

ASSESSING THE CONSEQUENCES OF THE FAILED STATE OF SOMALIA

JOINT HEARING BEFORE THE SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS AND THE SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION, AND TRADE OF THE COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES ONE HUNDRED TWELFTH CONGRESS

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THURSDAY, JULY 7, 2011

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA, GLOBAL
HEALTH, AND HUMAN RIGHTS, AND
SUBCOMMITTEE ON TERRORISM,
NONPROLIFERATION, AND TRADE,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 12:30 p.m., in room 2212 Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. The subcommittee will come to order. And good afternoon, everyone. We are holding today's hearing for the purpose of examining U.S. policy regarding the failed state of Somalia, the possibility of recognizing breakaway areas such as Somaliland, and the continuing problem of Somali piracy around which the Obama administration has built a program.

Somalia's instability has encouraged other criminal activity beyond its borders, endangering the stability of the entire Horn of Africa.

Somalia once again heads the annual list of failed states in the current issue of Foreign Policy Magazine. This eastern African country has held that dubious distinction for the past 4 years. Sudan, Chad, Zimbabwe, and the Democratic Republic of the Congo all have experienced horrific conditions during this period, but none of them could overtake Somalia at the top of the list of the world's failed states.

Since the fall of President Siad Barre in 1991, the United States has been involved in addressing the consequences of Somalia having no functioning government in Mogadishu that effectively rules the entire country. This lack of governance has resulted in Somalia being engaged in a chaotic civil war that has abetted the growth of Islamic fundamentalism and piracy.

Humanitarian, political and security conditions continue to deteriorate across south central Somalia. In the past 2 years, more than 22,000 civilians have been killed, an estimated 1.1 million people displaced, and at least 476,000 Somalis have fled to neighboring countries.

Somalia is currently experiencing what is considered the worst drought in the Horn of Africa since the 1950s. As a result of this drought, and the continuing conflict, as Nancy Lindborg, Assistant Secretary for USAID's Bureau of Democracy, Conflict, and Human-

itarian Assistance will testify today, some 2.85 million Somalis are in need of humanitarian aid.

Doctor Reuben Brigety, Deputy Assistant Secretary of State for the Bureau of Population, Refugee and Migration, will testify that Somalis comprise the largest refugee population in Africa. That represents more than 750,000 people in the greater Horn of Africa region, 120,000 of whom have arrived in refugee camps in the region since January of this year.

In 2003, young leaders of al-Ittihad, a radical Islamic group that the Bush administration added to its list of terrorist organization, formed the organization known as al-Shabaab.

The primary objective of this group was to establish a greater Somalia under Sharia. Since 2007, al-Shabaab has increasingly controlled territory in Somalia, and by late 2008 the Transitional Federal Government, or TFG, has lost control of most of south central Somalia to insurgent groups.

U.S. officials are concerned that al-Qaeda and its allies in east Africa continue to pose serious threats. Al-Qaeda poses a direct threat against U.S. interests and allies in east Africa.

While al-Shabaab appears more focused at this point on carrying out attacks against Somali citizens, the TFG, and African Union peacekeeping forces in Somalia, it has, however, threatened to attack neighboring countries, including Ethiopia and Kenya.

For far too long, Somalia has been a cancer on the Horn of Africa, and elsewhere on the continent. Criminals from Somalia have not only plagued surrounding countries, but have been reportedly involved in drug and human trafficking as far south as South Africa.

However, the most serious involvement of Somalia in international criminal activity is, by far, piracy. Pirate attacks in the waters off Somalia, and off the Horn of Africa, including those on U.S. flag vessels, have brought renewed international attention to the long-standing problem of maritime piracy.

According to the International Maritime Bureau, at least 219 attacks occurred in the region in 2010, with 49 successful hijackings. Somali pirates have attacked ships in the Gulf of Aden, along Somalia's eastern coastline, and outward into the Indian Ocean.

Using increasingly sophisticated tactics, these pirates now operate as far east as the Maldives in good weather, and as far south as the Mozambique Channel.

Somalia's pirate economy has grown substantially in the past 2 years, with ransoms now averaging more than \$5 million. The annual cost of piracy to the global economy ranges from some \$7–12 billion, by some estimates.

Two years ago, Secretary of State Hillary Clinton announced a four part plan to combat Somali piracy that includes building Somali capacity and will to rein in the pirates, coordination with the International Contact Group, and encouragement of cooperation between governments and shipping companies in defending vessels against Somali pirates.

Yet the threat posed by Somalis is not confined to their territory or surrounding waters. In recent years, dozens of young Somalis, many of them from the Minneapolis area, have left the United States to return to Somalia to fight with al-Shabaab.

On August 5th, 2010, more than a dozen Somali-Americans, permanent residents, were arrested. Attorney General Eric Holder announced that 14 people were being charged with providing support for al-Shabaab. Two indictments unsealed in Minnesota stated that Amina Farah Ali and Hawo Mohamed Hassan raised funds for al-Shabaab, detailing 12 money transfers in 2008 and 2009.

The danger to America posed by al-Shabaab and its supporters in this country continues to be very serious. In his nomination hearing to become Secretary of Defense last month, CIA Director Leon Panetta noted that al-Shabaab's threat "to the U.S. homeland is on the rise." Mr. Panetta also expressed concern that as al-Qaeda leadership in Pakistan comes under pressure, that it is not able to find a safe haven in Somalia.

Since the fall of the last national government in Somalia in 1991, Somaliland and Puntland, both now autonomous areas of Somalia, have been the only areas with effective governance.

Somaliland seeks international recognition, while Puntland currently does not. The question of whether the United States and the international community fully recognizes Somaliland or supports its eventual integration into a greater Somalia at some future point requires ongoing examination and discussion.

Consequently, today's hearing offers a valuable opportunity to examine U.S. policy on a variety of issues involving Somalia.

I would like to now turn to the ranking member, Mr. Payne, for any comments he might have.

Mr. PAYNE. Thank you very much. Let me thank you and Mr. Royce for calling this very important joint hearing on assessing the consequences of the failed state of Somalia. And it is a pleasure to see my good friend Mr. Royce back, who chaired the Africa Subcommittee at some point in the past, and has maintained a strong interest, as has Congressman Smith.

So it is a pleasure to be here at this very important hearing. Unfortunately, I will have to leave a few minutes before 2 o'clock. I have been invited to be a part of the Presidential Delegation that will celebrate the new state of South Sudan, and must leave in an hour or so to Juba to be a part of that great achievement.

But I will stay as long as I can, and I certainly look forward to your insights into the challenges facing Somalia, witnesses here, and how the United States can best address the root causes of these challenges.

And let me also say that I really commend our witnesses, all of whom have distinguished backgrounds in dealing with Somalia and other difficult places in the world, especially the Honorable Donald Yamamoto, who has spent so much time in the area and has been responsible for so many achievements that we have seen in the very troubled parts of the world where he has served.

I have had a long history of engagement with Somalia. My most recent trip to Mogadishu in April 2009 gained international attention because of the mortar attack on my plane as I left Mogadishu.

But that was not my first visit to Mogadishu, nor was it the first attack on a plane that I was boarding. The first happening in early 1992, when I attended—and the plane was fired on as we were getting ready to leave Mogadishu, but was not airborne, as was the

recent attack in 2009. Of course, with my good luck, they didn't shoot straight, and therefore I am here to give testimony.

I first traveled to Mogadishu in the summer of 1993, just following the killing of the Pakistani peacekeepers. That was 2 years after Siad Barre had been overturned, and the country had devolved into a state of lawlessness and warfare.

You may recall the United States and other U.N.-related countries went to see that the children could get the food that was being sent to Somalia, but the distribution was being prevented by the warlords. And there was food there, but children were dying because the warlords would not allow the food to be distributed.

And so my first trip was then and I returned back again in late '93, because I am from the State of New Jersey. We have a large number of pharmaceutical corporations, and I asked them if they would participate in a pharmaceutical drive that UNICEF co-sponsored with me, to provide medications for children to help in the situation, since the children were suffering so much.

And we had the 100 percent cooperation from the New Jersey pharmaceuticals to provide the medications that we needed. And as a matter of fact, in my recent trip 2 years ago it was noted by some of the participants that remembered the pharmaceutical drive that brought millions of dollars of donated products to the children of Somalia.

After leaving Mogadishu on my first trip in '93, I then went to one of the largest Somali refugee camps in Kenya. The camp was even larger than the Dadaab camp that we talk about today, which exists in Kenya, which I have also visited several times, most recently a year or so ago.

The refugee situation of Somalis throughout the region has always been a very serious question and problem for the surrounding countries. The people continue to suffer in these rough conditions, but the spirit of the Somali people has always impressed me.

Throughout the toughest times, Somalis remain hopeful, and find ways to run a business, to make the best of a situation in other ways. And I greatly admire their fortitude and stick-to-it-iveness, and even creativeness, really creating a new industry.

As we know, about 4 years ago, actually back 4 years following my '93 trip, in 1997, I went to Hargeisa for the first time. I met with former President of Somaliland—and we met also recently with the current President, Silanyo, most recently 1 year ago in Nairobi, before the elections. And speaking by phone to him recently—I was the original sponsor of a resolution on Somaliland in 1990, which called on the United States to provide assistance to—and give Somaliland observer status at the United Nations, and to recognize their accomplishments.

As you know, Somaliland, Puntland, and Mogadishu Somalia were all controlled by different colonial powers, and I think that the reason that some have succeeded—for example, Somaliland—is because some colonial powers gave more autonomy to the locals, and provided them with the opportunity to govern, whereas in Mogadishu there was very little of that. This is the only resolution to be introduced in Congress that focused on Somaliland in two decades, at that time.

I also met with President Farole of Puntland several times. He testified at a hearing I chaired on Somalia in 2009, where I encouraged the leaders of Somaliland, Puntland, and Mogadishu to band together for the future of Somalia as a whole.

Finally, it was in April 2009 that I travelled to Mogadishu after all the violence and upheaval that had occurred during the Ethiopian invasion. I met with President Sheikh, Sharif Sheikh Ahmed, ministers, journalists, and a prominent coalition of women's organizations who were very, very active at that time in Mogadishu. These were things that we did not hear about, but that were going on in spite of the violence.

As a matter of fact, I was there the day following the U.S. Navy SEALs taking down three Somali pirates, and of course I was asked at a press conference by al-Jazeera what I thought about this.

And I made it very clear that piracy is illegal, that the United States of America would not tolerate the intrusion on a U.S. ship, and that I totally supported President Obama and the U.S. Navy SEALs in the taking down of the three Somali pirates. I think that may have had something to do with al-Shabaab taking a shot at my plane when I left.

In 2009, I introduced a resolution calling for the recognition of the Transitional Federal Government, the TFG, by the U.S., greater involvement, greater engagement on the political and humanitarian crisis, and for the establishment of a diplomatic presence in Mogadishu once conditions improved.

As you know, the TFG remains a weak government, but despite recent shake-ups there are glimmers of hope. Last month, President Ahmed and Speaker of Parliament Sharif agreed to hold elections by August 20th, 2012. It was also decided that a new Prime Minister would be appointed.

The TFG is planning a conference in Mogadishu, sponsored by the U.N., to bring together all of the Somali stakeholders. It is unclear whether Somaliland officials will attend. President Ahmed must be given support as he attempts to increase dialogue, promote stability, and fight off al-Shabaab, which continues to wreak havoc on the population.

As you know, over the past several years more than 22,000 civilians have been attacked, an estimated 1.1 million people displaced, 476,000 Somalis have fled to neighboring countries.

This is simply unconscionable. Many people in Washington rightfully focus on the criminal aspects of piracy. I spoke with Secretary Clinton while travelling with her in Nairobi when she met with President Sharif, and she expressed the view that piracy was a symptom and not a cause of Somalia's problem.

We need to work on that strategy announced in October, the Dual Track strategy, which we will hear about. I think it's something that needs to be discussed more. And just in conclusion, while the State Department has stated that it will not recognize Somaliland, State has commended the progress and stability both of Somaliland and Puntland in what they have achieved. This broadening of inclusion will allow a more flexible and effective dialogue.

We have questions that we will be asking the panelists here, but in deference to time I will just simply conclude that we do have a problem with that one fourth of the country's population is either refugee or internally displaced. This year, nearly 100,000 people have fled to neighboring countries. 20,000 of them did so just 2 weeks' period ago, because of the drought situation.

And so I look forward to hearing from our witnesses. And with that, I will yield back the balance of my time.

Mr. SMITH. Thank you very much, Mr. Payne. I would like to yield to my co-chairman of this hearing, and a good friend, the chairman of the subcommittee, Mr. Royce.

Mr. ROYCE. Thank you, Mr. Chairman. I too held the gavel of the Africa Subcommittee once. I just wanted to say, in working with Don Payne in that capacity, over those years, his willingness to speak out was always very impressive. And I know he has to leave at some time today to speak out in terms of the situation in South Sudan, at a meeting there.

But we were actually on a codel in Africa when we got the word that Don had done two things. One, he'd had a press conference. And minutes later, his plane was mortared as he was flying out of town.

But it is because Don Payne was willing and has been willing to speak out, and because of you, Mr. Chairman, that we have got some light on this issue.

And it is an issue, this situation in Somalia, that is not only a humanitarian crisis, it is also, frankly, a national security threat. And that is the aspect of it—I chair the Terrorism Subcommittee. This is the aspect of it that the State Department has been talking to us about, and the Defense Department.

And this is something that we are going to look at today—because Somalia has been a failed state for an awfully long period of time. But nowhere are the consequences of Somalia more evident than when it comes to international terrorism and the threat from al-Shabaab, which is, as we designate it, a foreign terrorist organization.

And in the past few years, al-Shabaab threat, of course, has grown dramatically to the U.S. We have seen in the theater of Somalia, the roadside bombs, the suicide blasts that come out of this organization. Militant compounds resemble, as the press reports it, "Pakistan-style terror training camps."

And because of the influx of foreign fighters into this area, the neighborhoods around Mogadishu are referenced by locals there as "Little Afghanistan." A year ago, al-Shabaab conducted its first attacks outside of Somalia. They killed 76 people, including one American, in Kampala, Uganda.

So there is a growing concern that al-Shabaab leaders are striving to strike targets, not just beyond Somalia now, but beyond Africa. A European plot was recently uncovered. It was in the works, and it was uncovered.

So links between al-Shabaab and al-Qaeda in the Arabian Peninsula, the most active of all of the al-Qaeda franchises, are becoming clearer and clearer to us in the United States. They are communicating more about operations. They are working together on training. They are working together on tactics.

The bomb-making capability that al-Qaeda has, the expertise that they have there, is being combined with al-Shabaab's recruits. And these recruits frequently have western passports. Many of them have U.S. passports. This is quite a deadly combination.

And that is why, last month, then-CIA Director Leon Panetta called al-Shabaab's threat to the U.S. homeland, in his words, "significant and on the rise."

U.S. forces have gone on the offensive, of course, targeting al-Shabaab's leaders from the sky. But we should have a diplomatic attack as well, and that is where I would like to focus my attention here.

We should target al-Shabaab's outside source of support. The Government of Eritrea's support for al-Shabaab is well-documented.

Assistant Secretary for African Affairs Johnnie Carson testified to Congress about Eritrea's supply of weapons to terrorists inside Somalia. The U.N. Security Council, acting at the urging of African neighbors, passed sanctions against Eritrea, demanding that the country—and I am going to read from the sanctions here—"cease arming, cease training and equipping" al-Shabaab.

With al-Shabaab under pressure, it is time to tackle its state sponsors, its state supporters, before this menace reaches the United States. We must have an honest recognition of the destructive role Eritrea is playing in the region, and designate it as a state sponsor of terrorism.

