

## **Somalia rising: things are starting to change for the world's longest failed state**

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This article examines some of the challenges facing the new Somali National Government in Mogadishu, following the conclusion of the Transitional Federal Charter, and the resulting surprises in the emergence of the post-Transitional leadership. The article also assesses the dynamics which allowed the emergence of relative newcomers into important roles, especially President Hassan Sheikh Mohamud. A sense of optimism surrounds the Mogadishu administration, which is a marked departure from the previous two decades; is it justified? Will it be sustained?

**Keywords:** Somalia; Somaliland; governance; transition; federalism; refugees; al-Shabaab; failed state

### **Introduction**

They said it could not be done. Somalia would never unite enough to get its act together and form a responsible government. The tentacles of the international aid community bent on creating a government of its own liking, of corrupt Somali businesspeople and politicians, and of others who have been benefitting from two decades of conflict and lack of central government held Somalia too tightly in their grip for something new, something better, to emerge. Yet despite the odds and the naysayers, including a good many academic analysts (the present author included), Somalia seems to be rising; a new government has emerged which brings together a legal expert from the diaspora, a civil society leader who never lived outside the country, and a businessman who has somehow managed to avoid being associated with corruption and wartime economics that many of his colleagues are branded with. Is this the “dream team” that can rebuild Somalia, or is the optimism misplaced?

In this article I will consider the changes that are afoot in Somalia, examining where they have come from and what challenges lie ahead for the country and its new government.

### **Background**

Somalia has been without a legitimate central government since the collapse of the Siad Barre regime in 1991. More than a dozen attempts to build a new government,

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led by the international community, have failed and for the past five years most of the southern and central regions (the focus of this article) have been the scene of insurgency and counter-insurgency which has displaced hundreds of thousands of people, caused the first famine in 25 years, and rendered communities more vulnerable than perhaps at any time since the state collapse.

For much of its tenure, the Transitional Federal Government, formed in 2004, seemed incapable of patching together anything like a transition; its leaders were widely accused of emptying the coffers as quickly as they were filled. Personal rivalries between politicians have prevented leadership based on cooperation, and the parliamentarians were better known for beating each other with chairs than solving problems through consensus.

The international community played a significant role in the morass that characterized the period as well. Since the collapse of the state, donors and UN agencies in particular have pursued a state-building strategy that focused inordinately on developing a central leadership structure, giving much less consideration to building governance and legitimacy at local levels, and often without adequate regard for the myriad clan and political contests for power and resources that underlay Somalia's reputation of being a state in constant, unchanging and intractable conflict. Trust between Somalis and international actors has never been particularly strong, but in recent years has weakened to the point where international political engagement has come to be seen by many Somalis as a liability rather than an asset, as Somalis both inside and outside the political project consider international involvement to be indicative of an imperialistic project and to undermine their own self-determination.

### *The Garowe Process*

The beginning of the end of the transition came through a series of meetings held in 2011 involving representatives of the Transitional Federal Government (TFG), the regional states of Puntland and Galmudug, and Ahlu Sunna Wal Jama'a (a Sufi militia allied with the TFG). These talks, which came to be known as the Garowe Process, aimed at charting a course for the end of the transitional period. It established a structure for the new government and milestones to be achieved along the way out of the transition. While being credited for widening the political process beyond the TFG, it was also criticized for the heavy influence apparently exerted by the UN Political Office for Somalia (UNPOS) and various western donors. Some regional administrations also felt that the process did not adequately represent their own interests. Garowe signatories agreed to continue to use the controversial "4.5 formula" which effectively institutionalized discrimination against Somalia's minority clans by granting them only half the rights of representation that the majority clans were to have, in order to select members of the new government. However, they agreed to scrap the power-sharing arrangement once the post-transitional government was in place.<sup>1</sup>

### *London and Istanbul Conferences of 2012*

The international conference hosted by the UK in London on 23 February 2012 was an attempt by the international community to agree to a common set of rules on engaging with Somalia, and to put its support behind a timeframe for ending the

transition that had been initiated by the Garowe Process. Many people were not happy about the London Conference, but most of the complaints about it – that it did not include enough civil society leaders, that women were not adequately represented, that the conclusions were drawn up in advance of the meeting actually taking place (thereby preventing any meaningful dialogue on the day), and even that the rebel group al Shabaab should have been invited to the meeting – somewhat missed the point. The London Conference was not meant to be a peace conference, and was not intended to create a new blueprint for establishing peace.

