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Report

Somalia: The Case for Negotiating with al-Shabaab



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Somalia's Transitional Federal Government and its international and regional backers have sought military victory over the extremist group of al-Shabaab, branded by the U.S. and many Europeans as a terrorist entity. After three years of fighting, Somali government forces and the African Union troops control the capital Mogadishu. Kenyan troops are in the south while Ethiopian forces captured several regions in Somalia. Several pro-Ethiopian and pro-Kenyan militias are also in active conflict with al-Shabaab in south and central Somalia.

That Mogadishu is now under the domain of the Somali government is significant, but the current strategy for stabilizing Somalia is counter-productive and it is not sustainable in the long term: it has two major deficiencies. First, the strategy neglects serious negotiations with the insurgency groups. Second, it over-relies on external military muscle, particularly that of the African Union Mission in Somalia (AMISOM) and neighboring countries of Ethiopia and Kenya. We argue that the time is now ripe for reversing these illusive and ineffective policies. The Somali government and its backers should focus on genuine negotiations with rebels that are interested to end the violence through peaceful means, and alongside, must invest in establishing a competent security sector.

Why Negotiate?

For the last three years, the Transitional Federal Government of Somalia (TFG) has talked about negotiating with its principle enemy, al-Shabaab. But it has never put forward a serious plan to engage the insurgency movement. The so-called "open door policy" that the TFG had boasted all these years continues to be high on rhetoric, low on substance. Leaders of the Somali government and the international community must embrace negotiation as an effective instrument in building durable peace and functioning state in Somalia. Negotiations must also be understood as an effective counter-insurgency instrument. There are four reasons that support our argument.

First, civil wars often end through a military victory or a negotiated settlement. A victor has not emerged in Somalia for the last two decades. Moreover, there is no one group that has the potential of defeating other groups militarily. The history of Somalia's Islamist groups that have endorsed the use of force in affecting change is also instructive. Al-Ittihad al-Islami group fought warlords and neighboring Ethiopia several times in the 1990s with no success. Although they were defeated each time, they re-organized and came back stronger and more destructive. The lesson from the past is that neither the insurgency nor the government will win the current war militarily. As such, the only option left for Somali groups is to end their conflict—or at least much of it - through negotiations.

Second, from the TFG/international community perspectives, talking to the Shabaab has never been more critical, as the group suffers from series of military setbacks. Over the past few months, al-Shabaab has been pushed out of their strongholds in the capital Mogadishu, including the Bakara Market, the country's largest market and by far the biggest revenue-generator for the group. This is important because, for the first time, the Somali government can negotiate from a position of strength.

Third, negotiations should be seen as a crucial element of the broader counterinsurgency and state-building strategy. Dialogue would weaken hardliners politically and militarily while it would empower moderate elements. More importantly, negotiations would boost the image of the TFG in the eyes of the Somali people who view the conflict as innately political and intra-Somali.

Finally, negotiations would identify leverage points of al-Shabaab's key players. For sometime, it has been known that some senior figures would consider negotiating with the TFG if offered positions; while others would want to have their names removed from the UN and US terror lists. Still others, eager to rejoin society, seek general amnesty, and many would like to be resettled in a third country. All of these incentives are a price not too high for peace in a country shuttered by a civil war since 1991. By way of

comparison, all of these incentives are on the table in Afghanistan for the Taliban. We think Somalia's conflict is comparatively less complex and therefore similar strategy would yield better results.

On the Process of the Negotiations

As the famous adage goes: "if there is a will, there is a way." The process of translating the above principles into real policies and actions starts with three mechanisms. First, there must be a third country or organization that is willing to take the lead. Turkey and Qatar are natural candidates to help: both the TFG and some, if not many, in the insurgency view the two countries as genuine and credible mediators. These countries would be the go-between interlocutors, which requires cautious moves and lot of confidence and trust-building.

Second, the TFG, with the backing of the international community, must form a "National Reconciliation Commission" with a legal, political and financial mandate. Individuals of considerable integrity and honesty must be appointed to this commission. Many people within the TFG have had—and some continue to maintain—good relations with key al-Shabaab figures. These relationships are crucial to advancing the success of the negotiations.

