on how these issues are addressed (Ebo 2006:482).

Equally important is that SSR is normally conceptualized as a long-term process. For it to realize results, it needs around 10-15 years (Andersen 2012:109). In agreement with Andersen (2012), Nussbaum (et al 2013:577), asserts that 'even the fastest countries to transition from fragility to functional resilient institutions have taken 15-30 years to do so'. Evidence from the Somali plans reveals most of them seem to run till 2016-17; the plans target the expected 2016 elections. Available policy documents have shorter timelines than the others, not exceeding 5 years. Even the recent Somali Compact is expected to end in 2016 (FGS 2013b:3). Similarly, the National Security and Stabilisation Plan (NSSP) will come to an end in 2014. These timelines are short for realizing SSR.

## 1.2 Research Problem

The rationale for the development or reform of the security sector is premised on the need for an accountable, effective and efficient security system (Jackson 2011:184). Countries such as Somalia that lack adequate capacity to protect citizens and the state require strong institutions. States with weak institutions tend to be undemocratic and are prone to recurrent conflicts that hinder realization of development (Ebo 2004:481). In Somalia, the aftermath of protracted civil war and the collapse of the central government saw its formal security sector eroded. The absence of central governance resulted in the creation of a power vacuum, where private entities and militia groups acted as quasi-government and providers of security.

There have been many attempts to revive the central authority and rebuild state security sector but all those attempts were futile. The reasons for this futility are not clear and need to be investigated if stability is to be restored in Somalia. This study seeks to understand why and how past interventions failed, and the roles that the government and international actors played in the past and can play in the future. Somalia has had several interventions that failed to take into consideration its context, and the views of the locals, rather top-down approaches became normalized. The current Security Sector Development process seeks to break from this, and is arguably consultative with an integrated mission of AMISOM and the UN working together. This study seeks to explore the windows of opportunities for policy practice, whilst highlighting its progress.

## 1.3 Scope of the Study

The study will explore the nature of both modern and traditional security sector in Somalia and seek ways of developing a security sector that is responsive to the needs of the population in Somalia today. The periods understudy is from 2011-2013; this is also the period under which Somalia began dealing with security sector reform which led to the development of the NSSP and the handover of power

by the Transitional Federal Government after 8 years to the Federal Government of Somalia. Although the author mention reforms of the maritime, ordinances and private sector, this study does not go deep into discussing them.

### 1.3.1 Objectives

**The research objectives are as follows:**

- Assess the current security sector framework and capacity in Somalia.
- Examine how peace consolidation can be enhanced through capacity building for the security sector.
- Assess the impact of government; neighbouring countries, AMISOM, UN, IGAD, EAC and other international organizations working on the security sector reforms sector in Somalia

### 1.3.2 Research Questions

This research tries to answer the following questions:

**Main question:** What is the current framework and capacity of the security sector in Somalia?

**Sub questions:**

- What forms of security sector transformation does the current state of Somalia require?
- What is the role of traditional mechanisms in security sector transformation?
- How can the government of Somalia and the International Community contribute to sustainable security sector development in the country?

## 1.4 Methodology and Ethical Considerations

This research utilized mixed methods as a means of collecting information on Somalia's SSR process. Firstly, the author undertook a desk study; reviewing reports, journals, UNSC statements, conference proceedings and newspaper articles. Secondly, owing to the challenges of access outside the AMISOM protected regions, this research relied on the research work undertaken by the (Observatory of Conflict and Violence Prevention (OCVP), on behalf of the author. The OCVP collected data in three districts in South Central Somalia namely; Mogadishu, Baladweyne and Baidoa, while the author visited Mogadishu. Focus group discussions and key informant methodology was used to collect the field data from Civil Society Organizations, Community Based Organizations, Government Departments and Ministries, Clan Elders, UN Missions and Agencies, IDP community, among others. Due to security concerns, there was limited contact between the researcher and the participants of the research, especially those conducted by OCVP. This in turn made it difficult for the researcher to reflect on the process especially the non-verbal communication, power dynamics and other aspects which can also be interpreted and analysed. Lastly, the researcher travelled to Somalia and interviewed several actors within the SSR sector in Somalia.