I yield back, Mr. Chairman.

Mr. SMITH. Chairman Royce, thank you very much. I understand Mr. Connolly has to leave, but I yield 1 minute to my friend from Virginia.

Mr. CONNOLLY. Thank you very much, Mr. Chairman. And thank you, Mr. Payne and Mr. Royce, for holding this hearing.

In picking up sort of where Mr. Royce left off, the inherent instability that has long dominated Somalia as a failed state has spill-over effects that certainly affect the United States, national security, the shipping lanes off of the Gulf of Aden, and I think are of deep concern.

I am particularly interested in this hearing in hearing the views of our panelists on the piracy aspect of this instability. There are lots of aspects, but we are seeing pirates who are more emboldened. It is a cash business. They are more and more successful in ransoming numerous ships.

That is a critical shipping lane that simply has to be secured. And in American history, going back to Thomas Jefferson, we have always had an interest in that part of the world and putting an end to piracy. Here we are, over 200 years later, dealing with something similar.

And so I would be very interested in hearing what you think our options are or should be, and what steps we can take to further enhance our capability to deter piracy in that part of the world.

Thank you, Mr. Chairman.

Mr. SMITH. Mr. Connolly, thank you very much. Ms. Bass?

Ms. BASS. Just very briefly, Mr. Chair. As Somalia continues to receive a rating of a failed country, our country must continue to

remain active and expand our diplomatic commitment and support to restoring Somalia.

And once again, I appreciate your leadership in this matter. Thank you.

Mr. SMITH. Ms. Bass, thank you very much. I would like to now introduce our very distinguished panel, beginning with Ambassador Donald Yamamoto. Ambassador Yamamoto is no stranger to the Africa Subcommittee, having testified before us in March at a hearing on the Democratic Republic of the Congo.

He has served since 2009 as Principal Deputy Assistant Secretary for the Bureau of African Affairs of the Department of State. His prior assignments included serving as U.S. Ambassador to Ethiopia from November of '06 to July 2009, and as Deputy Assistant Secretary of State in the Bureau of African Affairs from '03 to '06.

We will then hear from Nancy Lindborg, who is the Assistant Administrator for the Bureau for Democracy, Conflict, and Humanitarian Assistance at USAID. She has previously spent 14 years as president of Mercy Corps, where she focused on international relief and development during her time with Mercy Corps.

Nancy Lindborg also served in a number of positions in non-governmental organizations, and in an advisory capacity to government agencies, where she worked on issues related to foreign relations and foreign assistance.

We have full bios, which will be made a part of the record, because you are all very accomplished people.

We will then hear from Dr. Reuben Brigety, who is currently serving as Deputy Assistant Secretary of State for the Bureau of Population, Refugees, and Migration at State. In this capacity, he supervises U.S. refugee programs in Africa, manages U.S. humanitarian diplomacy with major international partners, and oversees the development of international migration policy.

He previously worked for Human Rights Watch, and has been an active duty U.S. Naval officer. He recently returned from East Africa, where he worked on the ground with Somali refugees, and will be returning shortly to that area.

Ambassador Yamamoto, please proceed.

**STATEMENT OF THE HONORABLE DONALD Y. YAMAMOTO,
PRINCIPAL DEPUTY ASSISTANT SECRETARY, BUREAU OF
AFRICAN AFFAIRS, U.S. DEPARTMENT OF STATE**

Mr. YAMAMOTO. Thank you very much, Chairman Smith, Ranking Member Payne, and Chairman Royce, and distinguished members of this committee. And I wanted to say especially, thank you very much Mr. Chairman and to you all for holding this very important hearing, and also for your very kind words for us.

The problems of Somalia are not isolated, and the solutions to them are neither easy nor one-dimensional. There are signs of progress and improvement to fortify our outlook and encourage U.S. efforts. Most recently and significantly, Somali National Security Forces under the control of the Transitional Federal Government killed al-Qaeda terrorist Harun Fazul when the car he was in ran a checkpoint in Mogadishu.

His death brings a sense of relief to the victims and their families of the 1998 Embassy bombings in Nairobi and in Dar.

In October 2010, Assistant Secretary Carson announced the Dual Track approach to Somalia after careful consultation and review, and also listening to your advice, from this committee and others, on the approach to Somalia. Taking into consideration Somalia's past and present, as well as its challenges and strengths, we continue to support the Djibouti Peace Process, the Transitional Federal Government, its National Security Forces, and the African Union Mission to Somalia, or AMISOM.

However, we recognized there are large pockets of stability in Somalia that merited greater U.S. engagement, and have broadened our outreach to include greater engagement with Somaliland, Puntland, and regional and local anti-al-Shabaab groups throughout south and central Somalia.

We recognize the need to encourage grassroots support for stability in Somalia, and are reaching out to Diaspora communities and civil society to foster dialogue and peaceful reconciliation.

In addition, we will continue to do everything we can to provide urgently needed humanitarian assistance. Thanks to the dedication and sacrifice of AMISOM and TFG Forces, al-Shabaab can no longer claim control of Mogadishu or free rein to operate in significant portions of the city.

Since 2007, the United States has supported this development by obligating approximately \$258 million of support to AMISOM's training and logistical needs, as well as approximately \$85 million to support and build the capacity of TFG forces.

Over the next year, we will support new AMISOM troop contingents, as well as TFG and its needs for training, equipping, and logistical support. We will continue to focus on supporting the TFG's political progress over the course of the next year.

After 5 months of political infighting relating to the TFG's tenure coming to a close in August 2011, TFG President Sheikh Sharif and Speaker of Parliament Sharif Hassan co-signed the Kampala Accord on June 9th, and rededicated themselves to finding an end to the transition period that has been in place since 2004.

Ugandan President Museveni and U.N. Special Rep Augustine Mahiga witnessed the agreement, with President Museveni serving as its guarantor.

Under the agreement, the TFG recommitted itself to the Djibouti Peace Process, and the Transitional Federal Charter, to completing a set of transitional tasks to be monitored by the international community, to the reform of the Parliament, and to holding elections for the President and Speaker by August 2012.

Under the Kampala Accord, the TFG appointed and confirmed Prime Minister Abdiweli Mohamed Ali on June 28th. The Kampala Accord is a sign that the TFG leadership realizes that neither the Somali people nor the international community have the patience to continue to accept incessant political infighting that serves no purpose other than maintaining access to the perks of office and influence for certain individuals.

We and our international partners, under the Kampala Accord, will be pushing for timeliness, benchmarks over the next year, including completion of a national constitution, revenue transparency

and accountability, meaningful engagement with Puntland, Galmuduug, Ahlu Sunna, ASWJ, and other Somalia stakeholders.

We have expanded our diplomatic outreach with these regional authorities and partners, and have travelled to Hargeisa five times. We advocate for representation from the regions in conferences and other events, such as the U.N.'s counter-piracy focused mechanisms known as the Kampala Process, and the U.N.'s consultation in April, which focused on ending the transition, in the Joint Security Committee.

The interaction between the U.S. and Somali interlocutors is critical as we work to advance peace and security throughout Somalia. We are reviewing how best to adapt our travel policy for Somalia to more robustly execute our Dual Track approach.

The security of U.S. personnel is of paramount importance when considering travel inside Somalia, and we will not shrink from this obligation.

The current budget environment will have an impact on our ability to effect positive changes in Somalia over the near- to mid-term. Demands for support to AMISOM troop contingents close to deployment and the needs of the fledgling TFG will continue for some time.

On the development and peacebuilding side, in FY2011 Somalia received approximately \$25 million in development support to assist our Dual Track approach. We are also providing \$48 million in humanitarian assistance this year, as well as \$8.3 million for humanitarian assistance for those who have fled Somalia.

Even in the resource-constrained budget environment, the United States Government continues to do as much as possible to promote our core goal of building a peaceful and secure Somalia.

During 2011, we have used funding to assist Somalis in clearing the streets of Mogadishu of garbage and sand, provided streetlights in Mogadishu, and provided technical assistance to the Ministry of Finance to combat corruption.

The increasing piracy problem off the coast of Somalia stems from years of instability, lack of governance, and economic fragility on land. The tragic death of four innocent Americans this past February was tragic, and provided a sober demonstration of the need to do more to address this problem.

My colleagues across the interagency, including in State's Bureau of Political and Military Affairs at the Department of Defense, have been at the forefront of the U.S. Government's counter-piracy efforts. We must also work with Somali authorities and other regional states to enhance their capacity to prosecute suspected pirates and imprison those convicted.

Internationally, more focus should be placed on tracing financial flows in order to determine who benefits most from piracy, both within Somalia as well as externally. Though these efforts take place in the context of other challenges, we will continue to support efforts aimed at reducing the piracy threat.

Al-Shabaab and its relationship to al-Qaeda is a significant concern for the United States and its partners in the region. With sustained military pressure from the TFG National Security Force and AMISOM, al-Shabaab's hold on Mogadishu has dramatically decreased.

The opening of additional fronts in Gedo and the middle and lower Juba region last February has also placed additional pressure on al-Shabaab's ability to hold these areas. As more areas escape al-Shabaab's control, the challenge is for Somalis to put into place effective administrations capable of providing governance and services in order to prevent al-Shabaab from returning.

While we see signs of al-Shabaab's control lessening in the western region of Somalia and in Mogadishu, we remain strongly concerned about the impact on Somalia and the region.

We continue to monitor events in Somalia, including the influence of al-Qaeda on senior al-Shabaab leadership. However, as an organization, al-Shabaab includes multiple factions with competing objectives, and has lost significant areas of territorial control in the areas of south and central Somalia. Al-Shabaab's leadership is increasingly fractured and divided, with questionable support from the Somali people in many areas.

Somalia's instability is a product of generations of neglect and corruption, but a solution will be the product of generations of concerted focus, legitimate engagement, and expectations of results. We will continue to focus efforts on Somalia in ways that grapple with its challenges effectively and flexibly.

So thank you, Mr. Chairman, and I look forward to your questions, and those of my colleagues.

[The prepared statement of Mr. Yamamoto follows:]

Testimony
Principal Deputy Assistant Secretary Don Yamamoto
Bureau of African Affairs
U.S. Department of State
Before the House Committee on Foreign Affairs
Subcommittee on African Affairs, Global Health, and Human Rights and
Subcommittee on Terrorism, Nonproliferation, and Trade
“Assessing the Consequences of the Failed State of Somalia”
Thursday, July 7, 2011

Good afternoon, Chairman Smith, Ranking Member Payne, Chairman Royce, and distinguished members of the Committee. Thank you for holding this hearing on Somalia. Your Subcommittees are an important partner in U.S. foreign policy on Somalia. We appreciate that these Subcommittees show interest in the relationships between instability, terrorism, piracy, governance, development and humanitarian efforts. The problems of Somalia are not isolated and the solutions to them are neither facile nor one-dimensional. There are signs of progress and improvement to fortify our outlook and encourage U.S. efforts. Most recently and significantly, Somali National Security Forces under the control of the Transitional Federal Government killed Al Qaeda terrorist Harun Fazul when the car he was in ran a check point in Mogadishu. His death brings a sense of relief to the victims and their families of the 1998 embassy bombings in Nairobi and Dar es Salaam.

In October 2010, Assistant Secretary Carson announced the State Department's Dual Track approach to Somalia that implements an interagency strategy on Somalia and takes into consideration Somalia's past and present, as well as its challenges and strengths. On track one of the Dual Track approach, we continue to support the Djibouti Peace Process, the Transitional Federal Government (TFG), its National Security Forces (TFG/NSF), and the African Union Mission in Somalia (AMISOM). On track two, we recognized that there were large pockets of stability in Somalia that merited greater U.S. outreach. We are broadening our engagement to include greater engagement with Somaliland, Puntland, and regional and local anti-al-Shabaab groups throughout south central Somalia. We recognize the need to encourage grass-roots support for stability in Somalia and are working with Diaspora communities and civil society to foster dialogue and peaceful reconciliation. In addition to these political issues, we are increasingly concerned over the dire humanitarian situation at hand which my colleague from USAID will address in more detail. It is a crisis stemming from the current drought conditions and continued conflict in Somalia and is affecting millions of people both inside Somalia and throughout the region. I want to

reiterate that we and the international community will continue to do everything we can to provide the assistance that is urgently needed at this time.

Track one remains critical to political and security progress in Mogadishu and ultimately the rest of Somalia. Thanks to the dedication and sacrifice of AMISOM and TFG forces, al-Shabaab can no longer claim control of Mogadishu or free reign to operate in significant portions of the city. We estimate that AMISOM and TFG forces control more than 50 percent of the city as measured by population, although some estimates have claimed it is as much as 80 percent. These troops have pushed al-Shabaab much further onto the outskirts of Mogadishu and challenged the assertion that only terrorists can influence the course of events in that city. These tactical accomplishments give strategic space to the Somalis so that they can get their political and security house in order. Since 2007, the United States has supported this development by obligating approximately \$258 million to support AMISOM's training and logistical needs, as well as approximately \$85 million to support and build the capacity of TFG forces.

Over the next year, we anticipate continuing to train and equip new troop contingents in support of AMISOM and providing continued support to the TFG, to include support for regional training efforts, equipment, and logistical support. In 2010, the United Nations endorsed an increase of AMISOM's force strength up to 12,000, and we are engaged in supporting that increase, in particular by continuing to train and equip Ugandan and Burundian contingents. We are also prepared to support other potential troop contributing countries.

We will continue to focus on supporting the TFG's political progress over the course of the next year. After five months of political in-fighting related to the TFG's tenure coming to a close in August 2011, TFG President Sheikh Sharif and Speaker of Parliament Sharif Hassan co-signed the Kampala Accord on June 9 and re-dedicated themselves to finding an end to the transition period that has been in place since 2004. Ugandan President Yoweri Museveni and UN Special Representative of the Secretary General (UNSRSG) Augustine Mahiga witnessed the agreement, with President Museveni serving as its guarantor. Under the agreement, the TFG re-committed itself to the Djibouti Peace Process and the Transitional Federal Charter, to completing of a set of transitional tasks to be monitored by the international community, and to the reform of Parliament. They also agreed to hold elections for the President and Speaker by August 2012. The Kampala Accord also called for the resignation of former Prime Minister Abdullahi Mohamed Abdullahi and the appointment of a new Prime Minister to be confirmed by the Parliament. The TFG Parliament subsequently confirmed Prime Minister Abdiweli M. Ali on June 28. We look forward to working closely with him and

his cabinet over the next 12 months, and we view this as an important opportunity for the TFG to demonstrate its willingness to implement reforms in governance and to deliver services to its population.

The Kampala Accord is a sign that TFG leadership realizes that neither the Somali people nor the international community have the patience to continue to accept incessant political in-fighting that serves no purpose other than maintaining access to the perks of office and influence for certain individuals. We trust Prime Minister Abdiweli and his yet-unnamed cabinet will focus on the essential tasks at hand and bring into the process Puntland, Galmudug, Ahlu Sunna wal Jama'a and other Somali stakeholders. The United States and our international partners will continue to work closely with our partners in the United Nations and African Union to push for clear timelines and benchmarks for the TFG over the course of the next year. These benchmarks include completion of the national constitution, revenue transparency and accountability, and meaningful engagement with Somali administrations and civil society outside of Mogadishu.

Track two is moving forward with challenges and successes. We have expanded our diplomatic outreach with regional authorities such as those in Puntland, Galmudug, and other districts. We frequently engage with Somaliland officials and have traveled to Hargeisa five times. We have been a strong advocate for representatives from these regions participating in conferences and other events such as the UN's counter-piracy focused mechanism (known as the Kampala Process), and the UN's consultations in April, which focused on ending the transition. We have also pressed for their inclusion in the Joint Security Committee, a grouping designed to better coordinate and improve security throughout Somalia. This type of interaction and consultation between U.S. and Somali interlocutors is critical as we work with Somalis to advance peace and security throughout Somalia.