In some ways, those involved in the London Conference had learned from the more than dozen failed attempts that had been made to try to chart a course out of conflict and had more modest goals, many of which involved the actions of the international community rather than the Somali leadership in the Transitional Federal Government.<sup>2</sup>

A second meeting, held in Istanbul 31 May–1 June 2012, was more inclusive of Somali participation and was preceded by a four-day meeting of approximately 400 civil society leaders from inside the country and from the diaspora. Istanbul was also significant in that it showed the extent to which non-western donors (particularly Turkey, but also other member states of the Organisation of Islamic Cooperation) were coming to play an influential role in Somalia's transition.

Still, one of the failings of the process leading up to the end of the transition, which was reinforced in both London and Istanbul, was the steadfast insistence on a timetable for a new government to be announced by 20 August. This led to a deeply flawed and rushed process to nominate a Constituent Assembly which would then identify parliamentarians. According to the International Crisis Group, "Some elders allegedly nominated uneducated and objectionable individuals, some sold seats to highest bidders, and others even nominated their own family members."<sup>3</sup> Despite this, a good number of new faces joined the new parliament (informal estimates are that 50–60% of the parliamentarians are new members) – though the target of 20% of the seats being occupied by women was woefully missed.<sup>4</sup>

Another casualty of the rushed process was the opportunity to debate, modify, and accept or reject a legitimate constitution. The Constituent Assembly was given a week to "discuss" the document, and then the chance to approve it (not approving it did not appear to be an option). This rubber stamping of the constitution is seen by many to have created a serious problem that will need to be sorted out in the early days of the post-transitional government.<sup>5</sup>

#### **Four surprises**

Out of this flawed process emerged a few surprises, which ultimately have moved Somalia onto a track that few people foresaw.<sup>6</sup>

#### ***New speaker***

First was the election of a new Speaker, Mohamed Osman Jawari, an expert in Islamic law who spent many years in Norway. More recently, as a consultant for UNDP, he had headed the independent experts panel which had been responsible for drafting much of the constitution. He had, in the months leading up to his selection,

distanced himself from the UN and the constitutional process. His election over incumbent Sharif Hassan Sheikh Aden was taken as one of the first signs that the Somalis who had elected him were interested in a changing of the guard.

### *New president*

The second surprise – the election of a new president – was even more significant. As the deadline for electing a new president drew near, reports of people buying their way into parliament and candidates buying the votes of those parliamentarians were rife. TFG President Sheikh Sharif Sheikh Ahmed was expected to benefit from a High Court ruling reinstating nine nominated MPs who had been barred from joining the parliament on account of their status as former warlords or having committed human rights abuses. According to some parliamentarians, the addition of the controversial politicians backfired on Sheikh Sharif, and some of those who had promised to support him defected. On 10 September, when no candidate won the required two-thirds majority in the first round of voting, a run-off was held following some coalition building (which some say involved the buying of a certain number of votes), and a relative newcomer to politics, Hassan Sheikh Mohamud, was elected. None of the major news analysts had fixed on Hassan as among the likely winners.

President Hassan's election was significant for several reasons. First, he had not been backed by any of the main power brokers inside or outside Somalia. He joined politics only in 2011 when he formed the Peace and Development Party, having previously worked as an educator, the founder of the Somali Institute for Management and Development (SIMAD) and as a Programme Manager for the Centre for Research and Dialogue, a Mogadishu-based think-tank with ties to Interpeace, an international peace-building organisation. Third, unlike most of his rival candidates, Hassan had spent most of the period since the collapse of the Somali state living in Somalia; he was not parachuted in from the diaspora to take over the mantle of political leadership. This played well to Somalis inside the country, many of whom have so far felt alienated from a government leadership that does not understand their needs and interests because it has been picked from the diaspora. So, a teacher/peace-builder/civil society activist from inside the country was chosen in a field of roughly 30 candidates.

