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A MILITARY STANDOFF IN JUBALAND

A SOMALIAN CRISIS WITH REGIONAL STAKES IN EAST AFRICA

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ABSTRACT

Since August 2019, the Somali federal member state of Jubaland has been at the center of a national and regional crisis pitting the political and military forces of the Jubaland administration against the Federal Government of Somalia, as well as those of Kenya – who supports the Jubaland administration – and Ethiopia. As such, the crisis is potentially disruptive to the precarious regional order in the Horn and has the potential to open a new conflict front in Somalia to the benefit of Al-Shabaab. To understand those recent events, this research paper looks back at the actors and processes that enabled the creation of the state in 2013. The product of a "working misunderstanding" between multiple actors whose divergent interests could not be reconciled in the long term, Jubaland has been a crisis in the making for the past ten years due to a complex set of interacting factors: the failures of the internationally-backed state-building project in Somalia, a federal system whose shortcomings have become increasingly salient President Farmajo's tenure, the competing strategic interests of Kenya, Ethiopia and Somalia, and lastly the recent extension of the Gulf power competition to the Horn of Africa.

CONTENT

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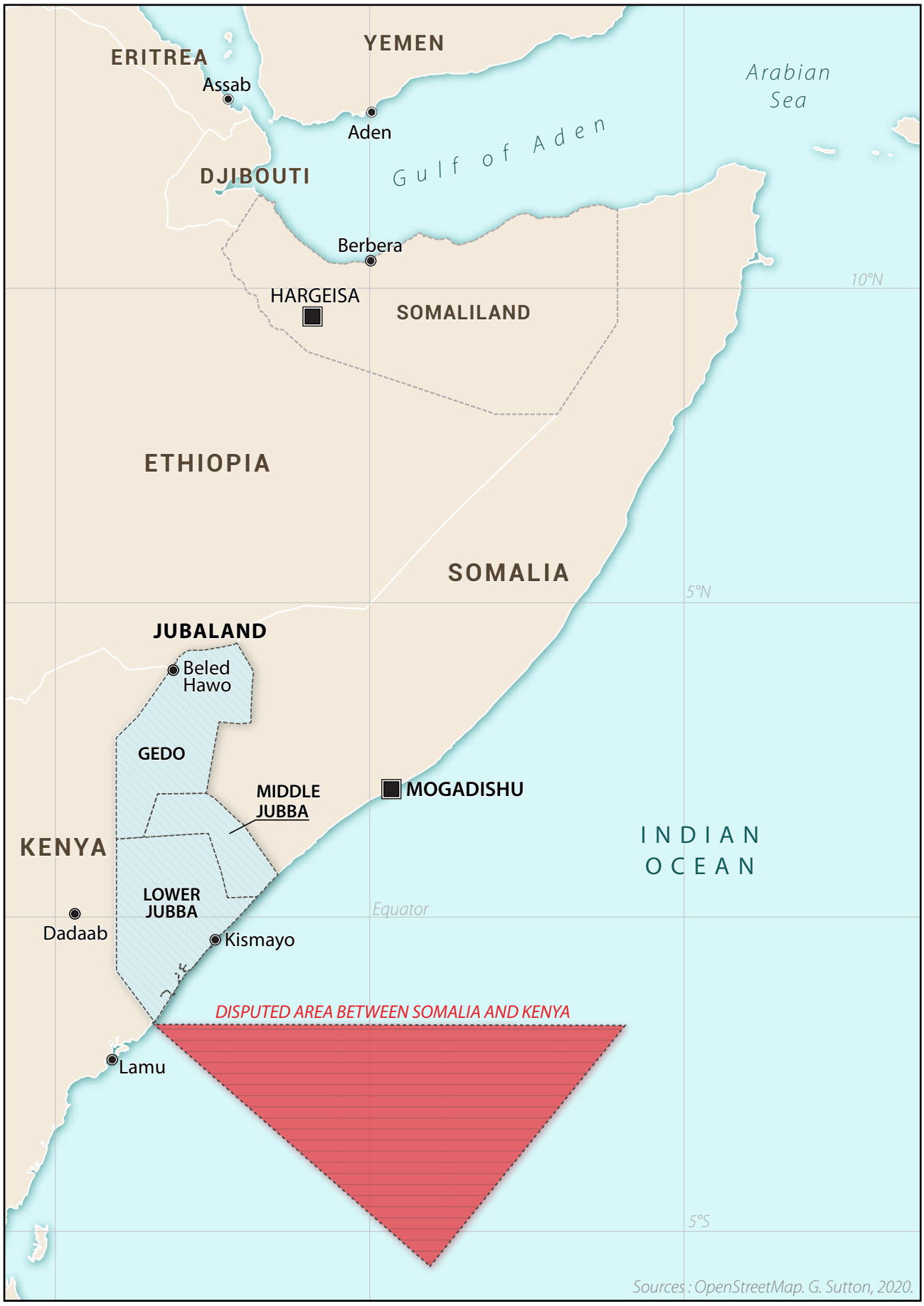
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MOGADISHU
KENYA
INDIAN OCEAN
LOWER JUBBA
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DISPUTED AREA BETWEEN SOMALIA AND KENYA
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INTRODUCTION