We are reviewing how best to adapt our travel policy for Somalia to execute our Dual Track approach most effectively. Travel by State Department personnel to Somaliland and Puntland would reinforce our commitment to Somalia, the Somali people, and the Dual Track policy. However, the security of U.S. personnel is of paramount importance when they travel inside Somalia, and we will not shirk this obligation.

The current budget environment will have an impact on our ability to affect positive change in Somalia over the near- to mid-term. On the security side, we have been witnessing a major increase in requirements over the past year, particularly as new AMISOM troop contingents move closer to deployment, which

requires the provision of additional training, equipment, and UN-provided logistical support. While the TFG's National Security Force (NSF) continues to make strides towards becoming a more professional force, it remains at a low baseline in terms of capabilities and resources, and will continue to require external support for years to come.

On the development and peace building side, Somalia consistently receives funding to mitigate conflict, strengthen governance institutions, improve education, increase economic opportunities for youth, and improve maternal and child health. In FY 2011, the proposed level of approximately \$21 million will support development efforts in support of the Dual Track policy. The U.S. government is also providing \$48 million in humanitarian assistance this year to help those in Somalia, as well as over \$76 million in humanitarian assistance for those who have fled Somalia. Even in a resource-constrained budget environment, the U.S. government continues to do as much as possible to promote our core goal of building a peaceful and secure Somalia. During FY 2011 and through USAID's newly created Transition Initiative for Stabilization, we are working to increase stability through targeted interventions that foster good governance and economic recovery while also reducing the appeal of extremism. To improve service delivery and revitalize the community's connection to local authorities, we've recently completed a large scale garbage clean-up project in Mogadishu that employed 1,100 vulnerable people on a short-term basis. In addition, in Somaliland, our funding was used to build collaborative and strategic partnerships between government institutions, private sector and civil society that then worked jointly to identify priorities for a small grants program. We are also providing technical assistance to the Ministry of Finance to improve fiscal transparency.

The increasing piracy problem off the coast of Somalia stems from years of instability, lack of governance, and economic fragility on land. The deaths of four Americans this past February was tragic and provided a sober demonstration of the need to do more to address this problem. My colleagues across the interagency are collectively addressing the many different facets of the piracy dilemma and have been at the forefront of the U.S. government's counter-piracy efforts.

Despite these critical efforts, more must be done to address the instability, lack of governance and economic opportunity in Somalia that are at the heart of the piracy problem. We must also work with Somali authorities and other regional states to enhance their capacity to prosecute suspected pirates and imprison those convicted. Internationally, more focus should be placed on tracing financial flows in order to determine who benefits most from piracy, both within Somalia as well as externally. We hope that two recent international conferences will contribute to

this effort. There are no instant fixes to the issues that contribute to Somalis taking to the sea as pirates. Nonetheless, Somalia's political leaders must commit to combating this scourge and work together in a consistent fashion to bring it to an end. This is the consistent message our diplomats deliver when meeting with Somali officials. Though these efforts take place in the context of other challenges, namely access, funding, and viable local partnerships, we will continue to support efforts aimed at reducing the piracy threat, in particular identifying and going after those who plan, finance, and facilitate piracy operations.

Al-Shabaab and its relationship to al-Qaeda is a significant concern for the United States and its partners in the region. With sustained military pressure from the TFG National Security Force and AMISOM, al-Shabaab's hold on Mogadishu has decreased. The opening of additional fronts in the Gedo and Middle and Lower Juba regions last February has also placed additional pressure on al-Shabaab's ability to hold these areas. As more areas escape al-Shabaab's control, the challenge is for Somalis to put into place effective administrations capable of providing governance and services in order to prevent Shabaab from returning.

While we see signs of al-Shabaab's control lessening in the western regions of Somalia and in Mogadishu, we remain strongly concerned about its impact on Somalia and the region. We continue to monitor events in Somalia, including the influence of al-Qaeda on senior al-Shabaab leadership. However, as an organization al-Shabaab includes multiple factions with competing objectives, and has lost significant areas of territorial control in areas of south central Somalia. Al-Shabaab's leadership is increasingly fractured and divided, with questionable support from the Somali people in many areas.

Somalia's instability is the product of generations of neglect and corruption, but its solutions will be the product of generations of concerted focus, legitimate engagement, and expectations of results. We will continue to focus efforts on Somalia in ways that grapple with its challenges effectively and flexibly. Thank you, Mr. Chairman. I look forward to your questions.

Mr. SMITH. Mr. Yamamoto, thank you very much for your testimony, for your insights.

Assistant Administrator Lindborg.

STATEMENT OF THE HONORABLE NANCY LINDBORG, ASSISTANT ADMINISTRATOR, BUREAU FOR DEMOCRACY, CONFLICT, AND HUMANITARIAN AFFAIRS, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

Ms. LINDBORG. Thank you. Thank you, Chairman Smith, Chairman Royce, Ranking Member Payne, and distinguished members of the committee. And I particularly wish you a safer journey today, Congressman Payne, than your previous ones.

Thanks very much for this opportunity to testify today on the humanitarian crisis of Somalia, and for your continued interest and leadership on this issue. I have submitted longer testimony for the record, and will just give you a brief—

Mr. SMITH. Without objection, it is made a part of the record, and that of all our witnesses.

Ms. LINDBORG. I am sorry, what?

Mr. SMITH. Without objection, your full statement will be made a part of the record.

Ms. LINDBORG. Yes.

Mr. SMITH. And all of our witnesses, if you have a longer submission, it will also be made a part of the record.

Ms. LINDBORG. Great. Thank you. So today I will give you a briefer update on the situation, as well as the U.S. Government's assistance to help the 2.85 million people in need in Somalia.

I want to emphasize that although we are focused today on Somalia, this really is a regional crisis, with more than 10 million people in the countries of the Horn, who are all deeply connected in an arc of drought, of crop failure, and high livestock mortality.

The crisis is further complicated by the continuing conflict in Somalia, and our inability to fully and reliably reach more than 1.8 million Somalis, primarily in the south and parts of central Somalia, and the outpouring of Somali refugees into the drought-stressed areas of Kenya, Ethiopia, and Djibouti.

There, as you know, have been cyclical droughts in the Horn for decades, and as a result we have very advanced early warning systems that we established and fund, including the Famine Early Warning System Network, or FEWS NET, and the Food Security and Nutritional Analysis Unit. They continually collect data and provide analysis that has enabled us to pre-position stocks in the region, to target our assistance where we can, and to look ahead. And according to FEWS NET, the drought that we are currently seeing in the region is the worst in the Horn of Africa since the 1950s.

In Somalia, the combined effect of consecutive seasons of poor or failed rainfall, coupled with the conflict, have resulted in rising inflation, severe crop failure, very high livestock mortality, and significant, even alarming, malnutrition rates.

As a result, there are now 1.46 million Somalis who are internally displaced, and taken through the years now, 800,000 Somali refugees in the greater Horn. It takes, indeed, great resilience for the Somalis to continue forward.

In January 2011, our early warning systems estimated that 2.4 million people in Somalia were in crisis, and the latest data now indicate 2.85 million people are in need of life-saving assistance. This is a 19 percent increase in 6 months. And that means, of the estimated 9.9 million people in Somalia, one in four now needs international assistance to survive.

In May, I traveled to Kenya and Somalia to ensure that we are able to respond as fully and responsibly as we are able to to this crisis, and also to express the commitment of the United States to the people of Somalia during this critical period.

Along with U.S. Special Envoy Ambassador John Yates, I traveled to Hargeisa in the semi-autonomous region of Somaliland. We met with government officials, as well as local and international non-governmental associations while there.

And we met with President Silanyo, who expressed his concern over the failed rains, the loss of livestock, and the need for assistance, while also expressing deep thanks to the United States for our response and continued assistance.

I also spoke with the civil society leaders in Somaliland, who said that we are seeing the end of the pastoral lifestyle as we know it. With the drought and the conflict, continued lack of water and pasture, we are seeing nomads migrate increasingly into the urban areas, including to parts of Somaliland and Puntland, adding strain to an already stressed situation.

The impact of the drought on the people in Somalia is most vividly illustrated in the refugee camps in Ethiopia and in Kenya. As a result of an inability to get into other parts of Somalia, I visited the Dadaab refugee camps in Kenya, and talked to several families who had lost all of their livestock or sold their land, had no remaining assets, and thus began a long walk across Somalia to the Dadaab refugee camps in Kenya.

In Dadaab, we are now seeing Somali refugee populations arriving with global acute malnutrition rates of 30 to 40 percent. This is more than double the World Health Organization's emergency threshold number of 15 percent. And we are seeing severe acute malnutrition rates at 23 percent in new arrivals. That is seven to eight times higher than the 2 to 3 percent that is considered alarming.

We are seeing a similar increase in Ethiopia, with even higher malnutrition data, which my colleague, Dr. Brigety, will discuss. But let me make this data very simple to remember. One out of two Somalis now arriving in Ethiopia is acutely malnourished. One out of three arriving in Kenya is acutely malnourished.

Unfortunately in Somalia, we have significant challenges in providing humanitarian assistance, primarily in the south and central parts of Somalia, due to the presence of armed groups, especially al-Shabaab, which is a U.S.-designated foreign terrorist organization.

General insecurity and lawlessness prevents aid workers from reliably reaching more than 60 percent of the people in Somalia who need life-saving assistance, again primarily in the south.

In January 2010, the World Food Program suspended their operations in southern Somalia because of threats and unacceptable conditions created by these armed groups, particularly al-Shabaab.

Many other international NGOs are also unable to operate safely in southern Somalia, and this lack of access has created a severe, unabated humanitarian crisis and contributed to the significant outflow of refugees.

In order to deliver assistance to these areas where possible, we have developed a risk mitigation strategy with an emphasis on assuring our assistance reaches those most in need. We have put into place basic risk mitigation procedures, risk-based assessments, and special conditions for our grant agreements, and continue to work to ensure our programs in Somalia are appropriately and accountably managed and monitored, and reaching those areas that we can.

As a result, we have now provided \$40 million in humanitarian assistance inside Somalia this fiscal year. We have been pre-positioning supplies in the region since FEWS NET began warning of the crisis in August 2010.

We are helping to feed 1.2 million people in the accessible areas of Somalia, and treat tens of thousands of severely malnourished people in Somalia country-wide. We are providing health care, clean water, rehabilitation of basic water infrastructure, proper sanitation, hygiene education and supplies.

And we are also working to improve long-term opportunities with our development programs, with an emphasis on youth and women. We will continue to identify additional opportunities to meet the growing and concerning needs in Somalia.

Just 2 weeks ago, we released 19,000 metric tons of food aid from our regionally pre-positioned stocks to support general food distribution, supplementary feeding, emergency school feeding, and mother and child feeding inside Somalia. To help refugees who are fleeing the country, we have provided over \$76 million in life-saving assistance. Again, Dr. Brigety will describe more.

In early June, we set up a Horn Drought Task Force in the region. We have elevated that just this week to a Disaster Assistance Response Team, with 20 members in the region.

Looking ahead, and looking at the most recent data, we expect the perilous situation to worsen through the end of this year. Given limited labor opportunities, dwindling food stocks, sky-high cereal prices, we believe many households will continue to experience a severe situation and be unable to put food on the table. We will see an increased number of households that can no longer meet their food needs in the weeks and months ahead.

As unfortunate as that is, we also expect the situation in Somalia to continue to decline, and will look for additional ways to provide aid to those in Somalia, while also providing assistance for those forced to flee.

We are coordinating our emergency response programs with our ongoing development programs. We have an estimated budget of \$21 million for 2011 in our development programs, which will continue to look at building economic and political stability in areas that we can.

We consider this an extremely grave situation. We thank you for your support of our ongoing programs, and thank you for holding this important hearing today, as we continue to work this issue. Thank you.

[The prepared statement of Ms. Lindborg follows:]

Written Testimony of
Nancy E. Lindborg
Assistant Administrator
Bureau for Democracy, Conflict, and Humanitarian Assistance
U.S. Agency for International Development

before the

Committee on Foreign Affairs
Subcommittee on Africa, Global Health and Human Rights
and
Subcommittee on Terrorism, Nonproliferation and Trade
United States House of Representatives
July 7, 2011

Chairman Smith, Chairman Royce, Ranking Members Payne and Sherman, and distinguished members of the Committees, thank you for this opportunity to testify before you today on the humanitarian crisis in Somalia. I will give you a brief update on the current situation and the U.S. government's efforts to help the more than 2.85 million people in need in Somalia, despite significant challenges on the ground.

Some of the world's most comprehensive early warning systems are present in the Horn of Africa to provide constant monitoring of food security conditions throughout the region. The Famine Early Warning Systems Network (FEWS NET) and Food Security and Nutrition Analysis Unit (FSNAU) maintain a strong presence in the region and enable the humanitarian community to identify conditions based on an extensive analysis of historical and current rainfall, cropping patterns, livestock health, market prices and malnutrition rates. USAID is one of the largest supporters of these vital early warning systems, and we rely on their information to provide appropriate assistance to those who need it most and to target assistance that might be needed in the future.

FEWS NET's early warning of the pending crisis in the Horn of Africa began in August 2010, allowing USAID to make sizeable, early food aid contributions and scale up emergency programs to meet the increasing needs in the region. I want to emphasize that although we are focused today on Somalis, this is truly a regional crisis as the countries of the Horn are deeply connected in an arc of drought, crop failure, and livestock mortality. This crisis is further complicated by the continuing conflict in Somalia and the resulting outpouring of Somali refugees into drought stressed regions of Ethiopia, Kenya and Djibouti, as will be discussed by Reuben Brigety, my State/PRM colleague.

Current Situation

According to FEWS NET, the drought currently plaguing the region is considered to be the worst in the Horn of Africa since the 1950s. This is a region long plagued by cyclical drought, but what used to be a ten-year cycle is now occurring every other year. In Somalia, the combined

effects of consecutive seasons of failed or poor rainfall coupled with conflict, have resulted in rising inflation, crop failure, livestock mortality, population displacement, food insecurity, and significant acute malnutrition rates in Somalia.

In January 2011, FSNAU estimated that 2.4 million people in Somalia were in crisis. Their latest data indicate there are at least 2.85 million people in Somalia in need of life-saving assistance, a 19 percent increase in six months. That means that, of the estimated 9.9 million people living in Somalia, one in four is now in need of international aid to survive.

In May, I traveled to Kenya and Somalia to ensure we were able to respond as fully and responsibly as possible to this growing crisis and express the commitment of the United States to the people of Somalia during this critical period.

Ambassador John Yates and I traveled to Hargeisa in the semi-autonomous region of Somaliland, where we met with President, Mr. Ahmed Mohamed Silanyo, the Minister of Planning, Mr. Saad Shire, as well as United Nations (UN) officials and local and international nongovernmental organizations.

With 3.5 million citizens and an economy based largely on livestock, the drought is deeply affecting the people in this region. President Silanyo expressed his concern over the failed rains, the loss of livestock and need for humanitarian assistance, while also thanking the U.S. Government for its important support.