This paper is organized in four Sections; Section 1 provides introduction, background and conceptualizes Security Sector Reform, Section 2 provides the current situation of the security Sector Development process in Somalia, it highlights the dynamics, opportunities and windows for opportunities. In addition to highlighting the role played by the various actors in Somalia. Section 3 reflects on the challenges and opportunities for SSR in Somalia and it ends with Section 4 which concludes the study and recommends the way forward.

## *Section 2: Current Situation of the Security Sector Development/Reform Process*

Somalia is currently developing its security sector. This includes the military, police and the handling of disengaged fighters, while those being reformed include the judiciary and correction services. As a starting point to understanding the case of Somalia, this section argues Security Sector Development/Reform (SSR) is not a technical linear process, but rather an overhaul of the security sector which is interlinked to state building. It observes that sustainable peace in Somalia is dependent on a strong Federal Government administration that works effectively with regional governments. In addition, the stabilization of Somalia is dependent on the stability of Somaliland and Puntland which have porous borders.

The current Security Sector Reform process is still embryonic. Its major emphasis has been on recruitment, capacity building, coordination of international assistance, and in addition to receiving disengaged combatants (Howie 2013 personal interview). Although policy documents such as the NSSP and Justice Security Committee have been in existence since 2011, the SSR process has occurred against the background of violent conflict which has been rocky and destabilizing. According to the Secretary General's report of 13 September 2013, the Somali government had made some progress in taking the lead in the coordination of international assistance after its commitments in the London conference.<sup>4</sup>

The UN Assistance Mission for Somalia (UNSOM), established through resolution UN resolution 2102(2013), has been in operational since 3rd June 2013. It is incharge of major coordination within the SSR sector in Somalia. Its mandate includes;

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<sup>4</sup> The London conference pledged funds for the SSR process in addition to strengthening the armed forces, police and rebuilding the justice sector and improving the financial management.

*“The provision of policy advice to the Federal Government of Somalia and the African Union Mission in Somalia (AMISOM) on peace building and state-building in the areas of: governance, security sector reform and rule of law (including the disengagement of combatants), development of a federal system (including preparations for elections in 2016), and coordination of international donor support. Among its other mandated functions, UNSOM would help build the Federal Government’s capacity to promote respect for human rights and women’s empowerment, promote child protection, prevent conflict-related sexual and gender-based violence, and strengthen justice institutions. Further, it would monitor, help investigate and report to the Council on any abuses or violations of human rights or of international humanitarian law committed in Somalia, or any abuses committed against children or women.”*

Similarly UNSOM is also mandated to coordinate international assistance and it has facilitated the establishment of informal working groups on national security. Its roles include offering support to the National Security Plan, aiding in the drafting of key security sector legislation, offering counsel to the operationalization of the National Security Council, facilitating in the weapons control process, as well as undertaking security sector assessments.

Additionally, it should offer technical support towards the development of plans ‘for disengaged fighters including a national technical secretariat for DDR and disengaged combatants, and a National Programme for Disengaging Combatants and Youth at Risk’(UNSOM 2013). The SSR process in Somalia has remained bumpy due to the issues of disengaged combatants, indisciplined armed officers, logistics shortfalls and unregulated private security companies (UNSC 2013:6).

The Security Sector Development in Somalia is informed by the National Security Plan (NSP) that combines several policy frameworks, including the National Security and Stabilisation Plan (2011-2014). It is National Security Vision proposes to have a *‘A secure and enabled federated Somalia that is in lasting peace with itself and with its neighbours; enjoying restored security, access*

*to justice and the rule of law; upholding the human rights of its citizens and with all of the security sector adhering to International Humanitarian Law; accountable, able to defend its constitution, people, territorial unity and integrity.*' The purpose of the National Security Plan is to harmonize all the other policy frameworks.

The NSP focuses on aspects of capacity development, coordination, participation and engagement of other players. The National Security and Stabilization Plan summarises the direction which Somalia seek to pursue. Through its objectives, which seek to;

- Strengthen higher level security and justice policy and strategy development and coordination mechanisms.
- Rebuild affordable, Accountable and professional defence/army, security and justice agencies and institutions.
- Ensure effective partnerships and coordination between state and non-state security and justice agencies/institutions.
- Increase the inclusion and participation of parliament and civil society organisations in Somalia security and justice sector development efforts.
- Enhance and sustain international support for the stabilisation of Somalia.