### *New prime minister*

The third surprise involved the election of the Prime Minister – Abdi Farah Shirdon Said – a businessman who had been based in Nairobi. Many people had expected that the new leadership might include at least one of the major players in the TFG – such as former Prime Minister Abdiweli Mohamed Ali, or his predecessor Mohamed Abdullahi Farmajo. Yet the nomination sealed the identity of the government as being a distinct break with the past, and amid vows to fight corruption, promote reconciliation, and to chart a new course with the international community (see below), the new premier was unanimously approved by the parliament. This was significant for a legislative body that in its previous form had been more renowned for throwing chairs at each other or refusing to sit together than for agreeing on anything.

### **Smaller cabinet**

The final surprise came with the announcement of a new, streamlined cabinet. The announcement itself took several weeks, causing some to wonder whether deals had been made, and how much influence the Damul Jadiid, a splinter group from al-Islah (the Somali branch of the Muslim Brotherhood), may have had over the process.<sup>7</sup> The rationale for nominating only 10 members of the cabinet was said to be in order to promote a sense of ownership over the group's actions, to be better able to fight corruption and to work together. Critics wonder whether there are too few posts to be able to be effective, and cite both the delay and the eventual composition of the cabinet as evidence that the president has acted to ensure that his own power remains greater than that of the prime minister and his team. How true this is remains to be seen.

Two important posts in the cabinet were given to women – Fowzia Yusuf Hajji Adam was made foreign minister and deputy prime minister, and Maryam Qassim the social services/development minister. Interestingly, the reaction to the nomination of women to these positions was muted. Many people seemed more interested in the possible implications of Fowzia, who hails from the self-declared state of Somaliland, leading the negotiations over the future relations between Somalia and Somaliland. Maryam was one of three cabinet members (together with the defence and constitution ministers) who have returned to power, having served under former Prime Minister Farmajo. Despite the smaller size and controversial appointment of foreign minister, all members were overwhelmingly approved by the Parliament.

Given the positive indications that Somalia seems to be embarking on a new path away from the conflict and war economy that has controlled it so far, it may be tempting to place a revisionist spin on the transitional process, particularly the events of 2012, and credit them with enabling these changes. However my own take is that the positive changes that have occurred happened largely *in spite of rather than because of* the restrictions and requirements imposed on the transitional process. While it is true that change would likely have come more slowly had the August deadline not been so steadfastly insisted upon by donors and the UN, the process itself provided many opportunities for a continuation of the status quo. Lobbying inside Mogadishu, and within the new parliament, for a meaningful change had more to do with the outcome than the roadmap itself.

### **First 100 days**

In its first 100 days of office, the new government has made some important steps. The president opted not to attend the UN General Assembly meetings in New York, saying he had too much work to do at home. His first trip abroad was instead to Uganda, the largest provider of troops to the African Union force known as AMISOM currently bolstering his government in its fight against Al-Shabaab. He has also begun calling for a new kind of relationship – a “paradigm shift” – with the international community, one based on direct funding support for the government while at the same time taking the lead from Villa Somalia (the government's headquarters) rather than the other way around.<sup>8</sup> He has called on Kenya, whose Defence Forces were instrumental in wresting control of the port city of Kismayo from al-Shabaab at the end of September, to step back from negotiations over the future administration of the city (see below). And he has been travelling to cities throughout the country to conduct consultations with people about Somalia's future,

something his predecessors never did (perhaps because most of the cities were not under government control). All of these actions have been received warmly by most Somalis, who may be starting to feel that even though very few of them had a hand in choosing him, President Hassan may in fact really be their president.

### **Challenges**

These positive signs notwithstanding, many challenges remain for the new leadership of Somalia. In the remainder of this article I outline some of the main ones – each of these is significant and if mishandled has the potential to seriously dampen the enthusiasm for the new government, even to derail its efforts.

### ***Control over Kismayo***

No sooner had the new president been nominated than the territory notionally under his control widened. The Kenya Defence Forces, under the umbrella of the AMISOM forces and with the support of the Ras Kambooni Movement, finally reached Kismayo nearly a year after having entered Somali territory. Kismayo was seen as essential to defeating al-Shabaab, which it was understood relied on revenues from charcoal exports and sugar imports for the bulk of its funding, and also used the port to sidestep the arms embargo imposed by the UN.