Somaliland is also struggling with the large numbers of Somalis displaced from the south by the intolerable combination of drought and conflict, drawn by the stability it offers in a region of turbulence. I spoke with a civil society leader in Somaliland who noted, "We are seeing the end of the pastoral lifestyle as we know it." The nomadic pastoral lifestyle relies on livestock for food and income and continual migration to find water and pasture for the herd. With drought and conflict, the nomads are without water and pasture and unable to migrate safely. Many of them are left without assets or income, and many of them are young. As they migrate out of the south, they are attracted to the urban areas of the north, adding strain to an already stressed situation. This is a problem throughout Somalia, where there are now approximately 1.46 million internally displaced people, with concentrations in Mogadishu and the regions of Shabelle Hoose and Galgaduud and increasing numbers in Puntland and Somaliland.

The impact of the drought on the people in the eastern Horn of Africa is most dramatically illustrated by the state of Somali refugees arriving in Kenya and Ethiopia. To get a more complete picture of the situation, I also visited the Dadaab refugee camps in Kenya. Many Somalis are leaving their homeland in search of food, water and shelter, adding to an existing refugee population and straining resources in drought stressed areas of Kenya and Ethiopia. The total regional refugee population is now more than 750,000.

Twenty years ago, Dadaab was constructed for 90,000 people. Today it is home to over 370,000 refugees, 95 percent of whom are Somali. The Office of the U.N. High Commissioner for Refugees (UNHCR) reports 9,000-10,000 new arrivals in Dadaab each month since January

2011. But in just the last two weeks, UNHCR reports some 20,000 new arrivals from Somalia. In 2011 alone, Dadaab has grown by over 66,000 refugees.

I talked with several families who had lost all their livestock or sold their land, and with no remaining assets, began the long walk to Dadaab refugee camp in Kenya for help. Along with thousands of others, they walked to the border, often for weeks or even months through areas with increasing reports of roadblocks and landmines. By the time they arrive, many – particularly children – suffer from moderate to acute malnutrition and are in dire need of life-saving assistance that is inaccessible in many parts of southern and central Somalia. Many of the children arrive with malnutrition rates well above the emergency threshold.

In Dadaab, we are now seeing Somali refugee populations arriving with global acute malnutrition (GAM) rates of 30 to 40 percent. This is more than double the World Health Organization's emergency threshold number of 15 percent. And we are seeing severe acute malnutrition (SAM) rates at 23 percent in Dadaab arrivals, which is seven or more times higher than the 2 to 3 percent considered alarming.

Even more alarming is the fact that more children reportedly died in therapeutic feeding centers in Dadaab during the first three months of 2011 than in all of 2010. And this is not due to a lack of supplies or adequate treatment once in a therapeutic feeding center. This is because many children are now so severely malnourished when they arrive at the treatment centers that there isn't anything the centers can do to save them.

Ethiopia is also seeing an increase in Somali refugees as well. The latest malnutrition data on arrivals in Boqolmayo refugee camp is 47 percent global acute malnutrition (GAM), which is 213 percent higher than emergency thresholds. And at 23 percent, the rate of severe acute malnutrition is 1,100 percent higher than the levels that cause the humanitarian community to sound the alarm bells.

Let me make the data simpler to remember. One out of every two Somalis now arriving in Ethiopia is acutely malnourished, and one out of three arriving in Kenya is acutely malnourished.

Challenges to Providing Humanitarian Assistance

As noted earlier, we have been prepositioning supplies in the region since FEWS NET began warning of the crisis in August 2010. However, in Somalia, significant challenges exist in successfully providing humanitarian assistance in south-central Somalia, primarily due to the presence of armed groups, especially al-Shabaab which is a U.S.-designated foreign terrorist organization.

General insecurity and lawlessness prevents aid workers from reliably reaching more than 60 percent of the people in Somalia who need life-saving assistance, primarily in the south. In January 2010, the United Nations World Food Program (WFP) suspended operations in southern Somalia because of threats and unacceptable conditions created by armed groups, in particular al-Shabaab. Many other international and nongovernmental organizations also are unable to

operate in southern Somalia due to the safety and security risks. The lack of access has created a severe unabated humanitarian crisis in southern Somalia and has contributed to the significant outflow of refugees into the region.

In order to deliver assistance to these areas, where possible, we have developed a risk mitigation strategy to enable us to provide assistance to the Somali people with an emphasis on assuring our assistance reaches those most in need. We have put into place basic risk mitigation procedures, risk-based assessments, and special conditions for our grant agreements. We continue to work to ensure our programs in Somalia are appropriately and accountably managed and monitored.

U.S. Government Assistance for the Somali People

Based on these risk reduction measures, the United States has provided more than \$48 million in humanitarian assistance in Somalia in fiscal year 2011 to date. This includes food aid and \$2.5 million in other humanitarian assistance specifically for the needs of an estimated 360,000 people in Somaliland and Puntland.

U.S. assistance helps feed 1.2 million people in accessible areas of Somalia and treat tens of thousands of severely malnourished Somalis countrywide. Our assistance also provides health care, clean water, proper sanitation, and hygiene education and supplies. The United States also works to improve long-term opportunities for Somali communities, especially youth and women.

We continue to identify additional opportunities to meet the growing needs in Somalia. Just last week, USAID released 19,000 metric tons of food aid from its regionally prepositioned stocks to support general food distribution, supplementary feeding, food for work, emergency school feeding, mother and child feeding, and institutional feeding programs in Somalia.

To help Somali refugees forced to flee their country, the United States has provided over \$76 million in life-saving assistance, including more than \$60 million in food assistance from USAID.

Our emergency assistance works in coordination with our ongoing development program in Somalia, with a proposed fiscal year 2011 level of approximately \$21 million. For disaffected youth who lack hope and opportunities, the lure of armed violence and extremism is strong. To help stem the tide in the wake of this dire humanitarian crisis, USAID development programs are building economic and political stability, supporting peace building, strengthening government institutions, and increasing livelihood and business opportunities.

Looking Ahead

This severe drought affects more than just Somalia. In the eastern Horn of Africa, more than 10 million people are in need of emergency assistance in the wake of this drought. Emergency levels of acute malnutrition are widespread, and we are deeply concerned that we are growing closer to a very dangerous situation across the Horn.

Our experts at FEWS NET and FSNAU have studied the most recent data they have collected, and they expect the perilous situation in the Horn of Africa to worsen through the end of the year. Given limited labor opportunities, the dwindling food stocks, and sky-high cereal prices, many households cannot put food on the table right now.

The main rainy season in Somalia, referred to as the *Gu*, lasts from April to June. The harvest after the *Gu* is the main harvest season in Somalia. This year, the initial assessments find that the *Gu* harvest in the southern region of Lower Shabelle will be a failure, and the harvest will be well below normal in the neighboring region of Bay. In a normal *Gu* season, these regions account for 71 percent of the total cereal production of southern Somalia. With food stocks and supplies continuing to decrease, the number of households that can no longer meet their food needs will only increase in the weeks and months to come.

As unfortunate as it may be, we do expect the situation in Somalia to continue to decline. Famine conditions are possible in the worst affected areas depending on the evolution of food prices, conflict, and humanitarian response.

The United States will continue to stand by the people of Somalia who have suffered so greatly for so long. The United States – along with the international community – will continue to look for additional ways to provide aid to those in Somalia while providing for those forced to flee Somalia in search of assistance.

Thank you, and I look forward to answering your questions.

Mr. SMITH. Assistant Administrator Lindborg, thank you very much for your testimony, and for working so hard to meet the needs of so many suffering people.

I would like to now ask Dr. Brigety if he would proceed.

STATEMENT OF REUBEN BRIGETY, PH.D., DEPUTY ASSISTANT SECRETARY, BUREAU OF POPULATION, REFUGEES AND MIGRATION, U.S. DEPARTMENT OF STATE

Mr. BRIGETY. Good afternoon, Chairmen Smith and Royce, Ranking Member Payne, and distinguished members of the subcommittee. Thank you very much for including me on this panel to review the situation of Somali refugees in the Horn of Africa, which is one of the consequences of what many have called a failed state in Somalia.

Today we are facing a critical emergency within what is a protracted Somali refugee situation dating back to 1988, when people in northern Somalia fled to Ethiopia and Djibouti to escape attacks by their own government.

Somalis represent the largest refugee population in Africa, with over 750,000 just in the greater Horn of Africa region alone. Over 120,000 of those have arrived just since January of this year.

A few weeks ago, Ethiopia opened its sixth camp for Somali refugees, and it is already almost full. A seventh camp is currently in the works. Djibouti has announced a second camp as well, and the international community continues to press Kenya to permit expansion of the Dadaab three-camp complex, which is home to over 370,000 refugees, almost all of which are Somalis.

You already may be aware that the Dadaab camps were opened some 20 years ago to house about 90,000 Somali refugees, and now house over four times as many, making just the camp the fourth largest population center in Kenya, and the largest refugee camp in the world.

Even in this overcrowded state, more than 1,000 refugees have arrived per day over the past few weeks in search of life-saving assistance. Indeed, the refugee situation has worsened dramatically in the last month, with reported new arrivals in June almost double in Ethiopia, and triple in Kenya, from what was reported in May.

Ironically, this may be partly a result of the success in pushing back al-Shabaab that Ambassador Yamamoto has highlighted, freeing some who could still move to do so, though the main contributing factor remains the difficult conditions within Somalia.

From a humanitarian perspective, what is most critical now is addressing the desperate and deplorable state of malnutrition, which threatens the lives of many newly-arriving refugee children.

They have endured the ravages of ongoing conflict, and struggled to survive the consequences of al-Shabaab's obstruction of international food aid in wide swathes of south central Somalia.

These new arrivals have faced the latest devastating drought, as Assistant Administrator Lindborg noted, a drought affecting the entire Horn and rivalling those on record going back to the 1950s.

Having sold all that they have owned to survive, they have made the arduous journey, mostly on foot, for days or even weeks, to

reach safety and humanitarian assistance in camps in Kenya and Ethiopia.

To illustrate the severity of this situation, the international humanitarian community considers it an emergency when the rate of global acute malnutrition within a population exceeds 15 percent. In Ethiopia, as Assistant Administrator Lindborg noted, global acute malnutrition rates close to 50 percent have been reported among newly arriving refugee children. In Kenya, global acute malnutrition rates of up to 40 percent have been reported among newly arriving refugee children.

This situation is substantially worse than when I last visited the Dolo Odo refugee camps in Ethiopia in February of this year. Newly arriving children are now dying in the refugee camp at the rate of two to three children every day.

During my most recent visit to the region just last week, a senior advisor of the Ethiopian Government's refugee agency, and a veteran of UNHCR, told me of the condition of near-death of many children as they arrive in the camps, some so emaciated, and with skin lesions so deep, that you can see their bones in their skulls and in their arms through their translucent skin.

In his words, "People are coming from Somalia to die in Ethiopia." We must ensure that as many as possible of these children are saved through urgent and timely interventions, such as emergency therapeutic feeding programs and rapid registration to ensure prompt access of refugees to regular food distribution.

Though some of these activities are already underway, the level is not yet adequate to meet the considerable needs of the population. Given the urgent nature of the situation, I will be traveling to the Horn again tomorrow, and plan to visit the camps in the southeast of Ethiopia, which are receiving the vast majority of new arrivals. And I will be accompanied by our Ambassador to Ethiopia, Ambassador Donald Booth.

Speed is of the essence as we seek to prevent additional deaths. And yet, we cannot forget that this, too, is a regional crisis that will require the combined efforts of the international community, all the more so in that, as my colleague Ms. Lindborg testified, this drought disaster is putting some 10 million people at risk throughout the Horn.

The appalling state of Somali refugees is a stark example of what the drought is doing to the people of the Horn, and emphasizes the importance of a comprehensive response to address the needs of all those suffering from this crisis.

Regrettably, famine experts tell us that the worst of this regional drought crisis is still to come in the months before the next possible rains this fall.

My bureau, the State Department's Bureau of Population, Refugees and Migration, which supports all refugee protection and assistance efforts except for food aid, which is supported by my colleagues from USAID's Office of Food for Peace, is in the process of programming over \$63 million for the Horn, and will be providing additional funds next week, when we expect a new appeal from the Office of the U.N. High Commissioner for Refugees, to which we will be responding.

There are clearly many challenges still ahead. Countries in the Horn are understandably weary of hosting hundreds of thousands of refugees. Some, such as Kenya in the early 1990s, have seen refugee inflows reach 1,000 per day, and would very much want to avoid repeating these experiences.

Some, such as Yemen, are in great turmoil themselves. Events in Sudan could well generate more Sudanese refugees in coming months. Security inside much of south central Somalia is not conducive to mounting easily successful humanitarian operations that might reach those in need where they are.

For example, I understand that the efforts of the U.N. humanitarian team this week to assess conditions and humanitarian access in areas along the border of Kenya and Ethiopia were derailed by the presence of roadside bombs and land mines.

As a consequence, we must ensure that safe places of asylum in the countries neighboring Somalia continue to exist, and that refugees can find security as well as life-saving assistance.

We will continue to work with our colleagues in the U.S. Government, and with our counterparts in other countries, to achieve these goals. We welcome your support, we are grateful for it, and I would welcome any questions you may have. Thank you very much.

[The prepared statement of Mr. Brigety follows:]

Deputy Assistant Secretary Reuben Brigety, II
 Bureau of Population, Refugees, and Migration
 U.S. Department of State
 Before the House Committee on Foreign Affairs
 Subcommittee on Africa, Global Health, and Human Rights
 Subcommittee on Terrorism, Non-proliferation, and Trade
 Hearing: Assessing the Consequences of the Failed State of Somalia
 Thursday, July 7, 2011 – 12:30 PM

Good afternoon, Chairmen Smith and Royce, Ranking Members Payne and Sherman, and distinguished members of the Subcommittees. Thank you for including me on this panel to review the situation of Somali refugees in the Horn of Africa – one of the consequences of what many have called a failed state in Somalia.

Today we are facing a critical emergency within what is a protracted Somali refugee situation dating back to 1988 when people in northern Somalia fled to Ethiopia and Djibouti to escape attacks by their own government. Somalis represent the largest refugee population in Africa – over 750,000 just in the greater Horn of Africa region. Over 120,000 of those have arrived just since January of this year. A few weeks ago, Ethiopia opened its sixth camp for Somali refugees and it is already almost full. A seventh is in the works. Djibouti has announced a second camp. And the international community continues to press Kenya to permit expansion of the three-camp Dadaab complex which is home to over 370,000 refugees, almost all Somalis. You already may be aware that the Dadaab camps were opened some twenty years ago to house about 90,000 Somali refugees and now house over four times as many – making it the fourth largest population center in Kenya, and the largest refugee camp in the world. Even in this overcrowded state, more than 1,000 refugees have arrived per day over the past few weeks in search of life-saving assistance.

Indeed, the refugee situation has worsened dramatically in the last month with reported new arrivals in June almost double in Ethiopia and triple in Kenya those in May. Ironically, this may be partly a result of the successes in pushing back al-Shabaab that Ambassador Yamamoto has highlighted, freeing some who could still move to do so, though the main contributing factor remains the difficult conditions within Somalia.

From a humanitarian perspective, what is most critical now is addressing the desperate and deplorable state of malnutrition, which threatens the lives of many newly arriving refugee children. They have endured the ravages of ongoing conflict and struggled to survive the consequences of al-Shabaab's obstruction of international food aid in wide swaths of south-central Somalia. These new arrivals have faced the latest devastating drought – a drought affecting the entire Horn and rivaling those on record going back to the 1960s. Having sold all that they owned to survive, they have made the arduous journey, mostly on foot for days or even weeks, to reach safety and humanitarian assistance in camps in Kenya and Ethiopia.