In February 2017, the election of Mohamed Abdullahi Mohamed – known as "Farmajo" – at the presidency of Somalia was enthusiastically welcomed by many Somalis and foreign commentators as a step towards stabilizing the fragile state. Three years later, expectations remain mostly unmet: old crisis are flaring up and new ones are in the making. First, Al-Shabaab appears to be on the rise again, demonstrating its resilience through the launch of deadly and daring attacks. In January 2019, an attack on the upscale DusitD2 hotel complex in Nairobi made over 20 victims,[1] in December of the same year an attack in Mogadishu killed 81 people,[2] and in January 2020 the group raided a military base used by US military personnel that left three Americans dead – one service member and two contractors.[3] This has prompted calls for a renewed US military engagement in the region and depictions of the Horn of Africa as "terrorist"[4] at a time where the African Union Mission in Somalia (AMISOM) is planned to reduce its uniformed personnel and leave in 2021 after the next presidential elections. The resurgence of the Al-Shabaab's insurgency not only highlights the limits of processes of conflict resolution and those of more than fifteen years of counter-terrorist policy in the Horn of Africa, it also calls the state-building project promoted by local, regional and international actors in Somalia into question. Indeed, this project has remained unable to provide a sustainable resolution to the Somali civil war, from which Al-Shabaab emerged, that has been undergoing for almost thirty years.

Second, the shortcomings and paradoxes of this project, which provide a nurturing ground for the terrorist group, are now strikingly visible in the Somali region of Jubaland, where a military standoff has been taking place since early 2020. The events unfolding there have been years in the making, considering that the creation of Jubaland has been depicted as a crisis in-waiting since the beginning of the decade.[5] They are both a consequence and an expression of the failures of the Somali brand of federalism – in preparation since the 2004 implementation of the transitional federal government and formally established in the 2012 Provisional Constitution – and of deteriorating relations between the Federal Government of Somalia (FGS) and its federal member states under Farmajo's tenure.

But the military standoff in Jubaland is not merely a Somali crisis: it involves regional and international interests and as such is potentially disruptive to a precarious regional order in the Horn that has been going through major changes in the past few years.[6] The Jubaland crisis has the potential to open a new conflict front in Somalia to the benefit of Al-Shabaab and to precipitate a more or less direct conflict between Kenya and Ethiopia, two regional powers with a stake in Somali politics and in the creation of Jubaland. It must

1. "Kenya Attack Death Toll Rises to 21 as Suspects Hunted Down," *Al Jazeera*, January 17, 2019.
2. Christina Okello, "Somalia's Al-Shabaab Caps Decade of Terror with Mogadishu Attack," *RFI*, January 1, 2020.
3. "US Soldier, Contractors Killed in al-Shabab Attack on Kenya Base," *Al Jazeera*, January 6, 2020.
4. The Editorial Board, "The Terrorist Horn of Africa," *Wall Street Journal*, January 6, 2020.
5. Embassy Djiibouti, "Somalia: Kenyan Foreign Minister Pushes Lower Juba Initiative," December 10, 2009.
6. Sonia Le Gouriellec and Fatiha Dazi-Héni, "La Mer Rouge : Nouvel espace d'enjeux de sécurité interdépendants entre les Etats du Golfe et de la Corne de l'Afrique," Note de recherche, No. 75, Institut de Recherche Stratégique de l'Ecole Militaire, April 29, 2019; Harry Verhoeven, "The Gulf and the Horn: Changing Geographies of Security Interdependence and Competing Visions of Regional Order," *Civil Wars*, 20:3, 2018, p. 333–57.

also be replaced in a context where the Kenyan-Somalian relationship is already strained by terrorist attacks, refugee streams and a maritime dispute over areas reputed to contain important oil and gas reserves[7] over which Somalia is suing Kenya before the International Court of Justice (ICJ).

This note therefore proposes to take a closer look at the origins and unfolding of the crisis in Jubaland, demonstrating how the region itself was the product of a "working misunderstanding" between multiple actors whose divergent interests could not be reconciled in the long term. Part 1 goes back to the early years of the so-called "Jubaland initiative" and the various strategic interests that intersected to make it possible. Part 2 focuses on the period between 2011 and 2015, when Jubaland went from a largely fictional entity, a "briefcase administration,"[8] to a turbulent reality. Part 3 focuses on the recent deterioration of the relationships between the FGS and the Jubaland administration, and between center and periphery overall, and the external factors that have precipitated it.

THE "JUBALAND INITIATIVE": A KENYAN-BACKED COUNTERINSURGENCY STRATEGY

That Jubaland finds itself at the center of a multi-level crisis is unsurprising given its strategic geographical position. Encompassing the regions of Gedo, Middle Jubba and Lower Jubba, it shares a border with Kenya in the southwest and Ethiopia in the North. The region has been a major locus of conflict since the 1990s due to its resource wealth: the Juba river provides it with fertile soil for livestock farming as well as the cultivation of the world-renowned Somali banana, and it is home to the port city of Kismayo, a major economic and security asset to Somalia and its neighbors. Competition for control of the city and those two industries has continuously fueled local fighting.[9] Nonetheless, the territories that now make up Jubaland have no history of a shared administration or of a common cultural or clan identity.[10] Poorly connected by roads, they do not constitute a cohesive whole. Instead, Jubaland is an artificial construct, the product of a top-down and militarized process made possible by the alignment of the strategic interests of the state of Kenya, local political and violent entrepreneurs, and Western Partners – most notably the US –, three actors involved in the fight against Al-Shabaab. Indeed, if the "Jubaland initiative" gained traction after the idea started to circulate in 2009,[11] it is first and foremost because it first appeared as a counterinsurgency strategy.

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7. Abdullahi Abdille Shahow, "Kenya and Somalia's Maritime Dispute: One Winner, Two Losers?," *African Arguments*, October 30, 2019.