Third, the international community must openly support this effort. Until now, the TFG leaders say they felt dissuaded by regional countries who are overtly opposed to the notion of engaging the Shabaab. This is absurd, considering that the United States has been talking to the Taliban for sometime. Ethiopia, the region's powerhouse and an important neighbor concerned about the role of Islamists in future Somali governments, has recently signed peace agreement with an Islamist rebel group. Yet, Addis Ababa vehemently opposes the notion of the Somali government talking to its archrival, al-Shabaab.

Notwithstanding our optimism, dialogue with the Shabaab will undoubtedly be a complex process that requires considerable political and financial capital. Given the intricate and the reclusive nature of the group, engaging them would also demand meticulous plan of action as to what, why, where, when and how to engage them.

Addressing the Key Demands

Governments around the world negotiate with all kinds of armed groups for all sorts of reasons. But the broader strategy of such dialogue is almost always the same: accommodating or dismantling the enemy. In her book "How Terrorism Ends," Audrey Croonin lays out two main approaches to dialogue: first, the rebel group is cajoled to reconcile fully with the government through huge concessions with the aim of forming a national unity structure. This approach has been applied to rebel groups that boast broad public support through exploiting legitimate grievances. Responsible governments normally choose to address these grievances to end the violence.

In Somalia, the 2008 Djibouti Agreement, which led to the formation of the current TFG, was predicated upon this notion. The previous TFG successfully engaged the Islamist-dominated Alliance for Re-Liberation of Somalia. The Eritrea-based ARS was allowed to essentially merge with the TFG as long as two principal grievances were addressed: first, the withdrawal of Ethiopian forces from Somalia, and secondly, a power-sharing deal which led to the addition of equal number of parliamentarians into the existing legislative body. Taken together, the two concessions worked to the advantage of the opposition, and hence its domination of the current TFG.

The second approach of engagement, according to Croonin, is to split the rebels by winning over the "moderates" and isolating the extremist elements. The goal is to suck energy out of the group and weaken them overtime. In this case, negotiations would not be designed to offer concessions as much as "incentives," but talking would be an

integral part of the overall counterinsurgency strategy. This approach yields better results when applied to non-monolithic groups.

In Somalia, the two approaches must be combined. Based on their statements, Al-Shabaab makes two key demands: the withdrawal of the foreign forces and a government based on Islamic values. Both demands should be considered, with good faith. The second approach is also relevant as al-Shabaab consists of various factions with different grievances and aspirations.

The first demand is easier to deal with. Al-Shabaab calls for a government that is based on Islamic Sharia. The TFG had passed a legislation that adopted Sharia as the law of the land albeit Al-Shabaab viewed the move as a ploy. Obviously, there is an agreement among stakeholders on the principle of the role of Islam. But, the key differences are on the interpretation, application and timing of the Sharia. The debate over Sharia interpretation is a losing battle for al-Shabaab, for it lacks strong evidence and respected scholars. Therefore, we believe this demand can be addressed. In fact, to this end, the international-community helped drafted "Sharia-compliant constitution" for Somalia. As controversial as the constitution-making process is, on the part of the TFG and UNPOS, it shows that there is an understanding of the importance of dealing with this demand.

However, the second demand is challenging. Al-Shabaab demands the withdrawal of the foreign forces from Somalia including Ethiopians, Kenyans and AMISOM troops. Many Somalis share with Al-Shabaab the immediate removal of the Ethiopian and Kenyan troops from Somalia. However, the issue of AMISOM is different. For now, we do not expect the 9,000 troops from Uganda, Burundi and Djibouti would leave Somalia any time soon. But, an action plan of building and equipping a professional Somali force that can handle the security of the country must be initiated. After all, a strong, competent and a professional Somali army must be the ultimate guarantor of security and stability in Somalia. And former Shabaab fighters, demobilized and retrained, could be integrated into that army.

When negotiations begin many more issues will emerge. Government and international community will raise Al-Shabaab's open connection to Al-Qaeda, senseless killings and declaring Muslims as apostates, among other things. Al-Shabaab will also come up with more issues to be deal with. We believe most of the issues can be addressed if genuine talks begin.