Kismayo was taken without a significant battle; al-Shabaab announced that it was staging a “tactical retreat” and vacated most of the city, although it is suspected that many of its supporters remain in the city quietly biding their time until they are enlisted to engage in hit and run attacks, suicide bombings, or other forms of indiscriminate violence. So in fact, taking Kismayo may turn out to be easier than determining what to do with it. There is some evidence to suggest that Ras Kambooni agreed to collaborate with the Kenya Defence Forces (KDF) in exchange for a guaranteed, if publicly unspecified, role in the future administration of the city. But the new Somalia government has other ideas about how the city should be run, and has insisted that it should be centrally responsible for negotiations about a power-sharing arrangement to run the place. Managing these negotiations will require extremely delicate diplomacy, but must be done quickly, for if the residents of Kismayo are not assisted to meet their basic needs, including to resume trading but also to access services, their enthusiasm for joining the federal government is likely to wane.<sup>9</sup>

### ***Administration of regional states***

A related but still separate question to who will administer Kismayo is how some of the regional states – among them Jubbaland, Himan and Heeb, Khatumo, and others – should be administered. Jubbaland, which runs along the southwestern border of Somalia and Kenya, has come under the control of forces allied to the Kenyan Defence Forces. The area is ruled by a mix of clans, mostly the Ogadeen and Marehan, and it appears that Kenya has backed the Ogadeeni leadership to rule the place since it sees this arrangement as providing the best buffer zone to its own border. This set of circumstances is considered problematic by clans who have not been given power, and the federal government is concerned that Jubbaland may be carving out too much autonomy for itself to the exclusion of federal control. Already some of the strongest criticism of President Hassan has been over his initial handling

of the issue of regional states. Some say that in insisting on the federal government playing a central control in determining the leadership of such states he is applying a double standard that he has not used in other autonomous regions such as Puntland and (for those who consider it a region) Somaliland.

### ***Somaliland question***

This brings us to consider the vital question of how the new federal government of Somalia will approach the issue of Somaliland. At the London Conference, Somaliland President Ahmed Mohamoud “Silanyo” attended as an interested neighbour rather than as a member of the Somalia delegation. At the meeting, the TFG leaders and Somaliland administration agreed to face-to-face talks, and in the communiqué international partners pledged “to support any dialogue that Somaliland and the TFG or its replacement may agree to establish in order to clarify their future relations”.<sup>10</sup> They met twice after London – once in the UK and again in Dubai – before the TFG ended, and made statements agreeing to continue communicating, but have not yet made any agreements about their future relationship.

How Somalia approaches the Somaliland negotiations has a great deal to do with how Foreign Minister Fowzia chooses to act. Previously considered a Somaliland nationalist, it is not clear at the time of writing (January 2013) whether she has changed her position in this regard. On the day she was nominated she was quoted as saying “Somaliland is my country, Somalia is my country, both are my countries and I am for both.”<sup>11</sup> She has not yet clarified her position on whether Somalia should agree to Somaliland’s independence. If she does support this move, she risks incurring the wrath of many who see the northern territory as a vital part of the Somali union; if she is now a unionist then Somaliland will consider her to be a traitor and the possibility of peaceful relations between the two places may be put in jeopardy.

### ***Extending control into rural areas***

While the federal government is now, with AMISOM support, in charge of all of the major urban centres in Somalia, much of rural Somalia remains in the hands of al-Shabaab. Taking these areas militarily will be slow and costly. It is not even clear whether military action would be most effective in these areas; a more successful strategy might involve negotiations with clan leaders and extension of effective alternative governance into rural areas in the hopes that others will join once their confidence in the legitimacy and effectiveness of the government has been bolstered. That, clearly, is a best-case scenario. Al-Shabaab operatives, many of whom have disappeared into rural communities, are waiting for the new government to make one or more wrong steps. They will jump at any sign of weakness or failure that the government shows, and are in no great hurry to act.<sup>12</sup> President Hassan’s early visits to areas outside Mogadishu may have been framed precisely to reach out to potential constituents in rural areas; now it will be up to his government to further the project of building support.