8. Tobias Hagmann, *Stabilization, Extraversion and Political Settlements in Somalia,* Rift Valley Institute, Nairobi, 2016.

9. Peter D. Little, *Somalia: Economy Without State*, African Issues Series, Bloomington/Indianapolis: Indiana University Press, 2003.

10. "Somalia's Jubbaland: Past, Present and Potential Futures," Meeting Report, Nairobi Forum: Rift Valley Institute, February 22, 2013, p. 1.

11. Zakaria Yusuf and Claire Elder, "Jubaland in Jeopardy: The Uneasy Path to State-Building in Somalia," Commentary, International Crisis Group, May 21, 2013.

Kenya's strategic interests in Somalia

In 2009, most of Jubaland's territory was controlled by Al-Shabaab, including Kismayo. Economic profits from the port, which according to the UN were reaching US $25 million per year at the time,[12] enabled the movement to sustain its insurgency and local constituencies. Local elites started to promote the idea of Jubaland as a strategy to oust Al-Shabaab and found an ally in Kenya for both security and economic motives.

Al-Shabaab had become a security issue for Kenya since it started to be targeted in 2007, following its decision to contribute troops to the newly created AMISOM.[13] This was compounded by the fact that the country was at the time host to the world's largest refugee camp, Dadaab, created in the early 1990s during the conflict against Siad Barre's regime, which the government had started to consider as a security issue.[14] Somali refugees have indeed been the object of a securitization process by the Kenyan state,[15] which refers to a discursive process through which securitizing actors reposition an issue previously understood as part of the normal course of political life into the realm of "security," thus enabling the implementation of extraordinary measures.[16]

This process was fueled by the US-backed Ethiopian intervention against the Islamic Court Union in 2006, which led Islamists to flee to Kenya and to a growing representation of refugee camps as potential safe haven for terrorists and breeding ground for radicalization. It is, however, not only refugees that have been constructed as a security threat for Kenya, but the broader population of Kenyan Somalis, i.e. Kenyan citizens of Somali ethnic descent. This is not a new process, given that Kenyan Somalis "have been treated as 'ambiguous citizens' since independence"[17] in 1963. This is partly due to the "Shifta conflict" that occurred between 1963 and 1967, when ethnic Somalis in the North Eastern Province joined their peers on the other side of the border to attempt to secede[18] with the discrete support of the Somalian state.[19] The Kenyan state maintained the region under a state of emergency for thirty years, militarizing it and enacting collective punishment, the largest instance of which being the 1984 Wagalla massacre, whose exact number of victims remains unknown, though estimates are between 1000 and 5000 people.[20] Paradoxically, it

12. "Report of the Monitoring Group on Somalia and Eritrea Pursuant to Security Council Resolution 2060 (2012)," United Nations Security Council, July 12, 2013.
13. Rachel Abbott, "Al Shabab's Strength and Wealth Pose Threat beyond Somalia's Borders," *The Article*, February 5, 2020.
14. Katy Long, "Kenya, Jubaland and Somalia's Refugees: No Quick Fixes," *London School of Economics and Political Science* (blog), October 24, 2011.
15. Tabea Scharrer, "'Ambiguous Citizens': Kenyan Somalis and the Question of Belonging," *Journal of Eastern African Studies*, 12:3, 2018, p. 484.
16. Barry Buzan, Ole Waever, and Jaap H De Wilde, *Security: A New Framework for Analysis*, Boulder CO, Lynne Rienner Publishers, 1998; Matt McDonald, "Securitization and the Construction of Security," *European Journal of International Relations*, 14:4, 2008, p. 563–87.
17. Tabea Scharrer, "'Ambiguous Citizens'," p. 484.
18. Luckystar Miyandazi, "Kenya's Military Intervention in Somalia: An Intricate Process," Policy and Practice Brief, The African Center for the Constructive Resolution of Dispute, November 2012, p. 2–3.
19. Jeremy Lind, Patrick Mutahi, and Marjoke Oosterom, "'Killing a Mosquito with a Hammer': Al-Shabaab Violence and State Security Responses in Kenya," *Peacebuilding*, 5:2, 2017, p. 123.
20. Tabea Scharrer, "'Ambiguous Citizens'," p. 484.

is also during President Moi's tenure (1978-2002) that Somali leaders were co-opted into the state's patronage networks as a tool to pacify the ethnic Somali population.[21]

Thus, even though relationships between Kenya and its Somali population have been complex, it is clear that the state has always considered this community as a security threat and that concerns about terrorist activities linked to Somalia and Somalis have only fostered and further entrenched this perspective. Kenya's Somali population has consequently been specifically targeted with highly repressive practices within the framework of counter-terrorist policies.[22] Those have been repeatedly criticized for indiscriminately targeting Somali communities, consistently violating human rights and enabling extra-judicial killings.[23] It should also be noted that the securitization of Kenyans Somalis was deepened in the wake of the 2007-2008 crisis – following the contested election of President Mwai Kibaki – by media and political discourses on "Kenyaness" that often exclude this minority.[24] Kenyan support for the Jubaland initiative should therefore be understood within this context of deepening securitization of Kenyan Somalis and Somali refugees that has turned those populations into a perceived existential threat for Kenya. In its perspective, the creation of Jabaland as a new entity provided it with a "buffer zone"[25] separating it from al-Shabaab's-controlled territory, as well as a place to relocate Somali refugees.