The oversight roles of other civilian actors, outside the executive arm, were not well stipulated. Although the NSP cites the composition of this oversight mechanism to include 'key personalities, institutions, including the President, Prime Minister, Somali Parliament and Government Ministries'(Ibid), this has not yet been actualized. SSR is weak and non-inclusive, especially due to the general absence of civil society members.

The approach undertaken by the Federal government was top-down. This was contrary to expectation of the government not just leading the process, but also consulting and engaging the civil society and members of different clans in the design and formulation of the SSR process. There is a risk that the Somali people could dismiss the process as just another international project, if the locals are not taken on board.

## 2.1 Sector Progress Matrix

The following table highlights the progress and challenges within the security sector in Somalia.

*Table 2: Progress made in the Security Sector*

SECTOR	PROGRESS	CHALLENGES
<b>Somali National Forces</b>	<p>European Union Training Mission (EUTM) has trained about 2976 men and 24 women since 2010 (EUTM, 2013)</p> <p>Actors offering training -Turkey, Ethiopia, Bancroft, Uganda, Djibouti</p> <p>The coordination is done by UN-SOM coordination while mentorship is by AMISOM</p>	<p>Logistics, Indiscipline</p> <p>Dissertations,</p> <p>Command and control,</p> <p>Allegiance to clans and other militias vis a vis the military, minimum pay of 100 USD as stipend</p>
<b>Police</b>	<p>Development of strategic plan through the support of both DFID and AMISOM to cover the period (2013-17), Technical Assessment of sector 2 (Kismaayo) and sector 3 (Baidoa), Focus on Reform, Restructuring Reorganization and professionalization of force and Mentoring by AMISOM (additional trainings been done by Kenya)</p>	<p>Asymmetric attacks, Capacity gaps in infrastructure and management and lack of coherence in support</p>
<b>Judiciary and correction services</b>	<p>Donor coordination established.</p> <p>UN-SOM supporting the development of legislative law</p>	<p>Long sentences, only one prison, no segregation of women and men and no mission to rehabilitate prisoners. Wardens lack education. Wrong judgments</p>

<b>Disengaged Combatants</b>	Work in progress	Handling of fighters Institutional capacity
<b>Private Security</b>	Recommendation for legislation	Unregulated
<b>Maritime Security</b>	A maritime crime programme, for the deployment of coastguard and maritime police trainers underway	Work in progress
<b>Explosive ordinance</b>	Capacity building by AMISOM and UN	Work in progress

**Source:** (UNSC 2013 and AU 2013)

## 2.1.1 Military Sector

Progress has been made within the military sector through the establishment of the Defence Working Group to coordinate the development of the Somali National Forces (UNSOM official, personal interview, 2013). Its role includes coordinating partners and mobilization of resources. Co-chaired by the chief of the defence force, and facilitated by the United Nations, members of the working group include the AMISOM and members from international community. Training for the military is offered by different actors such as Ethiopia, Djibouti, Uganda, AMISOM, Turkey, Bancroft Development Group and the European Union Training Mission, with its camp in Uganda which was recently moved to Mogadishu). Among some recent positive developments is the introduction of the code of conduct based on the ICRC mitigating child recruitment into the forces.

In addition, to mitigating on the logistical gaps by the military, a curriculum to fill this gap has been developed. The US government has also committed to refurbish some of the military facilities.

The challenges experienced include lack of adequate pay, issues of command and control, desertions, and poor working conditions. Most of the recruits still have allegiances to their clans and militia leaders. This has made it hard to address issues of discipline.

In terms of payment, the Italian government and the United States do provide 100 USD stipends but not all troops are paid by both governments. The Somali government, therefore, caters for the rest. Due to lack of a central payment system there are delays in payments and this could be one source of discontent and hence desertions (UNSNOM official, personal interview 2013).

### **2.1.2 Police Sector**

The major work in this sector has been the development of strategies and policies for the Police. So far, a strategic plan has been developed by DFID and AMISOM and endorsed by the FGS to cover the period 2013-2017(UNSC 2013). AMISOM together with UNSOM have actively been engaged in mentoring and building the capacity of the police. UNSOM's role includes offering technical expertise to FGS, by drafting legislation and policies. The main challenge within this sector has been the lack of capacity of the Somali Police Force, which makes UNSOM key in addressing this gap (UNSNOM Official Personal Interview 2013).