To illustrate the severity of this situation, the international humanitarian community considers it an emergency when the rate of global acute malnutrition – the rate of children under five who are moderately and severely malnourished taken together – within a population exceeds fifteen percent. In Ethiopia, global acute malnutrition rates close to 50% have been reported among newly arriving refugee children. In Kenya, global acute malnutrition rates of up to 40%

have been reported among newly arriving refugee children. This situation is substantially worse than when I last visited the Dolo Odo refugee camps in Ethiopia in February of this year. Newly arriving children are now dying in the refugee camp at the rate of two to three per day.

During my most recent visit to the region last week, a senior advisor of the Ethiopian government's refugee agency and a veteran of UNHCR told me of the condition of near death of many of the children arriving in the camps, some so emaciated and with skin lesions so deep that you could see their bones showing in their skulls and arms. In his words, people are coming from Somalia to die in Ethiopia. We must ensure that as many as possible of these children are saved through urgent and timely interventions such as emergency therapeutic feeding programs and rapid registration to ensure prompt access of refugees to regular food distribution. Though some of these activities are already underway, the level is not yet adequate to meet the considerable needs of the population.

Given the urgent nature of the situation, I will be traveling to the Horn again next week and plan to visit the camps in the southeast of Ethiopia which are receiving the vast majority of new arrivals, accompanied by our ambassador to Ethiopia, Ambassador Donald Booth. Speed is of the essence as we seek to prevent additional deaths. And yet, we cannot forget that this too is a regional crisis that will require the combined efforts of the international community – all the more so in that, as my colleague USAID Assistant Administrator Nancy Lindborg is testifying, this drought disaster is putting some 10 million people at risk throughout the Horn. The appalling state of Somali refugees is a stark example of what the drought is doing to the people of the Horn and emphasizes the importance of a comprehensive response to address the needs of all those suffering from this crisis.

Regrettably, famine experts tell us that the worst of this regional drought crisis is still to come in the months before the next possible rains this fall. My bureau – State Department's Bureau of Population, Refugees, and Migration – supports all refugee protection and assistance efforts except for food aid for refugees which comes from USAID's Food for Peace Office, is in the process of programming over \$63 million for the Horn and will be providing additional funds next week when we expect a new appeal from the Office of the UN High Commissioner for Refugees to which we will be responding.

There are clearly many challenges ahead. Countries in the Horn are understandably weary of hosting hundreds of thousands of refugees. Some, such as Kenya in the early 1990s have seen refugee inflows reach 1,000 per day and would very much want to avoid repeat experiences. Some, such as Yemen, are in great turmoil themselves. Events in Sudan could well generate more Sudanese refugees in coming months. Security inside much of south-central Somalia is not conducive to mounting easily successful humanitarian operations that might reach those in need where they are. For example, I understand that the efforts of the UN humanitarian team this week to assess conditions and humanitarian access in areas along the border of Kenya and Ethiopia were derailed by the presence of roadside bombs and landmines. As a consequence, we must ensure that safe places of asylum in the countries neighboring Somalia continue to exist and that refugees can find security as well as life-saving assistance. We will continue to work with our colleagues in the U.S. government and with our counterparts in other countries to achieve these goals.

We welcome your support. And I would welcome questions you may have. Thank you.

Mr. SMITH. Thank you very much, Dr. Brigety. Let me begin—we do have a recorded vote, one of the vital and necessary distractions that we face during the day. And it will be about an hour's worth of voting.

So I will ask some questions at the outset, rapid-fire, and ask my colleagues if we could all ask some questions. And hopefully we can get it done that way, and then go to our second panel when we return.

Very quickly. Ms. Lindborg, the unmet food need—obviously, you have outlined an absolutely catastrophic situation of malnutrition. What is the lack of donor aid? What is the unmet need there, dollars and cents? And is there an inability to deliver it because of conflicts, just that we can't get the security aid or the food aid to the people occupied by al-Shabaab and the like?

FEWS NET, obviously, has given us a great insight as to what is coming on malnutrition. What are we looking at in terms of menacing diseases? We know many diseases are manifesting already. Are there others on their way? If you could just go through some of those diseases.

To Dr. Brigety, you mentioned a UNHCR appeal. I was going to ask you about that. And if you might touch on what that unmet need—what you anticipate the needs will be, so we can hopefully meet our very significant obligations from a humanitarian point of view.

And if you could maybe speak briefly about the relative security inside and outside, in proximity to the refugee camps. We know that camps all over the world are often menaced by threats, especially to women. Do you find that with these as well?

And then, Ambassador Yamamoto, on AU peacekeepers. Their rules of engagement: Are they robust enough? There are some who suggest that their actual presence hurts the TFG's ability to rule, primarily because of a Somali aversion to a sense of an occupying force, even if that force is benign, as the AU force obviously is.

The resilience of al-Shabaab. Dr. Pham, in his testimony, talks about their resilience, their ability to adapt. What is our take on that?

And what is the troop strength, if you want to call them troops, terrorist strength, of al-Shabaab? How big is it?

And are weapons coming through Sudan, Eritrea? And are any of those weapons coming from China?

With regards to the pirates, Dr. Murphy points out in his testimony—and others have pointed out in their testimony as well—that there needs to be a land solution. And I think that is obvious, but if you briefly could touch on that.

Chairman Royce? We'll do all the questions, so that—

Mr. ROYCE. Yes, and I will be very brief as well. Deputy Assistant Secretary Yamamoto, if I could ask you this question: When the last administration left office, there was an internal debate over whether Eritrea should be designated a state sponsor of terrorism for its support for al-Shabaab. It didn't happen at that time, but just after she left government service, former Assistant Secretary Jendayi Frazer wrote a good piece in the Wall Street Journal, and the theme was Eritrea should be listed as a state sponsor of terrorism.

We have got U.N. report after U.N. report citing their support for al-Shabaab. The case is pretty cut and dry. Assistant Secretary Carson testified flat-out that “the Government of Eritrea continues to supply weapons and munitions to extremist and terrorist elements.” We are trying to put them on defense.

I think now is the time to press. We argue here that many of these problems can’t be solved by military means alone. Well, here is a chance for diplomacy to add teeth to this.

So I put that question to you, and yield to Mr. Payne.

Mr. SMITH. Thank you, Chairman Royce. Mr. Payne?

Mr. PAYNE. Thank you very much. I would just like to ask, with the 12-month—and anyone can answer it—the 12 months that will be used now for elections in Somalia, do you think that the TFG will be able to handle it? What do you think the new move, with the new Prime Minister, the contention between the President and the Prime Minister, do you think we will be able to see the TFG be able to put elections on course?

The strength of the AU forces. Do you feel that they have enough forces to contain al-Shabaab, who as you know is getting support from al-Qaeda? And do you see whether the government is being able to win that battle?

And finally, on Eritrea. As you know, I was the last Member of Congress to visit there, several years ago, and have been able to talk to President Isaias. I wonder, in your opinion, as we are going to move for sanctions—and I have a lot of respect for Congressman Royce’s position—do you think that the designation—you know, once you get on that terrorist list, that is it forever. And that could close off any kind of possibility.

Is there, in your opinion, a last-minute opportunity to see whether President Isaias—I mean, the President of Eritrea did write President Obama when he first came in, saying that he was interested in having some dialogue. Do you think that to shut it off totally—that ends it all, which I am not saying, Congressman Royce, that—absolutely everything points to the fact there should be something done—or do you think a last-minute shot at attempting to see if the Government of Eritrea could be convinced that it should try to cooperate?

I am still at the point where—I know once that designation goes, it stays. I mean, President Mandela just was able to get off the terrorist list last year, because they said ANC was a terrorist organization in the ’60s and ’70s and ’80s.

And for a birthday present, we were able to push the administration to take the President’s administration off the terrorist list, just last year. So once you get on that list, you are there forever. So I just wondered about your opinion.

Mr. SMITH. Ms. Bass. Ms. Bass, do you have any other questions? Ms. Lindborg?

Ms. LINDBORG. Thank you. Just to reiterate, as unfortunate as it is, we do expect that the situation in Somalia will continue to decline, and famine conditions are possible.

There is a concerted international effort to try to meet what are not just food needs, but they are water, clean drinking water needs, and the ability of people to access supplies that are still available to them.

We are seeing about a \$200-million funding gap, even with the \$349 million that we along with, primarily, ECHO, Japan, UK, and Norway have provided toward the U.N. funding appeal.

Again, to reiterate, we have currently provided about \$48.4 million. We have more in the pipeline, and we are looking hard at how we can responsibly provide that assistance.

Unfortunately, there is difficulty in reaching nearly 61 percent of those Somalis who live in the south and parts of central Somalia, because of the presence of armed terrorist groups and the inability to reliably and safely provide assistance.

In terms of diseases, because of the ongoing programs that have been conducted by USAID and others, 93 to 95 percent of Somali children that we can reach have received polio immunizations, for example, just to show the power of those interventions. And we have been able to prevent reoccurrence of that.

What we are most concerned about is—and what we are seeing as children come across the border is malnutrition, and diseases that are related to lack of sanitation and lack of clean drinking water. So respiratory diseases, gastrointestinal and malnutrition diseases.

We are always alert for the possibility of those kinds of epidemics that are all-too-frequently common in these situations. And thus far, in the camps at least, we have been able to address that.

The concern, of course, is as conditions continue to deteriorate in those areas that are difficult to reach.

Mr. SMITH. Thank you. Dr. Brigety?

Mr. BRIGETY. Congressman, thank you very much for your questions. As you noted, in the interest of time, I will do my best to be brief, but I am happy to elaborate in a written response, if you would like that.

With regard to the UNHCR appeal, we do not yet know exactly what the size of that shortfall is going to be. The U.N. High Commissioner for Refugees, Mr. Antonio Guterres, has publicly said that obviously there is a shortfall, not only for the Horn but indeed for the entirety of their African program.

He has directed UNHCR earlier this week to immediately obligate \$20 million out of their operational reserves to respond very, very quickly to the crisis. He is also, I should say, traveling to the region, and will be there tomorrow to go to the camps in both Ethiopia and Kenya.

As I mentioned, we anticipate seeing their revised emergency appeal probably on Monday. We are prepared to respond generously. I suspect that we will respond as we have traditionally responded, with about 25 percent of the total of that appeal. Obviously, it will depend on exactly what the size of it is. But we will be able to let you know as soon as we do.

With regard to security, camp security is always an issue at every refugee camp. I think it is fair to say it is particularly an issue in Kenya, and that is true probably for two reasons.

One is the sheer size of the camp. I don't know if you have had a chance to visit Dadaab. It is massive. It really, really is massive. There are security incidents within the camp with not a fair amount of infrequency. The Kenyan Interior Ministry does have some guards on the periphery, but it continues to be an issue.

With regard to the camps inside Ethiopia, I think it is probably on a comparative basis, security is slightly better. But that is largely because it is even more remote than the camps in Dadaab are, frankly. And also, the nature of that population—it is at least 90 percent women and children. Very few men there, in those camps in Ethiopia.

But that is going to be one of the things that I will be looking at really intensely when I go to the region tomorrow.

Mr. SMITH. If you could let us know what you find there, as well.

Mr. BRIGETY. I will do that.

Mr. SMITH. Thank you, and be safe. Yes?

Ms. LINDBORG. With your permission, Chairman Smith, I would just add that, again, because this is a regional crisis, the totality of United States assistance in the region is currently \$360 million.

And that is just to underscore the stresses that the refugees are placing on the drought-affected communities in Kenya and Ethiopia as well. So there has been, where we are able to reliably reach people throughout the region, a generous response from the United States that has been critical, critical for saving lives throughout the region.

Mr. SMITH. Thank you. Ambassador Yamamoto.

Mr. YAMAMOTO. Congressman, on the AU forces, right now it is up to 10,000 troops. They are trying to get to the number that we in the United Nations agreed to, which is about 12,000 troops. They probably will not make that number.

We are looking at other troop contributing countries from west Africa to southern and central, but again we want to say that we commend the Ugandans and the Burundians, who are doing a tremendous job. And a lot of sacrifices. Since they operation started, they have lost 200 troops. And we are trying to do the best we can to provide the assistance and support that they need.

As I said, over the last 4 years—and this is 4 years—we have given about \$258 million. Compared to other operations, obviously, it is not a lot of money. But we are trying to do the best we can to support the AMISOM as far as training, logistical support, and to give them the capacity and capability to protect their troops against al-Shabaab.

The other issue, too, is \$85 million to the TFG troops to get them trained to capacity so that they can fight the war. Ultimately, the AMISOM troops can only do so much, that this really has to be a fight, a war, conducted and executed, prosecuted by the Somalis themselves. And that is what we are trying to do, is to give them the support and the assistance.

Right now, just something on the piracy. You know, the piracy is symptomatic of the instability within Somalia. When I was first the Ambassador in Djibouti, we saw the first cargo ship being hijacked, and we said, "That is not a good thing."

And so from that point on, we have seen the rates of hijackings and hostage-taking grow from about 11 ships, about 276 hostages, to earlier this year about 53 ships and over 500 hostages. And that has kind of gone down now, to 17 and 390 hostages, but that is because of the monsoon season.

And this increase is taking place at a time when we are expanding the international presence of Task Force 150, 151. And so what

it underscores is that the problem is basically not a piracy issue, but reflective of the instability in Somalia.

And that is an issue that we need to target and to confront. As you know, the Secretary of State outlined and articulated several points that we need to do, and what we are trying to do is to prosecute, and some naval operations, and regional capacity-building.

Looking at prosecution and incarcerations, as you know right now, the United States has taken 28 pirates. And of those, 17 have been convicted, and the others are still awaiting prosecution. The most recent one was, of course, Abdiwali, who has been taken to New York City.

The other issue, too, is that we are looking at best practices. We are looking at how we can expand and communicate, and also disrupt piracy enterprises.

And Congressmen Royce and Smith, you had stated quite clearly and articulately that we need to look at how we can disrupt all the financial assistance that is being accumulated by the pirates, and also the assistance coming in from outside into the pirates, as well as the arms flows and other issues.

Going to your questions on the state sponsor of terrorism for Eritrea, that is a very difficult question. At the end of the last administration, Eritrea was designated as a country of concern, and therefore it was a country that we are looking at, not only because of its support for rebel groups not only aimed against Ethiopia, but also the regional—at Camp Sawa and other camps in Eritrea—we are also looking very carefully at also the arm flows, but not just Eritrea, but from all countries, in all areas.

And one of the things that we have learned in Somalia is that we need to keep out the Eritreans, and all outsiders, and to give the Somalis an opportunity to resolve the problems themselves. Because ultimately this has to be a Somali approach and a Somali solution.

The SST designation is a difficult one. It is an issue that we are discussing. We are trying to get as much evidence together, and to discuss this.

Congressman Payne, you do raise a very cogent argument. The last U.S. official to visit Eritrea was—

Mr. SMITH. May I interrupt you, just very briefly? Greg Simpkins, our Chief Specialist for African Affairs on the subcommittee on the majority side will stay and hear the remainder of your comments. We are at zero on the House floor in terms of the votes, so I am going to run over.

If you could respond, Dr. Martin did raise an issue—and then go back to your response—about the maritime—the ships at sea that are attacked. And talks about restrictive rules of engagement. If you could speak to that, as well.

Because as he points out, being in the citadel is a harrowing experience, and he goes into great detail about the fact that the seas need to be controlled by the Navy. So if you could speak to that.

I do thank you all for your extraordinary testimony, and your work.

Mr. YAMAMOTO. As far as the issue on rules of engagement for piracy, the International Task Force 151 was set up to address the piracy issue. The U.S. Navy, along with probably around 24 other

countries, have contributed troop ships, around 48, over 48 ships, to look at an area that is extremely expansive and very difficult to monitor.

And during the non-monsoon seasons, the pirates are able to use mother ships to go really far from their bases in Somalia, into other areas, the Red Sea, and then the Gulf area, to capture ships.