Of course, Kenya also had economic interests in Jubaland. Beyond Kismayo and cross-border cattle trade, another asset of the region are its offshore oil and gas reserves, which are at the center of a maritime border dispute between Kenya and Somalia. In 2014, Somalia decided to sue Kenya before the ICJ in order to be able to auction off parts to foreign companies. This means that a pro-Kenya and largely autonomous Jubaland might be a way to gain access to those contested resources. It would also provide a protection for the Kenyan port of Lamu, a touristic hotspot and the site of a multi-billion port project with "pipelines, rail lines highways, airports, an oil refinery and extra-deep berths for next generation super tankers."[26]

Cautiousness prevails for Somalia, Ethiopia and the US

While Kenya readily backed the Jubaland initiative, the Transitional Federal Government of Somalia (TFG) (2004-2012) and Ethiopia were concerned about it.[27] Wikileaks cables revealed that though then Ethiopian Prime Minister (PM) Meles Zenawi was not enthusiastic, he nonetheless shared intelligence with Kenya and claimed to hope for the initiative to be successful.[28] A December 2009 American diplomatic cable shows that the UK and US

21. Lind, Mutahi, and Oosterom, "'Killing a Mosquito with a Hammer'," p. 124.
22. *Ibid.*, p. 124.
23. "'We're Tired of Taking You to the Court'. Human Rights Abuses by Kenya's Anti-Terrorism Police Unit," Open Society Foundations, 2013.
24. Tabea Scharrer, "'Ambiguous Citizens'," p. 498.
25. "The Kenyan Military Intervention in Somalia," Africa Report, Nairobi/Brussels, International Crisis Group, February 15, 2012.
26. Oscar Gakuo Mwangi, "Jubaland: Somalia's New Security Dilemma and State-Building Efforts," *Africa Review*, 8:2, 2016, p. 123.
27. Zakaria Yusuf and Claire Elder, "Jubaland in Jeopardy."
28. Derek H. Flood, "The Jubaland Initiative: Is Kenya Creating a Buffer State in Southern Somalia?," *Terrorism Monitor*, 9:17, 2011, p. 5.

governments were very reluctant to support the initiative, as they warned Kenyan representatives that it was a "bad idea that would more likely add to Somalia's instability than help stabilize the country."[29] Yet, on the other hand, the initiative, proposed at first by local actors, was in line with a paradigmatic evolution of US counterinsurgency strategies and among external shareholders.

Indeed, 2010 saw the formulation by the US government of a new "dual track" counterinsurgency policy: on one hand, track one referred to the traditional approach centered on state-building and supporting the main official forces such as AMISOM and the Somalian government, but on the other hand, track two emphasized bottom-up approaches to governance with the aim of supporting non-state actors and institutions such as clans, elders, militia groups and local administrations.[30] Praised as a move towards a more bottom-up, inclusive and participatory approach, in practice this dual track policy translated in the production of "decentralized, quasi-sovereign, counterinsurgent structures and institutions."[31] It was therefore an inherently paradoxical policy, investing funds and capacities to build up the Somali state while simultaneously justifying the reliance on non-state actors to fight al-Shabaab by its very weakness and producing challengers to this state in progress.

Besides, as the Jubaland case illustrates, the dual track policy's implementation also kept following the top-down, interventionist and militarized logic that had characterized previous counterinsurgency strategies. In the end, the dual track policy mainly enabled foreign actors to work with local violent entrepreneurs by providing a veneer of legitimacy to such interventions through the discourse of bottom-up governance, stabilization and state-building.[32] For local actors who had historically developed practices of elite extraversion, defined as process through which groups or individuals take advantage of "their dependent relationship with the external world to appropriate resources and authorities,"[33] the dual track policy was beneficial, especially for those with means to exert violence, who could get training and funding.

Additionally, the Jubaland initiative resonated with the increasing emphasis on decentralization and federalism favored by the international community as the solution to Somalia's issues. This perspective was rooted in the idea that gained traction in the 1980s and 1990s, during the third wave of democratization, that decentralization is conducive to stability, development, and democracy.[34] As such, even though the international community was wary of the Jubaland initiative and its long-term impact, it also appeared to fit in with the policies it implemented to fight Al-Shabaab and support state-building in Somalia. Consequently, caution never turned into frontal opposition.

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29. Embassy Djiibouti, "Somalia: Kenyan Foreign Minister Pushes Lower Juba Initiative," December 10, 2009.

30. Louise Wiuff Moe, "Counterinsurgent Warfare and the Decentering of Sovereignty in Somalia," in Louis Wiuff Moe ad Markus-Michael Müller (eds.), *Reconfiguring Intervention,* Springer, 2017, p. 125.

31. *Ibid.*, p. 125.

32. Louise Wiuff Moe, "The Strange Wars of Liberal Peace: Hybridity, Complexity and the Governing Rationalities of Counterinsurgency in Somalia," *Peacebuilding,* 4:1, 2016, p. 99–117.

33. Tobias Hagmann, *Stabilization, Extraversion and Political Settlements in Somalia*, p. 11.

34. This positive view of decentralization is clearly enunciated in a 2009 USAID report, where it is stated that it can be a tool for stability, democracy and economic development. USAID, "Democratic Decentralization Programming Handbook," US Agency for International Development, June 2009.

THE BIRTH OF JUBALAND: A MILITARIZED, TOP-DOWN AND CRISIS-RIDDEN PROCESS

In Somalia, the focus on decentralization and federalism had the unexpected effect of inciting the creation of what Hagmann[35] calls "briefcase administrations," i.e fictional entities born simply of a self-declaration of existence in the hope of being recognized as legitimate sub-national entities by the federal government or the international community in order to obtain access to external resources. "Mini states" consequently proliferated in 2010 and 2011, many of them stillborn. If Jubaland was able to go from "briefcase administration" to an empirical reality, it is because it was a site where the decentralization and counterinsurgency policies promoted by international and regional shareholders intersected to render useful the militarized creation of a new administration. For the Somali and Ethiopian government, however, Jubaland as it emerged under Kenya's influence was a potential threat, leading to a first crisis situation in 2013.