### ***Repatriation of refugees/IDPs***

A key question for the future of much of Southern Somalia will be whether and how those who have been displaced from their rural homes, in particular during the

famine of 2011, are able to return. Majid and McDowell have noted that most farming communities in the area between the Jubba and Shabelle rivers, the epicentre of the famine, were from minority clan groups.<sup>13</sup> There are some indications that many people sold their land before they left to IDP or refugee camps, but the extent to which land was sold is not known. Also unknown is how many people tried to leave their land with a caretaker, a clansman or other person who would be able to safeguard their property until their eventual return. Even in cases where people tried to make such arrangements, it is unclear whether they are still in place. Resolving the question of what happened to people's property rights who are now living in displaced or refugee settlements will be vital for preparing for any eventual return.

This issue may become urgent soon, as already the Kenyan government has been petitioning the United Nations High Commissioner for Refugees (UNHCR) and the Somalia government to prepare for repatriation of people from the Dadaab refugee camp (now the world's largest refugee camp with approximately half a million inhabitants) to areas that its defence forces have "liberated". While UNHCR has insisted that it will not force people to return to areas that are not confirmed to be safe and without adequate support, it also realizes that Kenya's patience with hosting refugees is wearing thin. In recent months, xenophobic violence against Somalis, both refugees and Kenyan nationals, inside Somalia has spiralled and in December 2012 Kenya ordered all self-settled Somali refugees to relocate to the camps.

### *Whither al-Shabaab?*

As noted above, al-Shabaab has been weakened by the loss of (urban) territory and revenue, but it has not been defeated decisively. There have been reports of al-Shabaab operatives moving northwards into Puntland and the Golala mountain area west of Bossaso. Internal divisions about the leadership appear to also have taken an undetermined toll on the movement. Still, recent suicide bombings and other attacks in Mogadishu and Kismayo serve as reminders of the deadly power that the movement still holds.<sup>14</sup>

The new government's approach to al-Shabaab will be crucial. During his first interview, President Hassan said that security would be his first, second, and third priority. He has also indicated, however, that he may be willing to negotiate with some elements of al-Shabaab in an effort to peel away at their more moderate elements, thereby weakening them further and in the process making the current government more representative of a wider range of interests and actors. "Definitely we will talk to them," President Hassan has said.<sup>15</sup>

### *Diaspora influence*

Despite being headed by a president who has remained in the country, the new government of Somalia derives a great deal of support and participation from the diaspora. One parliamentarian I spoke to estimates that at least 50 of his colleagues are from the UK alone. Others have returned to Somalia from the United States, European countries, and the Middle East, not to mention from the "near diaspora" in Kenya. The new government will face the difficulty of trying to balance input from its skilled transnational community with that of its local constituency. A balance must be struck: while some diaspora involvement is welcomed by most Somalis, if too many people are seen to be taking jobs and opportunities away from local



people, or if the priorities of local communities are not well represented by the government leadership, the enterprise will risk losing support and being seen as being out of touch with Somalia's real problems.<sup>16</sup>

### ***Corruption***

As difficult as the above actions will be, one of the most important challenges will be dealing with the rampant corruption that has plagued previous governments of Somalia. When he took office, President Hassan said that there was "not one penny" in the national treasury. The new government has committed itself to fighting corruption and agreeing to a level of oversight that is rigorous. Yet, such promises have been heard before, and keeping a broad coalition of political, clan and business interests together without the money that had previously been used as the glue that binds will be challenging, and could be fatal to the government. In order to stop corruption there will need not only to be transparency and punishment of those found to be flouting the rules, but also revenue-sharing arrangements for ports, airports, and other public works, and taxation structures that are broadly respected. It is impossible to overstate how difficult it will be to dismantle the architecture of corruption that has developed not just over the past 20 years, but in the 50 years since independence (and even earlier).