It is a very difficult task. It is a very tremendous problem to get all these mother ships. But I think the rules of engagement, as the Secretariat articulated, is to coordinate with our allied countries, but also to coordinate with all the other countries within the region to address the piracy issue.

We have talked to, and negotiated with, countries such as Mauritius, Seychelles, Tanzania, Ethiopia, Djibouti, and Kenya, to—and also Somaliland and Puntland—to look at how we can address the capturing of these pirates, how to handle these pirates.

But more important is to work with these countries, as well as our international partners, that there has to be assured prosecution of all the pirates who are captured, and that they have to have assured prosecution, imprisonment, through the legal process and procedures.

Going back to what Congressman Payne had said on the Eritrea issue, the last visit by a U.S. official, again, was last June 2010. And in that process, our message to President Isaias and the Eritrean leadership has been clear, and it has been clear ever since.

It is that we extend a hand of discussion, negotiations, of opening, of discussion, of dialogue. But we have not received any response from Isaias or his government. In fact, since that time, my visa to return to Eritrea remains in the Eritrean Embassy, unacted-upon.

Assistant Secretary Johnnie Carson's visa application has remained at the Eritrean Embassy for over a year and a half. And so our position is still to engage the Eritreans, to look at areas where we can engage with them. But again, the response from the Eritreans has been negative.

Again on the SST, we continue to look at Eritrea on a wide variety of areas, from their gold mining factories run by a Canadian firm, Nevsun, which is probably producing profits in excess of several million dollars for the Eritreans this year, and in the future will probably be even more.

We are looking at the tax collection that they obtain in the United States. We look also at the foreign exchange reserves that Eritreans send to Eritrea, and say, "Is this according to the U.S. and international financial laws and institutions?"

So everything is being looked at and examined. We have—I do not wish to make any statements or comments at this point, because those things are still under research. And it is not just Eritrea. It is a lot of actors that are in Somalia that we are trying to prevent from playing a destructive or non-constructive role.

The other question that you asked, one last thing, was that again, on the financing et cetera for the African Union and the Transitional Federal Government—again, we work very closely with the Transitional Government to ensure that they will address this 1-year period.

As you know, the Kampala Accord, which was signed on June 9th, really resolved a stalemate where we were headed into August 2011 without any resolution to the Transitional Government.

And so what we want to do is look at this agreement achieved in Kampala that in the next year, how can we push the government toward those elections? How can we act on and implement the agreements made by the Kampala Accord? Which is reform, electoral process, and to remove the TFG. And those are areas that we will continue to look at and look closely, not only with the TFG and AMISOM, and the United Nations, but also the regional states and our other donor countries.

That is kind of a summary of the efforts that we will make.

Mr. SIMPKINS [presiding]. Thank you, Mr. Ambassador. And thanks to all the panel. And on behalf of the chairmen, we are in recess. Thank you.

[Whereupon, at 1:52 p.m., the subcommittee recessed, to reconvene at 2:47 the same day.]

Mr. SMITH [presiding]. The subcommittees will reconvene and consider they are sitting. I would like to now, first of all, apologize to our very distinguished witnesses for that long delay. There were 13 votes on the House floor, and obviously it took some time to complete that business.

But we will now complete this hearing. Our second panel, I welcome to the witness table. Dr. Peter Pham, who is the director of the Michael Ansari Africa Center at the Atlantic Council in Washington, DC. He is the incumbent vice president of the Association for the Study of Middle East and Africa, an academic organization which represents more than 1,000 scholars, and he is editor in chief of the organization's Journal of the Middle East and Africa.

Dr. Pham was the winner of the 2008 Nelson Mandela International Prize for African Security and Development. He has authored half a dozen book chapters concerning Somali piracy, terrorism, and stabilizing fragile states, as well as more than 80 articles in various journals, and has been over the years a very distinguished witness before our subcommittee. And I want to thank you for being here again today.

We will then hear from Bronwyn Bruton, of the One Earth Future Foundation. Ms. Bruton is a democracy and governance specialist with extensive field experience in Africa. She has worked for the National Endowment for Democracy, USAID, and GAO as a 2008/2009 international affairs fellow at the Council on Foreign Relations.

Ms. Bruton offered a series of prominent reports and articles on Somalia, and has provided expert commentary on Somalia to various media outlets. She has traveled frequently to the northern regions of Somalia, and collaborated with hundreds of Somali community-based and non-governmental organizations. She is currently a fellow at the One Earth Future Foundation.

Then we will hear from Dr. Martin Murphy, who is an internationally recognized expert on piracy and unconventional conflict at sea.

He is a visiting fellow at the Corbett Center for Maritime Policy Studies at King's College, a research fellow at the Center for Foreign Policy Studies, and was a senior fellow at the Center for Stra-

tegic and Budgetary Assessments between 2008 and 2010. He has authored a number of books, chapters, and articles on Somali piracy, international piracy laws, and related topics.

And finally, we will hear from Dr. David Shinn, who has been a professor in the Elliott School of International Affairs at George Washington University since 2001.

Prior to that, he served 37 years in the U.S. Foreign Service, and held the following positions, among others: Ambassador to Ethiopia, Director of East African Affairs, Deputy Director of the Somalia Task Force, Political Officer at the U.S. Embassy in Kenya, and Desk Officer for Somalia and Djibouti.

Moreover, he has served as the State Department Coordinator for Somalia during the international intervention in the early 1990s. So thank you, Ambassador, as well for being here, and all of you for your patience.

Dr. Pham, if you could begin your testimony?

STATEMENT OF J. PETER PHAM, PH.D., DIRECTOR, MICHAEL S. ANSARI AFRICA CENTER, ATLANTIC COUNCIL

Mr. PHAM. Thank you, Chairman Smith. Thank you very much for this invitation to appear before you today, and to contribute to your assessment of the consequences of the failed state of Somalia in general, and in particular the policy of the United States toward the challenges that arise. I will just summarize my prepared testimony, which I have already submitted.

As we meet, the situation in Somalia has reached a critical point. Two decades after the collapse of the last entity that could be possibly described as a Government of Somalia, and no fewer than 14 failed attempts to reconstitute such a centralized authority later, the country is still fragmented, and is fragmenting into multiple fiefdoms.

The current Transitional Federal Government, TFG, is limping toward the August 20th expiration of its already-extended mandate with little indication that it has made any progress toward the goals that were its reason for being and existing.

And while the Islamist insurgency spearheaded by al-Shabaab has suffered a series of setbacks in the last 9 months or so at the hands of the African Union Mission in Somalia, to say nothing of recent air strikes by unmanned aerial vehicles, operated or at least coordinated by U.S. forces, it is far from defeated.

Moreover, even allowing for the most optimistic interpretation of recent gains by the Ugandan and Burundian peacekeepers fighting in Mogadishu, the fact remains that their commanders claim to have secured barely half of the 16 districts of the city, and the total area under the effective control of the AMISOM forces today is actually smaller than that which the departing Ethiopian forces relinquished just 2 years ago.

Finally, the fate of Yemen is still very much undetermined. There is the specter of the existing links between al-Shabaab and al-Qaeda in the Arabian peninsula, those links expanding and proving an even greater threat to international and regional security, to say nothing of the increased threat posed by maritime piracy in the waters of the Gulf of Aden between the two countries and beyond, as the Greek oil tanker *Brillante Virtuoso*, carrying 1

million barrels of fuel oil, which was set ablaze yesterday just 20 miles off the port of Aden after a failed pirate attack, attests.

Unfortunately, compounding its poor political and military prospects, Somalia currently also faces environmental challenges which only exacerbate the former. In this context, I would like to make five points.

First, rather than being a solution to the challenge of state failure in Somalia, the TFG has clearly shown itself to be a part of the problem. What we are confronting is not just political incompetence, but outright criminality.

Last year, the U.N. Security Council's Sanctions Moderating Group for Somalia documented how senior TFG officials, including the Deputy Prime Minister and other members of the cabinet, were directly involved in visa fraud, including in one case facilitating the travel to Europe by two suspected al-Shabaab cadres.

More recently, the TFG's own auditors, reviewing the books for the years 2009/2010, revealed that while during the relevant period bilateral assistance to the regime totaled \$75.6 million, only \$2.87 million could be accounted for.

The auditors determined that the balance, more than 96 percent of international aid, was simply stole, and specifically recommended forensic investigations of the Office of the President, the Office of the Prime Minister, the Ministry of Finance, and the Ministry of Telecommunications.

Anyway, is it any surprise that such an outfit has had little success in rallying even minimal public support behind it, much less accomplishing any of the basic tasks which are its reason for existence?

There is perhaps no more telling indicator of the TFG's dismal prospects than the fact that no fewer than three different western initiatives to train a military force for it have recruited and trained and armed more than 9,000 troops, yet fewer than 1,000 of these remain loyal.

Two, AMISOM is neither sustainable as a military operation nor viable as a strategy. Despite its recent success in combat operations, the African Union force remains limited in the ways in which it can accomplish, due to lack of manpower and materiel.

Even if the personnel could be found to bring the force up to the new ceiling authorized—and Ambassador Yamamoto testified earlier that that was unlikely—it would still be beyond delusional to think that a 12,000-strong contingent would succeed where infinitely more robust and better-trained U.N. forces failed just a little over a decade and a half ago.

I would add, Mr. Chairman, that our reliance on AMISOM causes difficulties for our policy objectives elsewhere in Africa. Take, for example, the lamentably ham-fisted way in which the regime in Uganda has dealt with political opponents in recent months.

President Museveni knows that as long as the United States and other members of the international community insist on backing the corrupt and ineffective TFG, American and its partners will be constrained insofar as their ability to bring any meaningful pressure on him with respect to human rights.

Third, the resilience of al-Shabaab and other insurgent forces should not be underestimated, especially when the TFG and AMISOM continually fuel fires of local discontent.

Fourth, the process of devolution in the one-time Somali state continues, and represents a trend which, after more than 20 years, has become irreversible. Without necessarily precluding any future confederal arrangement, it seems a foregone conclusion that the political momentum among the Somali is moving overwhelmingly in the direction of multiple divisions, and against a heavily centralized top-down arrangement.

Fifth, a new approach is desperately needed if the worst consequences of Somalia's state failure are to be mitigated. Encouragingly, there have been various signs that parts of the international community may be finally coming, however reluctantly, to this conclusion.

Last fall, Assistant Secretary Carson announced a second-track strategy that would include greater engagement with government officials from Somaliland and Puntland, with an eye to looking to strengthen their capacity both to govern and deliver services.

While the new U.S. policy has yet to be fully worked out, to say nothing of receiving adequate resources, it nonetheless represents a dramatic and long-overdue shift. The challenge now is to be equally creative in developing the appropriate vehicles for political, economic, and security engagement with the appropriate Somali partners.

The forthcoming posting of Ambassador James Swan to Nairobi as the new coordinator of U.S. efforts on Somalia ought to be an occasion for a thorough review of our policy, its implementation, and the consequences thereof.

Certainly, if pragmatism counsels that we must endure another year of the TFG's existence for want of a ready alternative, then by all means let us ensure that this final year is exactly that, and avail ourselves of the time to carefully consider alternative paths for achieving what the Somali people deserve and our security interests demand.

Thank you very much, and I look forward to your questions.

[The prepared statement of Mr. Pham follows:]



Prepared Statement of

Dr. J. Peter Pham
Director, Michael S. Ansari Africa Center
Atlantic Council

before the

United States House of Representatives
Committee on Foreign Affairs
Subcommittee on Africa, Global Health, and Human Rights
and
Subcommittee on Terrorism, Nonproliferation, and Trade

on

"Assessing the Consequences of the Failed State of Somalia"

Thursday, July 7, 2011

12:30 p.m.

Rayburn House Office Building, Room 2212
Washington, D.C.

Chairman Smith, Chairman Royce, Ranking Members Payne and Sherman, Distinguished Members of the Subcommittees:

I would like to thank you very much for the invitation to appear before you today to contribute to your assessment of the consequences of the failed state of Somalia in general and, in particular, the policy of the United States towards the challenges that arise thereof.

As we meet, the situation in Somalia has reached a critical juncture. Two decades after the collapse of the last entity that can be plausibly described as "the government of Somalia" and no fewer than fourteen failed attempts to reconstitute such a centralized authority later, the country is still fragmented into multiple fiefdoms. The current "Transitional Federal

Government” (TFG) is limping towards the August 20 expiration of its already extended mandate with little indication that it has made any positive progress since the time I testified here two years ago that it was “not a government by any common-sense definition of the term: it is entirely dependent on foreign troops...to protect its small enclave in Mogadishu, but otherwise administers no territory; even within this restricted zone, it has shown no functional capacity to govern, much less provide even minimal services to its citizens.” While Islamist insurgency spearheaded by the al-Qaeda-linked *Harakat al-Shabaab al-Mujahideen* (“Movement of Warrior Youth,” al-Shabaab) has suffered a series of setbacks at the hands of the African Union Mission in Somalia (AMISOM)—to say nothing of recently increased strikes by unmanned aerial vehicles, presumably operated or at least coordinated by U.S. forces—it is far from defeated. Moreover, even allowing for the most optimistic interpretation of recent gains by the Ugandan and Burundian peacekeepers fighting in Mogadishu, the fact remains that their commanders claim to have secured barely half of the sixteen districts of the city and the area under their effective control today remains smaller than that which the departing Ethiopian forces relinquished to them just two years ago. Finally, with the fate of Yemen still very much undetermined, there is the specter of the already existent links between al-Shabaab and al-Qaeda in the Arabian Peninsula (AQAP) expanding and proving an even greater threat to regional and international security, to say nothing about the increasing threat posed by maritime piracy in the waters of the Gulf of Aden between the two countries and beyond.

Unfortunately, compounding its poor political and military prospects, Somalia currently also faces environmental challenges which only exacerbate the former. The failure of the May-June rains for the second year in a row in some areas are creating conditions that the largest Somali nongovernmental organization, SAACID, in a statement issued just this week, has qualified as “famine.” Beyond the humanitarian tragedy, the movement of clans which have lost between 80 and 100 percent of their herds in search of food and income in Mogadishu and other urban centers leaves entire Middle Shabelle districts like Adale and Raghe Elle to al-Shabaab.¹ The estimate released by the United Nations High Commissioner for Refugees (UNHCR) just two days ago that one-fourth of the total Somalia’s 7.5 million people have been driven from their homes by drought or violence to either centers within the country or refugee camps in neighboring states is even more dire when one considers that those displaced come almost exclusively from southern and central areas where the total population is actually less than half the figure cited by the refugee agency.

In this context, I would like to make five main points, before considering to U.S. policy:

1. Rather than a solution to the challenge of state failure in Somalia, the TFG has clearly shown itself to be part of the problem—in fact, a rather significant factor in the ongoing crisis.

¹ SAACID is also reporting a mass movement of families from Dinsoor District in Bay Region, and Qoryoley and Kurtun Warrey Districts in Lower Shabelle Region, to Mogadishu in search of food and employment, due to a loss of herds, crops and water in their home districts.

2. AMISOM is neither sustainable as military operation nor viable as a strategy. Whatever short-term advantages the presence of the African Union force provides are more than offset by the long-term complications it causes, both in Somalia and for regional politics.
3. The resilience of al-Shabaab and other insurgent forces should not be underestimated, especially when the TFG and AMISOM continually fuel the fires of local discontent.
4. The process of devolution in the onetime Somali state continues inexorably and represents a trend which, after more than twenty years, has become irreversible.
5. A new approach is desperately needed if the worst consequences of Somalia's state failure are to be at least mitigated.