A military alliance to oust al-Shabaab gives rise to a new administration

The first iteration of Jubaland under the name of Azania was largely a "briefcase administration," an "illusion of government."[36] It was created in April 2011, following a month of meetings between clan leaders in Nairobi. Mohamed Abdi "Gandhi", a former defense minister of the TFG, was sworn in as its interim president. This administration had no territorial control in Southern Somalia nor established institutions that would have enabled it to actually govern. Furthermore, the TFG refused to officially recognize it as one of Somalia's state. Despite those limitations, it appeared at first to have Kenyan support, as Kenyan media reported that the government had been training militiamen to support Gandhi's goals.[37] For Kenya, supporting Azania was a means to intervene by proxy in Somalia, after a series of kidnappings targeting aid workers and tourists on its border had raised growing concerns about al-Shabaab's rise. WikiLeaks cables however showed that the idea of intervening had been on the table for a while and that the kidnappings were merely the trigger.[38] The Azania plan quickly unraveled when it appeared that the troops trained by Kenya were performing poorly under Gandhi's leadership.[39] It had also been weakened by clan divisions, as the Marehan clan from the Gedo region protested the project, which it perceived as dominated by the Ogaden clan.[40] This also provoked opposition from Ethiopia, given the history of the Ogaden War (1978-1979), which started with Siad Barre's troops invading Ethiopia's eastern region with the aim of building the Greater Somalia, and the

35. Tobias Hagmann, *Stabilization, Extraversion and Political Settlements in Somalia*, p. 44.
36. *Ibid.*, p. 159.
37. Cleophus Thomas III, "Federalism in Somalia: Obstacles, Aspirations and Opportunities in Jubaland," PhD Thesis, George Mason University, 2017, p. 97.
38. Lind, Mutahi, and Oosterom, "'Killing a Mosquito with a Hammer'," p. 121.
39. Cleophus Thomas III, "Federalism in Somalia," p. 97.
40. Zakaria Yusuf and Claire Elder, "Jubaland in Jeopardy."

fact that it faced a small-scale insurgency by the Ogaden National Liberation Front since 1984 in its eastern parts.

In the end, Kenya's government decided to act directly and launched Operation Linda Nchi in October 2011. 1500 Kenyan Defense Forces (KDF) troops entered Somali territory and partnered with the Ogaden Ras Kamboni militia led by Ahmed Mohamed Islam *aka* Madobe. Kenyan troops were integrated into AMISOM in December, and support to Madobe continued through this new and internationally legitimized channel, with some of his troops under the direct command of AMISOM. In parallel, wishing to counter-balance the Kenya-Ogaden alliance, the FGS and Ethiopia started to support the Marehan militia led by Barre Adan Shire Hirale.[41] Those forces forged an alliance of convenience against al-Shabaab and succeeded in ousting the group from Kismayo in September 2012. While those military alliances were taking shape in the field, negotiations around the creation of Jubaland were ongoing. They were influenced by the evolution of the military balance of power, and it is indeed military might that made Madobe a prominent political figure for the federal state in the making. Before the reconquest of Kismayo, new talks were organized in Nairobi in May 2012 to reach an agreement between clans. There, a committee was established to plan for the implementation of a Jubaland administration.[42] The new state was taking shape, but the dissolution of the alliance of convenience between AMISOM/Kenya/Ras Kamboni on one side and the FGS/Ethiopia/Marehan militia on the other translated into disagreements over who would lead the new administration and even its very existence.

The creation of Jubaland as a constitutional crisis

In February 2013, talks were organized in Kismayo by supporters of the Jubaland initiative with the support of a number of disgruntled parliamentarians, Puntland's government and the Intergovernmental Authority on Development (IGAD). In May 2013, the Jubaland state was created through a self-declaration and Madobe – who at the time had military presence and control of Kismayo[43] – elected as its president by representatives of the various clans. Hours later, Hirale also declared himself President with Ethiopia's backing. Both the talks and the election were declared unconstitutional by the FGS,[44] which was worried about this initiative undermining its sovereignty and Jubaland becoming another separatist entity. The new Jubaland administration maintained on the contrary that they had followed the constitutional guidelines on the creation of federal member states. As it turns out, both had a case, since the Provisional Constitution was – and remains- ambiguous on this matter.[45] The first clause of Article 49 states that "The number and boundaries of the Federal Member

41. Louise Wiuff Moe, "Counterinsurgent Warfare," p. 128.
42. Zakaria Yusuf and Claire Elder, "Jubaland in Jeopardy."
43. Louise Wiuff Moe, "Counterinsurgent Warfare," p. 129.
44. Zakaria Yusuf and Claire Elder, "Jubaland in Jeopardy."
45. Jason Mosley, "Somalia's Federal Future. Layered Agendas, Risks and Opportunities," Research Paper, Africa Programme, Chatham House, September 2015, p. 9.