The process is driven by the Somali government and facilitated by the UN and AMISOM. UNSOM currently has four UN police officers dedicated to capacity building the police and so far they have been able to reach the police forces in Baidoa, Baladweyne, and Kismayo. The Japanese government has been a major funder of the process, having contributed about 20 million US dollars.

Challenges experienced within this sector include lack of infrastructure and adequate police stations, in addition to the asymmetrical attacks the police have had to contend with.

### **2.1.3 Traditional Justice Vs Formal Justice Institutions**

The findings from the focused group discussion of South Central revealed that the Somali were keener on traditional forms of justice than the formal ones. Despite the existence of the District courts in South Central Somalia, many people were sceptical at the kind of justice being dispensed by these courts. They claimed that the courts

were corrupt.<sup>5</sup> The majority of the people, instead, preferred traditional or religious mechanisms.<sup>6</sup> However, the traditional and religious courts were not favorable in tackling gender and women related cases. The current reform process seeks to address these gaps (FGS 2013a).

#### **2.1.4 Corrections and Prisons**

Prior to the reforms, Somalia had been operating with the 1971 prison law. At the moment, UNSOM is aiding in the drafting of a new law that will seek to address a range of issues; these include minimal standards, the separation of women and children in the prisons. Currently, Mogadishu based prison is the only one that serves both men and women prisoners. However, the prison has no provisions for juvenile services, therefore children and adults are all put in one prison.

The complexity of these issues is also brought about by the lack of birth records, therefore making it hard to tell the ages of the prisoners. Other problems relate to poor sanitation and health, communicable diseases, and lack of rehabilitation programmes.

#### **2.1.5 Disengaged Fighters**

Most of the disengaged fighters were majorly drawn from former Al Shabaab members, those arrested and those who surrendered to either AMISOM or the SNF (AU 2013:8). The role of the FGS was to rehabilitate the fighters, while AMISOM was mandated to apprehend, receive, and manage the fighters for a period of 48 hours before handing them over to the government (AU 2013:15, UNSC 2013:6). Other actors working in this sector include UNICEF, IOM, UNSOM and AMISOM.

At a draft policy document to establish a secretariat in charge of National programme for disengaging combatants and youth at risk is in progress. A workshop convened by the UN, AU and the World Bank took place in

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5 According to the prosecutor from Baladweyne, justice sector reforms were underway, he was very optimistic in the courts ability to solve disputes.

6 Some participants noted that they preferred reporting their disputes to traditional elders first, before going to the formal courts. According to the police commissioner in Baidoa, the local authority provides justice but it works in corporation with formal courts.

June 2013 and they examined issues of support and funding (AU 2013:8). The youth remain vulnerable for recruitments into militia groups. The Somali political economy is yet to recover and is unable to create formal jobs for the youth. Similarly, the relative peace enjoyed in Mogadishu has not been seen in the other regions outside of the centre (evidenced by the influx of business men from the diaspora and stable business environment in Mogadishu (Bryden 2013:1). Therefore, many challenges in regards to disengaged fighters still exist.

## **2.2 Emerging Issues from the SSR/D process**

### **2.2.1 Women and Gender**

Despite the provisions of the Somali Constitution to protect human rights and violations of women, abuse of women and rape is still very common. “The Human Rights Watch highlighted the case of an internally displaced woman who was raped and when she reported the case, she was jailed together with the journalist who interviewed her” (HRW 2013). In short, women are stereotyped and stigmatized when they report such cases. The perpetrators of these crimes are said to be ‘armed men wearing government uniforms’ Donatella adds, “the inability and unwillingness of the Somali authorities to investigate these crimes and bring the attackers to justice leaves survivors of sexual violence even more isolated and contributes to a climate of impunity in which attackers know they can get away with these crimes’. (Amnesty 2013)

Security was mixed but generally poor. In Baidoa, the interviews of the IDP’s revealed that the camps were not safe because of the inadequate protection of the internally displaced. In Mogadishu the security situation had improved compared to the past, where killing, kidnapping, looting and rape were the norm. This highlighted the fact that the new Federal Government was making daily improvement in the country’s security situation. Despite all, the cases of gender based violence and rape highlight major gaps in the implementation of SSR in Somalia. Although, there have been efforts to train and equip the police in order to address

such kind of violations, a lot needs to be done especially in the justice, military and police sector.