### ***Relations with the international community***

A final crucial piece in the Somali puzzle that must be dealt with by the new government is a renegotiation of relationships with the international community. Since the state collapse, international engagement has focused on centralized state-building to the exclusion of most other forms of collaboration. The great distrust that is directed by Somalis inside and outside the country at the UN and most bilateral donors, and by extension to many of the non-governmental organisations working inside Somalia, prevents effective collaboration on a range of fronts, including humanitarian and development issues,<sup>17</sup> but also international trade, promotion of Somali security forces, and the essential governance support that is needed (if not quite in the way that it has tended to be offered). Most Somalis would like to see AMISOM leave Somalia and an end to all foreign military intervention, but this cannot be done until the country builds up a military force that has the strength and the discipline to be able to preserve the security on its own. This may take a while – years even – and it is not clear that people will be willing to wait that long, or that the international community will be able to resist pushing political reforms that lack support on the ground. Surely al-Shabaab will continue to try to frame foreign military presence as a matter of national humiliation and to mobilize opposition to such forces; the government will need to work steadily towards weaning itself from its dependence on foreign military support to show that it is serious about its desire to stand on its own. Already, as mentioned above, the new government has attempted to recast the relationship with so-called traditional partners. It has also sought to widen its collaboration with actors who are newer to the scene. Perhaps most significant among these "emergent actors" is Turkey, which has impressed Somalis with its bilateral aid, scholarships for Somali students, willingness to place its own nationals in downtown Mogadishu, and even the visit of Prime Minister Erdogan with his family in 2011. Another important actor has been the Organisation for Islamic Cooperation,

which during 2011 coordinated the delivery of over \$350 million in famine relief outside the Consolidated Appeal for Somalia.<sup>18</sup> Much of this was support from Islamic countries, but it also included donations from the Somali diaspora.

### Conclusion

As the face of Somalia's leadership changes, hopes that the country is on a new track are rising. While this optimism may be well placed, it is also important not to expect too much too fast from this fledgling government. It is not the first time that hopes have soared when new leadership has been brought into the Villa Somalia. What may be different this time is that the process seems less directed by the international community's horse-trading than by (at least some) Somalis' own choices, and that despite the opportunities for the process to go seriously wrong it seems not to have done so. The challenges outlined above are some of the main ones; there are plenty of others. Whether people will be willing – or can afford – to be patient is a major question. Whether the government can deliver on the promises and the agenda it has set for itself is another.

### Acknowledgements

The title takes its name from a Twitter hashtag given to discussions about Somalia by Somalis and Somalia-analysts the days following the end of the transition. The author would like to thank two anonymous reviewers for comments on a draft of the paper.

### Notes

1. Garowe Principles I, Dec. 24, 2011 and Garowe Principles II, Feb. 17, 2012.
2. Healy, "Somalia: After the London Conference."
3. International Crisis Group, "Somalia: From Troubled Transition to a Tarnished Transition?"
4. The target of 30% female representation in the Constituent Assembly was also missed.
5. Uluso, "Provisional Constitution Heightens Tensions in Somalia"; BBC, "Somali Leaders Back New Constitution"; Aden, "Somalia: The Consequences of a Crooked Constitution."
6. For useful analyses of the immediate post-transition challenges see Menkhaus, "Somali Spring," and Marchal, "Somalia: A New Era?"
7. See for instance Dunida Online, "The Governance Plan of Damul Jadid in Somalia."
8. See UK Ambassador Baugh, "Politics, Partnership, Patience."
9. Menkhaus, "Somalia's Sarajevo," and Aynte, "Somalia: The Kismaayo Conundrum(S)."
10. London 2012 Conference Communiqué.
11. Yabarag, "President Mahmoud Should Replace the New Foreign Minister."
12. Aynte, "Al-Shabaab and Post-Transition Somalia."
13. Majid and McDowell, "Hidden Dimensions of the Somalia Famine".
14. Aynte, "Al-Shabaab and Post-Transition Somalia."
15. Al Jazeera, "Somali Leader Outlines Concerns."
16. Hammond, "What Role for the Diaspora in Somalia's Future?"
17. Hammond and Vaughan-Lee, "Humanitarian Space in Somalia: A Scarce Commodity."
18. UNOCHA Financial Tracking System.

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