States shall be determined by the [lower] House of the People of the Federal Parliament."[46] But Clauses 5 and 6 point another way, stipulating that "Federal Member State boundaries shall be based on the boundaries of the administrative regions as they existed before 1991" and then that "Based on a voluntary decision, two or more regions may merge to form a Federal Member State."[47] As administrative divisions were transformed in 1982, with the eight provinces established in 1968 becoming 16 regions, and again in 1984 with the creation of two new regions, Article 49.5 remains open to interpretation. These are the clauses that were used by Jubaland's new leaders to claim the constitutionality of their move. To add to the confusion on this issue, Mosley[48] explains that Article 48.2 – "No single region can stand alone. Until such time as a region merges with another region(s) to form a new Federal Member State, a region shall be directly administered by the Federal Government for a maximum period of two years"[49] – has been used by the executive branch of the state to get involved in managing local and regional governments. Divergening interpretations of the Constitution were hence not unfounded.

To solve the crisis, IGAD launched negotiations in Addis Ababa in August 2013. They ended with an agreement between the FGS and Madobe, acting on behalf of the Interim Juba Administration,[50] to establish a governance system for an interim period of six month. In doing so, the agreement endorsed Madobe's election and sidelined Hirale. It also demonstrated the limits of the Somali government's influence in newly liberated areas since it was unable to stop the creation of an administration it did not initiate.[51] It was also an example of a top-down process, and while the international community saluted the agreement as contributing to the development of good governance and stability in Somalia, protests erupted when the interim administration was established, highlighting that the state did not emerge from any sort popular will.[52] Such a perspective is reinforced by the indirect and complex electoral process governing most elections in Somalia. A college of clan elders elects the members of Parliament (MPs), whose seats are distributed according to the 4:5 formula – the population is divided in five groups along clan lines, with four main groups and the fifth being a coalition of smaller clans and proportional representation is ascribed to each group[53] – and the MPs then elect the President.[54] A similar electoral systems is implemented at the level of the federal states.

The agreement was followed in November 2013 by a reconciliation conference in Mogadishu, where further agreements, mostly on security matters such as demobilization and reintegration of militias within the Somali National Army (SNA), were signed.[55] Those were never fully implemented. The story of Jubaland's creation had demonstrated that

46. "The Federal Republic of Somalia. Provisional Constitution," August 1, 2012, p. 13.
47. *Ibid.*, p. 14.
48. Jason Mosley, "Somalia's Federal Future," p. 9.
49. "The Federal Republic of Somalia. Provisional Constitution," p. 13.
50. Louise Wiuff Moe, "Counterinsurgent Warfare," p. 130.
51. Jason Mosley, "Somalia's Federal Future," p. 10.
52. *Ibid.*, p. 8; Louise Wiuff Moe, "Counterinsurgent Warfare," p. 10.
53. "Can the Somali Crisis Be Contained?," Africa Report, Nairobi/Brussels, International Crisis Group, August 10, 2006.
54. An electoral reform implementing direct and universal suffrage, enshrining the one-person one-vote principle, has been implemented in February 2020.
55. Louise Wiuff Moe, "Counterinsurgent Warfare," p. 130.

actors who had the means to exert violence were able to gain international patronage and the economic advantages and political positions that came with it by inserting themselves into counterinsurgency strategies. The various militia leaders consequently had no interest in demobilization or integration into a national army. Additionally, the UN has reported that violent conflict occurred between parts of the Ras Kamboni and Marehan militias that had been integrated within the SNA. Instead of creating a multi-clan unified national army, integration caused fragmentation and the importation within the military institution of local disputes, in the end weakening the SNA rather than reinforcing it, with detrimental effects on regional security.[56]

Incentives to demobilize are further diminished by the fact that international patronage can be gained notwithstanding earlier alliances with the opposite side. Madobe is a striking case in point: in 2006, he was the governor of the Lower Jubba region while it was under the rule of the Islamic Court Union. He was then a target for US and Ethiopian troops and was captured and imprisoned. He got his release in exchange for joining the Somali parliament in 2009, but quickly resigned.[57] Exemplifying a successful extraversion strategy, he took advantage of the Jubaland initiative and Kenya's concerns to raise his profile and gain leverage over his rivals.

THE MARCH TOWARDS A MILITARY STANDOFF: A LOCAL ELECTION SHAKES SOMALIA AND THE REGION

In 2015, Madobe became the first elected President of Jubaland. His rule was not without limitations. First, al-Shabaab was and is still in control of large parts of territory, especially in rural areas. Second, a reconciliation with Hirale orchestrated in August 2014 fell apart soon after, though the presence of the KDF through AMISOM in Kismayo and Jubaland has contributed to prevent those tensions from truly threatening Madobe. Third, relationships with the FGS have progressively deteriorated after Farmajo's election in 2017. In 2019, Madobe's reelection once again deepened this crisis-in-waiting.

Triggering the crisis-in-waiting: Madobe's 2019 reelection

In early February 2020, a clash between the SNA and Jubaland state forces in the city of Beled Hawo in Gedo left one killed and two injured.[58] This occurred after months of the FGS deploying troops in the region and increasing tensions after Madobe's reelection. The electoral process had been controversial, marred by criticism that the incumbent had tilted the playing field in his favor. Electoral rules were only published in July and required

56. "Report of the Monitoring Group on Somalia and Eritrea Pursuant to Security Council Resolution 2060", 2012.

57. Oscar Gakuo Mwangi, "Jubaland: Somalia's New Security Dilemma and State-Building Efforts."

58. "Somali Gov't Troops, Jubbaland Forces Briefly Clash in Bulo Hawo, Resulting in Casualties," *Somali Affairs*, February 8, 2020.