### **2.2.2 Sustainability and the Somali Compact**

The Somali Compact is the latest document that will inform all reconstructing process in Somalia in addition to coordinating donor support. A product of the Brussels conference of 16th September 2013, the policy document contains peace and state building priority areas Somalia hopes to implement in the next 3 years (2013-2016). Anchored in the Busan New Deal principles, the compact is an outcome of a consultative process between the government, civil society, the international community, members of the Federal parliament, citizens of Somalia, the UN and the lead donor, EU (FGS 2013:3). It is Important to note that despite the commitment of the international community towards funding the process, there is no indication whether this period (2013-2016) will be extended. This may have implication on sustainability of the initiative.

### **2.2.3 Human Rights Violations and Engagement with Civil Society**

Corruption is reported to be rampant within the Federal Government of Somalia. The Human Rights Watch has raised concerns with the current reform process, its concern being mostly on accountability and rights protection. It has been critical on the use of aid in Somalia (XXX). Similarly, widespread human rights violations have been reported. The judiciary is also perceived to be corrupt, inept and incompetent. The findings in the field revealed minimal engagement of the civil society on the affairs of the state, especially SSR. The few that were engaged within the civil society were mainly invited to consultation forums. According to an interview with another (UNSOM official, personal interview 2013), they were in the process of developing a structured way of engaging the civil society

## 2.2.4 Analysis

The reality of Somalia is that it is a fragile state and SSR cannot play out as expected due to the structural conditions that Somalia faces. As such, the design and approach under which SSR is undertaken needs to reflect this reality. These include incorporating the needs of the clans, the unique needs of the various regions, and ensuring that there exist frameworks to address them. The case of the military and police has indicated that most of them are still answerable to the various militias and the interests of the clans.

Although Somalia has good policies and strategies addressing issues of human security and gender. Gaps do exist in the manner that SSR has been framed by the FGS. This includes the treatment of oversight issues and how broad issues surrounding the implementation of SSR process have been addressed. Among them is the Al Shabaab issue, federalism, state building and the notion of clans and how this feeds into the character of the military and police.

In addition, the SSR process has not adhered to some of its central tenets, such as the promotion of local ownership through engaging the civil society organizations, questions on sustainability and the promotion of an effective operational capacity. Instead, there have been multiple actors offering training to the police and military. Similarly, no measures have been put to ensure that police and the military are vetted before being recruited (Official from Human Rights Watch, Personal Interview, 2013).

## *Section 3: The Challenges and Opportunities for SSR in Somalia*

In Somalia, the realization of meaningful development has been fruitless. Trapped in what Menkhaus (2004:149) frames as a ‘vicious cycle’, Somalia has been unable to move forward due to high insecurity. As Menkhaus says, “war retards development, but conversely, development retards war.” This double causation gives rise to virtuous and vicious circles - when development fails, countries are at a high risk of becoming caught in a conflict trap in which war wrecks the economy and increases the risk of further war (ibid.). The cyclic violence in Somalia has gone to show how security is interlinked with development and its impact and effects to state building.

The presence of spoilers such as Al Shabaab and other militia groups has served to threaten fragile peace, and hindered humanitarian aid (Hills 2013:320). In August 2013, Medicines Sans Frontiers (MSF) pulled out of Somalia after 22 years due to insecurity. According to the Guardian, MSF was forced to pull out due to attacks on its staff; armed groups and civilian leaders supported, tolerated or condoned the killing, assaulting and abducting of humanitarian aid workers.