Somalia's Dysfunctional TFG

Given all the diplomatic and political support they has enjoyed in recent years as well as the resources expended on training a Somali security force—to say nothing of the Ugandan and Burundian peacekeepers who have given their lives to defend them when most of them have lacked the commitment to put their own lives or those of their sons on the line—the utter failure of TFG head Sheikh Sharif Sheikh Ahmed and his ministers to extend the interim regime's writ beyond the grounds of Villa Somalia, the presidential compound in Mogadishu, is inexcusable. A report earlier this year by the International Crisis Group succinctly summarizes the sad state of affairs when it concluded that the TFG “has squandered the goodwill and support it received and achieved little of significance in the two years it has been in office. It is inept, increasingly corrupt and hobbled by President Sharif's weak leadership. So far, every effort to make the administration modestly functional has come unstuck.” And all this was before the quarrel between the TFG president and the parliamentary speaker, Sharif Hassan Sheikh Aden, broke into the open, only to be patched up, at least for the moment, when both men agreed to award themselves another year in office—by what legal authority no one knows—as well as to oust Prime Minister Mohamed Abdullahi Mohamed, a.k.a. Farmajo, to avoid having to continue sharing spoils with him.

Moreover, what we are confronting is not just political incompetence, but outright criminality. Last year the United Nations Security Council's Sanctions Monitoring Group for Somalia exhaustively documented how senior TFG officials, including the deputy prime minister and other members of the cabinet, were directly involved in visa fraud including, in one incident, the facilitation of travel to Europe by two suspected al-Shabaab cadres. More recently, the report of the auditors reviewing the TFG's books for the years 2009 and 2010 reveals that while during the relevant period bilateral assistance to the regime totaled \$75,600,000, only \$2,875,000 could be accounted for. The auditors determined that the balance, which

represents more than 96 percent of international aid to the TFG, was simply “stolen” and specifically recommended forensic investigations of the Office of the President, the Office of the Prime Minister, the Ministry of Finance, and the Ministry of Telecommunications, as the most egregious offenders.

As to recently ousted Prime Minister Farmajo, the spin put out by the public relations firms he hired with international donor assistance notwithstanding, he was no reformer. When political commentators said he came with “no political baggage,” it was a polite way of saying that he had no experience of Somali politics on the ground—he had not been in the country for a quarter of a century at the time of his appointment—and no base from which to lead. That is not to say that he did not learn quickly from his colleagues in the TFG. He held the post less than a year, but the auditors could not account for \$648,000 from the salary account of the Office of the Prime Minister. He also awarded his old boss, a former county executive from upstate New York with no evident foreign policy credentials, to lobby the U.S. State Department on his behalf. Given that Farmajo is a U.S. citizen and at least some of the “missing” or otherwise misspent funds undoubtedly derive from assistance funded by American taxpayers, perhaps the Department of Justice could be encouraged by the Subcommittees to take a closer look into the matter and determine whether any laws have been broken and, if so, what civil remedies might be sought or criminal prosecutions possibly brought.

Anyway, is it any surprise that such an outfit has had little success in rallying even minimal public support behind it, much less accomplishing any of the basic tasks—the fulfillment of which was the very *raison d’être* for its creation in the first place—including laying the reaching out to various segments of society, drafting a permanent constitution, conducting a census, holding elections, and, in general, reestablishing the foundations for Somali statehood?

There is perhaps no more telling indicator of the TFG’s dismal prospects than the fact that no fewer than three different Western initiatives—a United States-funded training program using private contractors, a European Union military mission, and a French operation—have recruited, trained, and armed more than 9,000 troops for the TFG and yet fewer than 1,000 of these recruits have remained loyal to the regime. To make matters worse, some of the personnel have gone over to the insurgents, taking with them invaluable tactical knowledge as well as their weapons.

The Challenge of AMISOM

To its credit and that of its international partners like the United States, AMISOM is certainly in much better shape than it has been at any other time in its more than four years of existence. Recently, at not insignificant sacrifice, AMISOM has managed to extend its operational reach enough for the force commander, Ugandan Major General Nathan Mugisha, to announce that it

is now present in thirteen of Mogadishu's sixteen districts, although he acknowledged that its soldiers "dominate" in just "more than half of these."

Nonetheless, AMISOM remains limited in which it can accomplish by lack of manpower and materiel. It took four years for the force to reach its original authorized strength of 8,000 peacekeepers. And while additional deployments from Burundi and Uganda have brought the current troop strength up to just over 9,000, there is no indication of where personnel will be found to bring the numbers up to the new ceiling of 12,000 authorized by the UN Security Council in December 2010. Even if the troops are raised and the international community, acting through the UN, the AU, or the subregional Inter-Governmental Authority on Development (IGAD), was to actually adequately equip the enlarged force, it would still be beyond delusional to think that a 12,000-strong contingent—or even the 20,000-strong force some blowhards at the AU summit last weekend were talking about—would succeed where the infinitely more robust and better trained and armed UNITAF and UNOSOM II forces, with their 37,000 and 28,000 personnel respectively, failed so miserably just a decade and a half ago against a far less capable opposition than the current Islamist insurgents.

If one looks at a successful model of counterinsurgency, the "surge" in Iraq during 2006 and 2007, the United States committed more than 160,000 troops to Iraq, backed by a further 100,000 service men and women deployed elsewhere in the region to provide rear support. This translates into one pair of boots on the ground for every 187 Iraqis. AMISOM, in contrast, is tasked with doing much the same job with one soldier for every 500 Somalis—and this if it limits its ambitions to just southern and central Somalia.

AMISOM's problem is, unfortunately, an all-too-familiar one: Its political architects gave very little thought as to what they hoped to achieve in Somalia, how they intended to do so, and what their exit strategy might be. Instead, what we have is nothing more than a charade whereby the international community pretends to be doing something while it really does very little, all the while throwing increasing, but nonetheless inadequate, numbers of African soldiers into a conflict that they cannot hope to "win." One of few things, aside from their noxious ideology, that unites the various Shabaab factions among themselves, is opposition to the TFG and its AMISOM protectors. The opposition to the presence of the AU force is one of the few advantages that al-Shabaab has to rally support from a Somali populace that otherwise has little time for its alien strictures, the ham-fisted tactics which AMISOM has often adopted in response to attacks by the insurgents having fanned the long-smoldering Somali resentment of the foreign intervention into veritable flames.

One might also observe that our reliance on AMISOM causes difficulties for our policy objectives elsewhere in Africa. Take for example the lamentably ham-fisted way in which the regime in Uganda has dealt with political opponents in recent months. President Yoweri Museveni knows that as long the international community continues to back the corrupt and ineffective TFG, it will be constrained insofar as bringing any meaningful pressure on him, since

the soldiers of the Uganda People's Defence Force are ultimately all that stand between the TFG and its inevitable fate.

Al-Shabaab's Resilience

Despite the setbacks they have suffered in recent months, unlike the TFG, the insurgents opposing it have proven to be rather flexible and well adapted to the type of campaign they are fighting.

In the aftermath of its losses in last year's Ramadan offensive, al-Shabaab reshuffled its leadership with Ibrahim Haji Jama, a.k.a. al-Afghani, a militant who trained and fought in Afghanistan and Kashmir before returning to Somalia, emerging as nominal leader of the group. More significantly, al-Shabaab has apparently formally adopted a decentralized system whereby various leaders have assumed command in their home areas, where they are most likely to garner support from fellow clansmen: the erstwhile emir, Ahmed Abdi Godane, a.k.a. Mukhtar Abu Zubair, has assumed control of operations in Somaliland; Fuad Mohamed Qalaf "Shongole" is in charge in Puntland; Mukhtar Robow Ali, a.k.a. Abu Mansur, in the Bay and Bakool regions of southern Somalia; Hassan Abdullah Hersi "al-Turki" continues to hold sway over the Middle and Lower Jubba Valley with his *Mu'askar Ras Kamboni* ("Ras Kamboni Brigades") now more integrated into the al-Shabaab organization; and Ali Mohamed Raghe "Dheere" doing the same in Mogadishu with the assistance of the Comoros-born al-Qaeda in East Africa chief Fazul Abdullah Mohammed until the latter was slain last month. Having been forced at the very end of last year to fold his *Hizbul Islam* ("Islamic Party") into al-Shabaab, Sheikh Hassan Dahir 'Aweys has been given command of the insurgency in his native Hiiraan region in central Somalia. It should be recalled Hizbul Islam's primary difference with al-Shabaab was in emphasis, rather than ideology, its two principal demands being focused on the implementation of a strict version of *shari'a* as the law in Somalia and withdrawal of all foreign troops from the country, rather than a more global jihadist agenda.

The shuffle in the extremist group's leadership as well as what appears to be a heightened campaign of drone attacks by U.S. counterterrorism forces may well have the effect of advancing more nationalist elements within the Islamist insurgency, thus rendering it actually more attractive to Somalis, both in Somalia and in the diaspora.

If I may be permitted a word about al-Shabaab and its place among international terrorist networks as there is not inconsiderable confusion and misinformation apropos. In March 2008, the U.S. State Department formally designated al-Shabaab an international terrorist organization. Three months later, then-Shabaab leader Godane responded by praising Osama bin Laden and his deputy, Ayman al Zawahiri—implying that the group had become part of al-Qaeda—and explicitly declaring al-Shabaab's intention to attack the United States. Four months later, al Shabaab released a video that pledging loyalty to al Qaeda and urged young Muslims to

join its cause. The following year, al-Shabaab released a video entitled *At Your Service, O Osama*, renewing its pledge of allegiance to bin Laden. Similarly, last year al-Shabaab's leaders issued a statement that linked their fight in the Horn of Africa to al-Qaeda's global jihad led by bin Laden.

Al-Qaeda has likewise been signaling its support for the al-Shabaab since at least June 2008, when a 19-minute video from one of its most senior commanders, Abu Yahya al-Libi, formally commended al-Shabaab and its cause to Somalis. During 2009, all three top leaders of al-Qaeda issued statements praising al-Shabaab's actions in Somalia, even going so far as to elevate them to the same level as the jihads in Afghanistan and Iraq. While Osama bin Laden released only five statements that entire year, he nonetheless devoted one of them entirely to Somalia, heralding al-Shabaab as "one of the most important armies in the Mujahid Islamic battalion, and are the first line of defense for the Islamic world in its southwest part" and declaring that "the war which has been taking place on your soil is a war between Islam and the international Crusade."

Despite these statements, however, most analysts do not believe that al-Shabaab is quite yet a branch of, much less under the operational control of al-Qaeda. However, most acknowledge—as does the most recent edition of the U.S. State Department's Congressionally mandated *Country Reports on Terrorism*—that there are many links between the two organizations. Certainly there is evidence dating back to at least 2007 of operational links—including transfers of knowledge and equipment—between al-Shabaab in Somalia and what eventually emerged as AQAP in Yemen. Those same links seem to be at work in the case of Ahmed Abdulkadir Warsame, a mid-level al-Shabaab militant captured by U.S. forces several months ago as he was shuttling between Somalia and Yemen, whose nine-count indictment on terrorism charges by a grand jury in the U.S. Federal Court of the Southern District of New York was unsealed on Tuesday; the evidence obtained from his questioning by the High-Value Interrogation Group are said to provide some of the clearest evidence to date of deepening relationship between al-Shabaab and AQAP. And while, unlike the other major group of violent Islamist extremists in Africa, al-Qaeda in the Islamic Maghreb (AQIM), al-Shabaab was never formally admitted as a branch of al-Qaeda during Osama bin Laden's lifetime, that may well change as his successors seek to establish a name for themselves by carrying out attacks wherever they can, but especially in the West.

Whatever its shortcomings as an organization and its seeming endless internecine strife, al-Shabaab has developed an effective media recruitment program that has been rather successful in reaching the large Somali diaspora in Europe, North America, the Middle East, Africa, and Australia. While the number of Somali recruits is tiny compared to the estimated two million Somalis in the diaspora, the relative success of the recruitment program has focused considerable international attention, by both terrorist networks and law enforcement

officials, on al-Shabaab's potential capabilities, especially the reach the extremist group clearly enjoys into diaspora communities, including those in the United States.²

Somalia's Inexorable Devolution

If there is a silver lining at all in this otherwise dismal landscape, it is the realization that just because the TFG under Sharif Ahmed is in even more disarray than it was under his irascible predecessor, the Darod warlord Abdullahi Yusuf Ahmed, does not mean that there is a complete absence of political progress among the Somali. Quite to the contrary, Somalis have been quite busy building alternatives to the faction-ridden, questionably legitimate, and generally useless "national government" that is still, perplexingly, the international community's preferred interlocutor with its fractious and corrupt denizens treated as if they were somehow statesmen, rather than the parasites their own auditors declare them to be.

The peaceful presidential election in the northwest region of Somaliland, a poll which international observers acknowledged met global standards, and the subsequent orderly transition to a new administration under President Ahmed Mohamed Mohamoud "Silanyo" further enhanced the territory's claim for international recognition of its *de facto* independence. The independence of South Sudan just two days from now further undercuts whatever "logic" argues against acknowledgment of Somalilanders' exercise of self-determination.

It is worth emphasizing that while Somaliland's appeal for diplomatic recognition is addressed to the international community, it is founded upon an internal legitimacy that has utterly eluded the TFG. In the two decades since its leaders reclaimed the sovereignty that Somaliland enjoyed before its disastrous union with *Somalia Italiana*, the northern region's successful demobilization of former fighters, formation of national defense and security services, and the extraordinary resettlement of over one million refugees and internally displaced persons fostered the internal consolidation of its nascent polity. The establishment of independent newspapers, radio stations, and a host of local NGOs and other civic organizations reinforced the nation-building exercise. The stable environment thus facilitated substantial investments by both local and diaspora businessmen who built, among other things, a telecommunications infrastructure more developed than existent in some of Somaliland's neighbors. Just last month, Coca-Cola announced the opening of a bottling plant in the region.

² While there is considerable disagreement among analysts as to the scope and nature of operational links between al-Shabaab and Somali pirates or if such even exist, there is also increasing agreement that at least some of the ransoms paid to the latter are being transmitted to the former in the form of a "tax" for license to operate in areas under the control of the Islamist group. According to a Reuters investigation at least tacitly endorsed by officials with the office of the United Nations special envoy for Somalia and the UN Office on Drugs and Crime (UNODC), between February and May of this year, al-Shabaab's "marine office" in Xarardheere received some \$1,146,000 from ransoms paid for six hijacked vessels.

Unlike quite a number of African regimes, the government of Somaliland actually collects taxes from its citizens, discovering in the process that it can actually increase revenue by more than halving sales and income taxes (from 12 to 5 percent and from as much as 25 to 10 percent, respectively). The World Bank is currently training tax officials and USAID recently agreed to build ten inland revenue centers across the region. And the funds raised have been spent in a manner that could hardly be more transparent: the introduction last year of universal free primary and intermediate schooling through the elimination of the hitherto parent fees.

In this context, given both the chaos and violence that characterize southern and central Somalia and the demographic reality that the majority of the more than three million Somalilanders were born after the region declared its resumed independence and have never thought of themselves as citizens of a unitary Somalia, can anyone imagine a scenario where it would be possible to peaceably reincorporate them into such a state? And why would the international community even want that to happen, given that Somaliland has not only kept its 740-kilometer coastline largely free of piracy, but has also even been deemed secure enough that, in December 2009, the Obama administration transferred two Somali detainees from Guantanamo there rather than risk sending them to the insecure conditions presided over by the TFG in Mogadishu. (See the report from a distinguished group of Africanists assembled by the South Africa-based Brenthurst Foundation, of which I had the privileged to be a part, and which I have attached as an addendum.)