"a $30,000 registration fee from candidates, barred foreigners, those without university degrees, and at least ten years of leadership experience."[59] This prompted the opposition to set up its own electoral commission and process in protest. Reacting to the controversy, the UN political office in Somalia produced a statement asking the commission to address those concerns, only to later have Kenya asking the statement to be withdrawn.[60] In the end, two competing elections took place, with the opposition declaring Abdirashid Mohamed Hidig as President.[61] Neither were recognized by Mogadishu, which argued that the electoral process did not follow the guidelines set out by the Ministry of Interior, Federal Affairs and Reconciliation.

On the opposite side, leaders of Puntland and Kenya's Ministry of Foreign Affairs sent their congratulations to Madobe, the latter urging him to work out the issues with Mogadishu.[62] Those positions demonstrate that local fault lines over who should lead Jubaland are not taken into account by either side at the national or regional level, as the FGS does not acknowledge any winner and Kenya only looks at the dissensions between Madobe and the FGS. Tensions were not resolved when Madobe was finally officially inaugurated in October 2019. In an attempt to appease them, he invited the federal President to the ceremony, but Farmajo refused. The FGS even halted direct flights to Kismayo, preventing some personalities from going to the ceremony, and clearly wants another election.[63]

Beyond sending troops, the federal government has proceeded to arrest various Jubaland officials. In February 2020, the Deputy Governor of Gedo region and the district commissioner of the city of Bardere were invited to Mogadishu, where they were promptly arrested.[64] Before that, in August 2019, former Jubaland Security Minister Abdirashid Janan, a Madobe supporter who has been accused of human rights violations and orchestrating civilian massacres,[65] was also arrested in the capital. He escaped in January 2020, travelling to Kismayo and then Nairobi. This has fueled diplomatic tensions between Kenya and Somalia, given that Kenyan authorities left the latter's extradition demand for Janan unanswered. In a recent televised interview, the Somali President issued a warning to Kenya, stating that "We also need to change the presumption that, if Kenya interferes in our affairs it is okay" and that "Kenya has no business in Jubbaland. It cannot interfere,"[66] referring to the maritime dispute and implying that support for Jubaland is a means for Kenya to gain leverage over Somalia in this affair.

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59. Morris Kiruga, "Jubaland Election Results Mired by Conflicting Regional Interests," *The Africa Report*, August 23, 2019.
60. Mohammed Yusuf, "Somalia Regional Election Raises National, East African Tensions," *Voice of America*, August 20, 2020.
61. Morris Kiruga, "Jubaland Election Results Mired by Conflicting Regional Interests."
62. "Somalie : Intronisé à la tête du Jubaland, Ahmed Madobe tend la main à Mogadiscio," RFI, October 13, 2019.
63. *Ibid.*
64. "Somali Gov't Troops, Jubbaland Forces Briefly Clash in Bulo Hawo, Resulting in Casualties."
65. "Somalia: Kenya Must Arrest and Return Escaped Jubaland Minister to Face Trial in Mogadishu," Amnesty International, February 3, 2020.
66. "'Kenya Has No Business in Jubbaland', Somali Leader Warns Nairobi," *Somali Affairs*, February 16, 2020.

Somali federalism in trouble: local and regional dynamics

Yet, what has turned Jubaland into the object of a military standoff is not only regional politics, but also domestic evolutions under Farmajo's presidency regarding the relationships between the central government and the federal member states. Since his election in 2017, which was interpreted by some as a step towards stabilization,[67] Farmajo has increasingly been accused of centralizing power.[68] In September 2018, the leaders of the five member states suspended ties with the FGS, "citing their disapproval with the government's efforts to influence internal state politics as well as its performance in a number of national policy areas."[69] Those deteriorating relationships result from tensions over the integration of security forces within the national army and police, as well as over the allocation of power and resources between Mogadishu and federal states, for which the Constitution does not provide clear guidelines. They are also one of the local consequences of the Gulf dispute. Though Farmajo claimed to remain neutral, he has been perceived by the UAE as close to Qatar.[70] The opening of a Turkish military base in Mogadishu in October 2017 only reinforced the idea that the FGS had chosen to ally with the Qatar-Turkey axis.

Federal state governments criticized Farmajo's position as early as August 2017, issuing a strong statement in 2018 claiming that the governments had violated Article 53 of the Constitution, "which calls for consultation on all local and foreign policy issues."[71] Considering that Farmajo's position was detrimental to their own interests, they have expressed support for the Saudi-Emirati alliance. In the FGS' perspective, it is the federal member states that are undercutting its prerogatives. Similar to the case of Jubaland's creation, the ambiguity of the Provisional Constitution regarding how federalism ought to operate contribute to competing interpretations, fueling tensions between the FGS and local administrations.

The federal states' favorable position towards the UAE-Saudi alliance owes to a long history of direct involvement of the Emiratis that started with anti-piracy action. Abu Dhabi funded and trained the Puntland Marine Police Force, which moved from maritime security to counter-terrorism operations as priorities shifted. They also donated armored vehicles to the Jubaland administration.[72] Given limited funding received from Mogadishu, external relationships are key to building up federal states' military capacities, as well and to boost their economic development. Abu Dhabi's interest in Jubaland is also about Kismayo, in line with the recent extension of the Gulf states economic and political roles in the Red Sea, driven by the desire of would-be regional hegemons – Saudi Arabia, Ethiopia, Iran and the UAE – to securitize the Horn.[73] This extension translates into the establishment of military bases in the region's ports. The Saudi-led coalition has launched strikes into Yemen from the Eritrean port of Assab, the UAE occupy the strategic island of Socotra to the north-east