Why now?

The TFG and al-Shabaab are in what William Zartman calls a "mutually hurting stalemate". Neither can one conclusively defeat the other. But, more importantly, they both realize this fact now. In addition, the conditions on the ground have changed for the last three years, thus forcing these protagonists to rethink their strategies. The following analyses of the two groups illustrates our point.

Al-Shabaab

Compared to a few years ago, al-Shabaab is now weaker, divided, cash-strapped and profoundly unpopular. The group lost control of Mogadishu's Bakara market in May 2011. Al-Shabaab fighters have abandoned their most important revenue source after months of onslaught by a coalition of Somali government troops and AMISOM forces.

The Bakara market was generating upwards of forty percent of al-Shabaab's operating budget. They developed an elaborate tax system for the nearly 4,000 outlets, including factories, banks, the country's biggest telecommunication and money transfer firms and mundane shops. Once al-Shabaab commanders determined that the Bakara market was indefensible, they declared that they would withdraw their fighters from much of Mogadishu, which by then was a ghost town not worth losing more fighters over. The loss of Bakara market was a turning point in al-Shabaab's grip on power. The group was no longer viewed as undefeatable and impenetrable.

These changes on the ground have exposed al-Shabaab's vulnerability. The group is now polarized. There is a deepening rift plaguing among the upper echelon of the group over the strategy of the war. In light of recent setbacks, one camp is calling for a full-fledged guerilla-style, asymmetrical warfare in lieu of the conventional war. This camp maintains that the conventional war is practically unsustainable, given the superior firepower and training of the AMISOM forces (and now Ethiopian and Kenyan forces). This argument also notes the dwindling financial resources and the erosion of popular support. But a rival wing is bent on continuing the head-to-head war against the enemy, contending that there's a credible path to military victory.

Three factors have influenced the decline of al-Shabaab's popularity. First, the end of the full-fledged Ethiopian intervention of Somalia in 2009 was a key demand that most of the resistance groups, including al-Shabaab, have sought (Ethiopia has since returned to some regions). Once Ethiopia pulled out, the Shabaab turned their attention to the AMISOM forces. Although AMISOM troops have committed human rights atrocities, most Somalis do not equate AMISOM with Ethiopia, the latter being a historic enemy of Somalia. Once the Shabaab began to move the goal post—calling for AMISOM withdrawal and for the dismantling of the TFG--- by now dominated by moderate Islamists, the group's popularity has plunged. That said, the occupation of Ethiopian and Kenyan troops in some of the regions might reverse this. The repeated incursion of neighboring countries into Somalia is widely disapproved by Somalis. Somalia's neighbors have exploited the statelessness in Somalia and injected proxy militias to advance their strategic goals. Cognizant that most Somalis are apathetic to neighboring countries, al-Shabaab could exploit this and rebrand itself as a nationalist movement, reclaiming part of its glory.

Second, al-Shabaab has a serious image problem: it's has alienated the Somali people by its assassinations and attacks against innocent people and illegitimate targets. In December 2009, al-Shabaab bombed the graduation ceremony of medical students. As a result, they suffered a horrendous popular image. Still, it would take another two years—on October 4th, 2011—before al-Shabaab claimed responsibility the worst suicide bombing in Somalia's history. More than 70 people, mostly students waiting for a scholarship abroad, were killed. The attack was heinous, sparking a popular outcry against al-Shabaab. What's left of its image was irreparably destroyed.

Finally, al-Shabaab has poorly managed the famine crises. The Famine Early Warning Systems (FEWS) has declared that the crisis broke in several southern regions of Somalia. Al-Shabaab had expelled most of the intergovernmental and non-governmental relief organizations. They have also denied that there was a famine in the country. As a result, hundreds of thousands of people were forced to seek food and shelter in TFG-controlled Mogadishu and neighboring countries such as Ethiopia and Kenya. To the victims, al-Shabaab was complicit in their suffering.

In short, the military and financial setbacks, the poor management of the devastating famine, the infighting and the erosion of popular support present a unique opportunity for engagement. Many members of the organization—including senior figures—are frustrated and worried about the direction of the movement. Yet they're equally frustrated with the fact that no one has genuinely offered a path to quitting the Shabaab without being eliminated.