The constitution charges the current Federal Government of Somalia with the responsibility of providing security for its people and the state. The National Security Vision seeks to achieve;

*“A secure and enabled federated Somalia that is in lasting peace with itself and with its neighbours; enjoying restored security, access to justice and the rule of law; upholding the human rights of its citizens and with all of the security sector adhering to International Humanitarian Law; accountable, able to defend its constitution, people, territorial unity and integrity.”*

Article 111h articulates that the National Security Commission is responsible for ensuring that human security is prioritized and integrated within the Somalia's national security frameworks. However some of the issues arising on the ground question what the FGS provides for in paper. The rise of sexual abuse and rape has continued to pose threats to the security of women. Despite the existence of the customary law, sharia law and Pre-911 penal code, women issues have not been adequately addressed. In line with this, the Ministry of Justice has put up measures such as an alternative dispute resolution mechanism to address the gender concerns of men and women (FGS 2013a:5, Dini and Osoble 2012:97).

### **3.1 Youth**

In addition economy in Somalia has not been able to adequately provide jobs for the youth, and thus they remain vulnerable as recruits to various militia groups in Somalia (Focussed group discussion 2013).

#### **Opportunities For the FGS**

The FGS has excellent policies, strategies and laws that do address the issues posed by the security challenges in Somalia. There is a strong need to re-consider how to operationalize its constitution, the Somali Compact and the SSR strategies.

## *Section 4: Conclusion and Recommendations*

### **Conclusion**

This study is an attempt to understand the frameworks and capacity of the security sector in Somalia. It established that the traditional forms of security were still upheld and had more credibility compared to the formal government structures. Although there were efforts towards developing the security sector in Somalia, this study observed there were constraints that needed to be addressed; entrenched culture of impunity in the police and judiciary sector.

The security situation in Somalia is both complex and fragile. Understanding what forms of transformation the security sector in Somalia requires is not an easy task. As this paper has observed, it takes a period of about 10-15 years to realize results within the SSR sector. Faulty foundations can negatively impact the outcome of the process as failure of past interventions indicates. The challenges and tensions surrounding the interpretation of the Somali constitution and operationalizing of SSR could impact negatively on the larger process of SSR.

Although the government is federal; it still maintains features of a central government, which most Somali are not accustomed to. The oversight arm is weak, especially due to the absence of civil society members. Those who were interviewed listed their marginal roles in the process. The approach undertaken by the Federal government, although acclaimed to be bottom up, was actually top-down.

There is need for the government not to just lead the process, but also to consult and engage members of the civil society and of different clans in the design and formulation of the SSR process. These should be engaged in the SSR process from the start. If not, misinformation and top-down approaches could become breeding grounds for the informal security providers. Learning from past lessons is important for Somalia's revival and reconstruction.

## Recommendations

This study makes the following recommendations to the following actors:

### The Federal Government of Somalia

- Operationalize Article 111H which stipulates which actors are to be engaged in the oversight process of SSR.
- The Human Rights Commission and NSC need to address human rights violation against women and men in Somalia in line with Article 111B(c).
- Prioritize the human security needs of women and children in the IDP camps and insecure zones.
- Operationalize Article 128 which prohibits abuse of power by the forces.
- Introduce vetting as a means of accountability and transparency.
- Promote the engagement of local actors in the process and disseminate progress reports and achievements of SSR.
- Develop a strategy to address how to sustain SSR beyond donor funding.

### UNSOM

- Ensure that capacity building on SSR also targets members of the civil society so that they can engage meaningfully in the process.
- Harmonize trainings and efforts by various actors.
- Prioritize human rights, gender and women needs.
- Monitor and evaluate how trainings are undertaken by various actors.
- Promote the recruitment of women into the military and police forces.

### AMISOM

- Promote the inclusion of women in their training programmes.
- Work with UNSOM to build the capacity of the civil society in understanding SSR in Somalia.
- Increase the capacity of AMISOM so that, they can have enough staff to train and others to fight.

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## Security Sector Reform/Development in Somalia

SSR in Somalia has mainly been driven by the international community and the conventional SSR actors. Members from the civil society and clan elders have only featured at the margins of the process and little is known of their input. Although the government claims to be undertaking a consultative process, its critics claim otherwise. The security environment in Somalia is precarious and fragile although improving. SSR is being implemented within this context unlike in other countries where SSR occurs after a military win or signing of a peace accord. Understanding SSR in Somalia therefore calls for a nuanced approach under which to assess the government. Questions of inclusivity, local ownership, culture, coordination, participation, approach and methodology therefore become important as they will inform the outcome.

This research seeks to examine and assess the current framework and capacity of the on-going Security Sector Reform in Somalia.

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