67. "Encouraging Reform and Reconciliation in Somalia," Commentary, International Crisis Group, July 19, 2018.
68. Sonia Le Gouriellec and Fatiha Dazi-Héni, "La Mer Rouge," p. 17; "Somalia," Freedom House, n.d..
69. *Ibid.*
70. "Somalia and the Gulf Crisis", Nairobi/Brussels, International Crisis Group, June 5, 2018.
71. *Ibid.*, p. 15.
72. *Ibid.*, p. 11.
73. Harry Verhoeven, "The Gulf and the Horn," p. 333.

of Somalia's coast and had plans to establish a military base in Berbera in Somaliland,[74] and the Saudi have a base in Djibouti. In so doing, the Gulf states are competing with other foreign militaries present in the region: the US, France, China and Japan all have bases in Djibouti too.[75]

The Emiratis are considered to be pursuing their strategic interests through the DP World conglomerate, a subsidiary of Dubai World, a holding company belonging to the Emirati government. DP World was supposedly in direct negotiation with the states of Puntland, South West and Jubaland for the development of their ports in 2018.[76] At the same time, the company signed a contract with Somaliland for the development of Berbera port, which was poorly received by the FGS. The government appealed to the Arab League, claiming the deal violated its sovereignty, and implemented retaliatory measures such as "legislation banning DP World from operating in Somalia."[77] This threatened the deals that the federal member states were negotiating with DP World. Additionally, Farmajo might also have further alienated Jubaland's current rulers with his connections to Ethiopia. In September 2017, Somalia's National Intelligence and Security Agency handed over to Ethiopia a military officer who had been wounded during the 1977 war and was a member of the ONLF. As the news broke out, heavy criticism befell the government, which made matters worse by declaring the ONLF a terrorist organization.[78] This led to an impeachment motion being filled against the President in December 2018, which was later dropped when some of the signing parliamentarians claimed they had never agreed to it.[79]

It is clear that the current crisis in Jubaland derives from the region's specific history and strategic position, but that it is also the symptom of broader and growing issues regarding the inner workings of Somali federalism. As Puntland's support for Madobe highlights, the Somali government and the federal states increasingly appear as two opposite blocks facing each other, raising the specter of the balkanization of Somalia. Yet, the Gulf dispute has also created rifts within the political elite in Mogadishu,[80] meaning that the FGS should not be considered as a cohesive whole either. Similarly, there are other contenders to Jubaland's highest office and marginalized communities who oppose Madobe's hold on power. Those divergent interests could produce alliances of convenience in order to improve their standing, contributing to the unstability of the current domestic and regional configuration.

74. Reports indicate that the UAE is disengaging from this project and that the planned military airport will be turned into a civilian one, "Somaliland UAE Military Base to Be Turned into Civilian Airport," Reuters, September 15, 2019.

75. Annette Weber, "Red Sea: Connecter and Divider: Disruption Waves from the Arabian Gulf to the Horn of Africa," SWP Comments, Stiftung Wissenschaft und Politik (SWP), November 2017, p. 2.

76. International Crisis Group, "Somalia and the Gulf Crisis," p. 15.

77. *Ibid.*, p. ii.

78. Abukar Arman, "Farmajo's Betrayal of the Somali People," *Al Jazeera*, September 25, 2017.

79. Freedom House, "Somalia."

80. International Crisis Group, "Somalia and the Gulf Crisis."

CONCLUSION

The creation of Jubaland in 2011 was a prime example of how local, regional and international politics interact to produce crisis-prone institutions in Somalia. Hailed as positive steps towards stabilization, both the creation of the region and the election of Farmajo have instead contributed to an increasingly volatile context, one from which Al-Shabaab can take advantage. The reshuffling of regional dynamics with the increasing engagement of the Gulf states played a major role in this development, though at the core of the issue is the long history of elite extraversion and the shortcomings of federalism as it was laid out – or not – in the provisional constitution. In this regard, Somalia shares much with Sudan, where the decentralized state is also contested and conflictuality stems from dysfunctional center-periphery relationships.

Among the many worrisome impacts of the current Jubaland crisis is its potential to further tarnish AMISOM's reputation, which is seen as promoting Kenyan strategic interests and has been reported to engage in commercial relations with Al-Shabaab through its control over sugar and charcoal trade going through Kismayo.[81] Depending on the behavior of the KDF contingent that dominates in the area, AMISOM could become a fully-fledged party to the ongoing crisis, weakening its mandate. In this context, Kenya's decision to remain a part of the mission and to leave once the country is "secure and stable"[82] might relieve Western backers given the recent resurgence of Al-Shabaab. However, it can also be interpreted as a means to stay engaged on Somali territory and interfere in Somali politics, to the detriment of the FGS. In this context, AMISOM could become a destabilizing force.

The volatility of the situation has recently been compounded by Ethiopia's reaction: on March 21 and 22, 2020, hundreds of Ethiopian troops entered Gedo region with few explanations,[83] raising the specter of a direct confrontation with Kenyan forces. Though in early March Farmajo and Kenyatta tried to deescalate the situation, things on the ground appear to be currently at a stalemate with none of the stakeholders proposing a suitable exit strategy. Even if tensions around Jubaland recedes, it is likely to remain a major strategic issue for the region in the coming years.

81. Tobias Hagmann, *Stabilization, Extraversion and Political Settlements in Somalia*, p. 39.
82. Mohammed Yusuf, "Kenya to Remain with AU Mission in Somalia Amid Tensions," *Voice of America*, December 3, 2019.
83. Sébastien Nemeth, "Somalie : des troupes éthiopiennes pénètrent au Jubaland," RFI, March 24, 2020.

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