Transitional Federal Government

The TFG is inherently unstable, divided and corrupt. It lacks unity of purpose. Since 2000, three presidents, eight prime ministers and countless ministers have come to power. Ministers change every few months and with them also change the ministries. Yet, all of these administrations failed to build durable state institutions.

Every few months, a political conflict between the principal leaders ensues. For the last three years, president Sharif Sheikh Ahmed has appointed three prime ministers (Omar Abdirashid Ali Sharmarke, Mohamed Abdullahi Farmajo and now, Abdiweli Mohamed Ali). There has also been several infighting, at different times, between the president and the speaker of the parliament. As we write this article, members of the parliament rebelled against the speaker and have replaced him. Unfortunately, the magnitude of the political crises that erupt all the time is too disruptive for the fragile system.

The TFG's sources of revenue are prohibitively limited. It relies on foreign handouts and few million dollars a year from taxes at Mogadishu's seaport and airport. This, even if it is managed efficiently, is far from sufficient.

Finally, the international community and the Somali people criticize the TFG for an epidemic corruption. The people's trust on the government institutions is very low. There is no transparent process for anything that the government manages including port and airport taxes, scholarships, documentations such as passports, police and military forces.

The Structure of the Negotiating Groups

According to interviews, al-Shabaab is configured in a pyramid-shaped, three-layered structure. Sitting at the top is a small but a powerful group known as "Majlis al-Qiyadah" (the leadership council). This clique controls the organization's political and economic resources. The Qiyadah is comprised of a handful of reclusive Somali leaders and the commanders of the "Muhajiruun" (foreign fighters and Somalis with foreign passports). Ideologically, this circle is the most extreme faction within the Shabaab. Real power and decision-making is exclusive to a core individuals within this group.

Just below them is the field commanders network, known as the "Qiyadatul Mayadin." Comprised of as many as several hundred local field commanders scattered across south-central Somalia, this layer is the operational division of al-Shabaab. The young men who dominate this group is the backbone of the organization as they implement myriad of policy decisions dictated to them by the Qiyadah, often via intermediaries.

In effect, this is the most important body within the organization—the middle class of the movement per se. And unlike the Qiyadah, the field commanders are by and large local young men who grew up in a lawless country over the past 20 years. Some—if not many—are former militia members of Somalia's notorious warlords. They view their involvement with the Shabaab as redemption of sorts, but, crucially, they may not espouse the radical ideology spawned by the Qiyadah. With a robust program, the field commanders can be engaged successfully.

At the bottom of al-Shabaab's pyramid structure is a vast fighting force, which makes up the bulk of the organization. One month alone in 2010, more than 200 of them were killed by AMISOM and TFG in the frontlines of Mogadishu. With all this, they're not privy to virtually any information. In other words, al-Shabaab doesn't trust them, and defected teenagers say the feeling is mutual. Cognizant of this, the youth can be engaged through rehabilitation programs and other material incentives.

Compared to al-Shabaab, the TFG has different structure. There is a divided executive: The president and the prime minister/cabinet. The system is supposed to function as cabinet government where most of the powers are exercised by the Council of Ministers. But, Somalia's political culture has empowered the individuals at the top. Practically, most of the powers are in the hands of the president – this has been the case for the last three transitional governments.

The international community had drafted and imposed a "roadmap" on the Somali groups. There are about 45 tasks in which the international community assigns to individual leaders and committees. The expectation is that the president, speaker, the prime minister and regional groups, will implement these tasks. The UN Political Office

for Somalia (UNPOS) would coordinate all of these groups – thus making UNPOS the key stakeholder.

A genuine reconciliation must be inclusive. But when it comes to negotiating with al-Shabaab, the TFG executive leadership must be convinced to become a peace partner. So far, the leadership has been reluctant in talking to al-Shabaab due to external political pressure and internal political calculations.

Incentive options

The objective of opening a dialogue with al-Shabaab should be part of comprehensive strategy to end the conflict in Somalia. At the moment, many field commanders and top figures are disillusioned with the seemingly aimless warfare and the ever-moving goal post. As a result, they would like a way out of the abyss. As such, comprehensive incentives packages that comprise of five components that are tailored for the needs of the three layers of the Shabaab must be crafted. The Afghanistan experiment can be employed in Somalia.

First, a general amnesty is necessary for those members that want to rejoin society. Secondly, incentives such as a cash and employment scheme for young fighters who are not radicalized yet would be needed. These two are of a particular importance for the field commanders and the fighting youths. The remaining incentives should be aimed at the upper echelon of the organization. For those interested, the option of joining the Somali government at a senior level must be presented. This, along with lobbying the UN and the US to take off some names from the terror list, would appeal to the senior and commander level figures. Fifthly, some al-Shabaab leaders would entertain the idea of resettling in a third, Muslim country. There are several Arab countries that could assist in facilitating this.

Regarding the logistics, besides a credible third party mediator, religious scholars, clan elders, former leaders and members of the Union of the Islamic Courts will be useful in facilitating negotiations at macro and micro levels. Moreover, it is necessary to engage some of the countries in the region. Eritrea is the first one, having hosted some of the key al-Shabaab leaders including Sheikh Hassan Dahir Aweys. Ethiopia must be engaged too as the TFG, regional administrations and Ahlu-Sunna wal-jama'a may not join if Addis Ababa rejects the talks

Challenges Ahead

To end Somalia's 20-year-long instability, we believe that negotiating with al-Shabaab is not only the right thing to do, but the necessary step to take. Still, we realize how complex the task is and the many hurdles ahead. There are three major challenges:

First, success—or failure---of this initiative hinges on the international community's support or lack thereof. Regional countries (Ethiopia and Kenya) and the powers that be, particularly the United States must endorse the initiative and encourage the TFG to negotiate with good faith. Moreover, the presence of Ethiopian and Kenyan troops inside Somalia will be a major challenge in ending the Somali conflict. Besides occupying some regions, Ethiopia openly opposes engaging al-Shabaab. Opportunistic TFG leaders might use the neighbor's rejection as an excuse for stalling the talks. Besides the international community being on board, we think pressure on Addis Ababa is necessary.

Second, the TFG is in transition. The Transitional Federal Institutions are fragile; no one knows how the events will unfold during the following months. We can expect many changes in the government before the talks with al-Shabaab even begin – new parliament, new leaders and new conditions. Regardless of who is at the helm, the talks must be embraced as state-building and counter-insurgency strategy. In other words, ending the conflict through negotiation must not be tied to specific regime in Mogadish – it should be understood as a long term strategy.

Finally, like any other extremist group, some of al-Shabaab's top leaders will reject the talks and employ violent tactics. This is a deadly tool for the group since the TFG is not able to provide security to the moderate groups that are interested to negotiate. Examples in recent history remind us the killings of some of the commanders that left al-Shabaab in Mogadishu. Others who escaped the death sentence are virtual prisoners in some parts of capital as they fear for their life. The best way to address this challenge is to create secure environment in the areas that the TFG controls.

Earlier this month, al-Qaeda has announced that al-Shabaab was formally joining the organization. Although al-Shabaab had sworn allegiance to al-Qaeda two years ago, the new announcement could be understood as an attempt to undermine the nationalist wing within al-Shabaab. It's could also be aimed at preempting possible reconciliation efforts between the organization and the Somali government. On the other hand, the announcement could crystallize the simmering tension among al-Shabaab's top brass as well.

Conclusion

With the conflict in Somalia entering its third decade, it is time that the TFG and the international community revisit their strategy of stabilizing Somalia. Genuine negotiations with al-Shabaab and state-building efforts must be the two key aspects of the main strategy to end the Somalia conflict. As argued above, the timing is conducive. Negotiations are possible as both parties are in a "mutually hurting stalemate." Neither can win the war militarily and they both understand this. Moreover, we believe that there are credible third parties that can help mediate the Somali groups. Finally, although there are many challenges, we contend that they are surmountable. Now is the time to seriously change the direction and engage al-Shabaab while building the security sector of the state – particularly the coercive instrument of the government as the ultimate guarantor of security.

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