While the northeastern region Puntland is still formally committed to being a part of a future federal Somalia, its people have continued to edge closer to abandoning altogether the shipwreck that is the Somali ship of state. It has been over a year since the regional parliament voted unanimously to adopt a distinctive flag, coat of arms, and anthem. While the region has its share of problems—and is itself a not insignificant problem for the international community insofar as it is the epicenter of Somali piracy activities which in recent years not only garnered record ransoms, but also expanded operations into unprecedented areas to the east and south—it is nonetheless understandable that Puntland's citizens are frustrated with the utter failure of the Mogadishu-based TFG to provide them with security or any other goods or services. As to the piracy rampant on the region's coasts, it is hard to conceive of how that problem can be resolved without some international engagement with Puntland authorities.

Other areas in the territory of the former Somali state are likewise moving along the same centrifugal trajectory. In the central regions of Galguduud and Mudug, for example, the local residents set up several years ago what they have dubbed the "Galmudug State." Last year, they elected a veteran of the old Somali military, Colonel Mohamed Ahmed Alin, to a three-year term as the second president of what describes itself as "a secular, decentralized state." A similar process is taking place in Jubbaland along the frontier with Kenya, apparently with the backing of the latter, which wants a buffer between it and the Islamist insurgency. Last year local clans in the region began forming a secular administration of their own. In April 2011, it was announced that the new autonomous authority of "Azania" had been inaugurated with the

TFG's own defense minister, Mohamed Abdi Mohamed "Gandhi," as its first president. Just this past weekend came news of another self-declared administration, "Himan Iyo Heb," established by Habar Gidir clansmen in central Somalia, north of Mogadishu. There are similar stirrings among the Hawiye in the Benadir region around Mogadishu and among the Digil/Rahanweyn clans farther south.

Without necessarily precluding an eventual confederal arrangement of some sort, it seems a foregone conclusion to all but the willfully blind that political momentum among the Somali is moving overwhelmingly in the direction of multiple divisions and that, except for those elites who have figured out how to extract rents from the status quo, the heavily centralized, "top-down" arrangement exemplified by the TFG has been almost universally rejected by Somalis across the gamut of the nation's clan, geographical, and political spectra.

The Need for a New Approach

The general assumption of most policymakers and analysts is that the state, possessor of the Weberian monopoly on legitimate violence, is the best instrument in the toolkit of international relations for preserving peace and, hence, when peace is lacking, the best response is to reinforce or even recreate the state. While this is undoubtedly true in many cases, there are those, like Somalia, in which state-building efforts actually fuel conflict, given the deficit in the political legitimacy of the interim regime or central government. Instead of enhancing peace, it serves as a prize over which rivals contend.

If the failure so far of no fewer than fourteen internationally-backed attempts at establishing a national government and the uncertainty surrounding the current fifteenth such effort indicate anything, it is the futility of the notion that outsiders can impose a regime on Somalia.

A more viable course than the one hitherto adopted by the international community will be the one that, by adapting to the decentralized nature of Somali social reality and privileging the "bottom-up" approach, is better suited to buy Somalis themselves the time and space within which to make their own determinations about their future political arrangements while at the same time flexible enough to allow their neighbors and the rest of the international community the ability to protect their legitimate security interests. Supporting governance at the level where it is accountable and legitimate—whether in the context of the nascent states like Somaliland and Puntland in the northern regions or in the emergent polities, local communities and civil society structures in parts of the south—is the most effective and efficient means of both managing the crises and countering the security threats that have arisen in the wake of the collapse of the Somali state.

Whither U.S. Policy?

Encouragingly, there have been indications that various parts of the international community may finally be coming, however reluctantly, to this same conclusion. Last fall, U.S. Assistant Secretary of State for African Affairs, Johnnie Carson, announced a “second-track strategy” that would supplement America’s hitherto policy of virtually unconditional—and, quite frankly, at times poorly-informed—support for the TFG. The new approach included greater formal engagement with government officials from Somaliland and Puntland with an eye to “looking for ways to strengthen their capacity both to govern and to deliver services to their people.” America’s top Africa diplomat acknowledged both that Somaliland and Puntland were “zones of relative political and civil stability,” and that “they will, in fact, be a bulwark against extremism and radicalism that might emerge from the south.” Significantly, he also held out the prospect of dealings with other forces in Somalia and delinked them from the feckless TFG:

Equally as a part of the second-track strategy, we are going to reach out to groups in south central Somalia, groups in local governments, clans, and sub-clans that are opposed to Al-Shabaab, the radical extremist group in the south, but are not allied formally or directly with the TFG. And we will look for opportunities to work with these groups to see if we can identify them, find ways of supporting their development initiatives and activities.

Shortly after Secretary Carson announced the “second-track strategy,” his example was followed by the African Union. After long refusing to even acknowledge their existence, the pan-African organization’s Peace and Security Council directed AU Commission Chairperson Jean Ping to “broaden consultations with Somaliland and Puntland as part of the overall efforts to promote stability and further peace and reconciliation in Somalia.”

While the new U.S. policy has yet to be fully worked out, it nonetheless represents a dramatic and long-overdue shift for which the administration deserves credit. The challenge now is to be equally creative in developing the appropriate vehicles for political, economic, and security engagement with the appropriate Somali partners. The forthcoming posting of Ambassador James Swan to Nairobi as the coordinator for U.S. efforts on Somalia ought to be the occasion for a thorough review of our policy, its implementation, and the consequences thereof. Certainly, if pragmatism counsels that we must endure another year of the TFG existence for want of a ready alternative, then by all means let us ensure that this final year is exactly that and avail ourselves of the time to carefully consider alternative paths for achieving what the Somali people deserve and our security interests demand.

Conclusion

The disheartening failure of no fewer than fourteen different internationally backed attempts to reestablish a national government in Somalia, along with the diminishing legitimacy of the TFG and increasingly untenable nature of its current strategic position underscores the need for the international community in general and the United States in particular to confront the consequences of that spectacular case of ongoing state failure. After two decades, the cost of the refusal to forthrightly face the realities of the situation, whether willful or unconscious, has to be measured not only in billions of dollars in wasted aid and the costs exacted by war and piracy, but, tragically, in countless lost and shattered lives.

It is high time that the United States and Somalia's other international partners look after their own legitimate interests and refocus their energies on minimizing and containing the harm caused by the TFG's incompetence and corruption, while strengthening those functional parts of the former Somali state and integrating them into the framework for regional security and stability. To put it in terms that would resonate with the traditional pastoral Somali, the stakes are simply too high for us to continue betting on a camel that, if not quite dead, is certainly crippled.

Mr. SMITH. Dr. Pham, thank you very much for your testimony and your insights.

Ms. Bruton, the chair recognizes you.

STATEMENT OF MS. BRONWYN BRUTON, FELLOW, ONE EARTH FUTURE FOUNDATION

Ms. BRUTON. Thank you, Congressman Smith. I wish to thank the subcommittees for inviting me to testify today, and for allowing me to contribute to this assessment of the consequences of state failure in Somalia.

My remarks will explore the pitfalls and possible benefits of the proposed U.S. engagement with alternative forms of governance in Somalia, in particular homegrown administrations at the local, municipal, or regional level.

In the interest of time, I have summarized my views in a short prepared statement, which I would ask to be entered into the record.

Mr. SMITH. Without objection, your testimony and that of all of our colleagues and witnesses will be made a part of the record, the longer versions.

Ms. BRUTON. Since October 2010, al-Shabaab has suffered severe military setbacks at the hands of African Union troops. The movement appears increasingly weak and preoccupied with internal power struggles. No analyst would suggest, however, that al-Shabaab's decline is related to the emergence of the Transitional Federal Government as a viable alternative to radical Islamist rule.

On the contrary, al-Shabaab's decline has occurred just as international support for the TFG has visibly begun to wane, as international attention has strayed elsewhere, to the surprising events in Libya, Sudan, and Tunisia, and perhaps precisely because the Somali conflict has settled into an interminable and fruitless stalemate between AU troops and the radical al-Shabaab.

Washington's measured response to the Kampala bombings, when it wisely refused to bow to regional pressure to pump additional money and troops into Mogadishu, has made it painfully clear that the Obama administration will not allow Somalia to become a quagmire for U.S. troops, or funds, or forces, that the utility of al-Qaeda investment there is therefore limited, and that the only real victim of the ongoing military stalemate is Somalia's endlessly suffering civilian population.

In light of this analysis, I wish to emphasize the following five points.

First, bolstering AMISOM to the desired level of 20,000 troops will not end the stalemate, nor will it magically transform the TFG into a government worthy of international support.

At best, aggressive U.S. backing of AMISOM could inadvertently refocus and re-energize al-Shabaab and its backers, and produce a new, more energetic, round of violence. The use of invasive and unpopular counterterror tactics could also have the same effect.

Two, the State Department's new Dual Track strategy better reflects the political reality on the ground in Somalia, and has the potential to do less harm than previous policies. If pursued cautiously, the Dual Track strategy could provide the space and re-

sources for a much-needed period of stabilization, normalization, and economic growth in Somalia.

Normalization is not as grand a goal as state-building, but it is not a modest policy goal either. It is the shortest path to reconciliation, and to the emergence of a truly homegrown solution to the Somali crisis.

Third, though less risky than a top-down state-building approach, decentralized strategies are not a magic bullet. In fact, most of the pitfalls that have been associated with top-down state-building efforts can quickly reappear at the local or regional level.

As international funding flows downwards, powerful spoilers will succeed in crowding out more legitimate voices, clan tensions can and will be aggravated, and the concerns of disempowered minority clans will often be drowned out.

Fourth, the U.S. can minimize these risks of stoking clannism, corruption and conflict by actively pursuing stability, rather than governance, as a primary policy goal. A strategy of development without regard to governments will simply require the United States to prioritize the delivery of immediate benefits to communities over any attempt at institution-building or at picking political winners on the ground in Somalia.

Fifth and last, in order for the Dual Track strategy to stand any chance of succeeding, the U.S. needs urgently to revisit its *de facto* decision to suspend humanitarian funding to the Somali territories controlled by al-Shabaab. Without a dramatic increase in humanitarian aid, tens of thousands of Somalis will die.

But providing food to Somalia is not solely a humanitarian imperative. The failure to meet the most basic human requirements of Somalia's population conflicts with every precept of counterinsurgency strategy, and will undoubtedly deliver some desperate communities into the hands of al-Shabaab.

Thank you, and I look forward to your questions.

[The prepared statement of Ms. Bruton follows:]

Bronwyn Bruton
Fellow, One Earth Future Foundation

“Assessing the Consequences of the Failed State of Somalia”

**HEARING BEFORE THE HOUSE COMMITTEE ON FOREIGN AFFAIRS,
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH AND HUMAN RIGHTS,
AND THE SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION AND TRADE**

12:30PM, Thursday, July 7, 2011
Rayburn House Office Building, Washington, DC

* * *

I am grateful to Congressmen Smith and Royce, the chairmen, and to the ranking members Congressmen Payne and Sherman, for allowing me to contribute to the Subcommittees’ timely review of U.S. policy in Somalia. My remarks will explore the pitfalls and possible benefits of the proposed U.S. engagement with alternative forms of governance in Somalia. Particular attention will be given to “bottom up,” grassroots and regional alternatives to the current governing structure.

INTRODUCTION

Since 2006, the United States and its allies have provided unconditioned support to Somalia’s Transitional Federal Government (TFG). The unreflecting pursuit of this policy has had disastrous consequences, both for U.S. national security and for Somalia itself. The failings of the Somali “government” under the leadership of Sharif Sheikh Sharif Ahmed are so marked and egregious that continued U.S. support of the TFG seems virtually impossible to justify. So it may be helpful to point out that extended U.S. support of the TFG has actually fulfilled two primary policy goals.

First, and certainly foremost, the abject military weakness of the TFG has provided a justification for extended deployments of Ethiopian, Ugandan and Burundian troops to Mogadishu. While ostensibly engaged in a peacekeeping mission, these Ugandan and Burundian troop contingents have formed the backbone of U.S. counterterror efforts in Somalia. Given the uncertain nature of the threat posed by the Union of Islamic Courts and then by the radical youth militia al Shabaab, the presence of some foreign military force in Mogadishu was deemed essential.

Second, U.S. support of the TFG has seemed intuitive and necessary in the context of the counterinsurgency strategy that had emerged in Afghanistan. Counterterror and “failed states” analysts have argued that radical Islamist insurgencies can only prosper in the absence of good governance, and can only be defeated if and when local populations were provided with a “viable alternative” to radical Islamist rule.

The notion that Somalis require a viable governance alternative to al Shabaab – or any other form of radical Islam – is a fundamental error that has derailed U.S. policy in Somalia. While it is possible, for example, that the Taliban could provide a viable alternative to democratic rule in Afghanistan, Somalia’s radical al Shabaab militia is fringe, foreign, and already deeply despised by the vast majority of the Somali population. Efforts to create a “viable alternative” to al

Shabaab are not only superfluous, but have been deeply counterproductive: international efforts to impose a central government on Somalia since 2004 have not only catalyzed the re-emergence of indigenous radical groups in the Horn of Africa, but have actively sustained them.

Since October 2010, al Shabaab has suffered severe military setbacks at the hands of African Union troops. The movement appears increasingly weak and preoccupied with internal power struggles. No analyst would suggest, however, that al Shabaab's decline is related to the emergence of the TFG as a "viable alternative" to radical Islamist rule. On the contrary, Al Shabaab's decline has occurred just as international support for the TFG has visibly waned, as international attention has strayed elsewhere (to the surprising events in Libya, Sudan and Tunisia), and precisely because the Somali conflict has settled into an interminable and fruitless stalemate between African Union troops and the radical Shabaab. Washington's muted response to the Kampala bombings, when it wisely refused to bow to regional pressure to pump additional money and troops into Mogadishu, has made it painfully clear that the Obama administration will not allow Somalia to become a quagmire for U.S. funds or forces; that the utility of al Qaeda investment there is limited; and that the only real victim of the ongoing military stalemate is Somalia's endlessly suffering civilian population.

Viewed in this context, it is not surprising that both local and international enthusiasm for the conflict is gone. Popular discontent with both the "government" and the radical forces is rising, and—far more importantly—the foreign financial flows that have been galvanizing both the TFG and al Shabaab have all but petered out. The leaders of the TFG are now locked in a desperate internecine battle to secure the very last dregs of foreign funds. On the radical side, military defeats and counterterror efforts have deprived Al Shabaab of hundreds of fighters and several well-connected foreign leaders, the group has lost the façade of strategic and ideological cohesion previously made possible by controlled infusions of foreign jihadist funds. Like their counterparts in the TFG, Al Shabaab's leaders are mostly engaged in an undisciplined scramble for territory and funds. Clan affiliations and old, reliable alliances—such as the friendly patronage relationship between Sheikh Hassan Dahir Aweys and Muktar Robow—have reasserted themselves, and previously internal fractures between al Shabaab's "nationalist" and "transnational" factions have been plainly exposed. As a political organization, "al Shabaab" has fractured to such an extent that it is hard to say what the movement actually stands for. (And the moderate Islamist movement, Ahlu Sunna wa'al Jamaa, has suffered a similar fate.)

Policymakers in the State Department have clearly absorbed the significance of the current status quo, and have sagely resisted the temptation to press the African Union's apparent military advantage by the supplying the "peacekeepers" (known as AMISOM) with a significant infusion of troops, weapons or funds. Bolstering AMISOM to the desired level of 20,000 troops will not end the stalemate, nor will it magically transform the TFG into a government worthy of international support. At best, aggressive support of AMISOM may inadvertently re-focus and re-energize al Shabaab and its backers, and produce a new round of violence.

However, in an effort to cement the remarkable gains that have been made against al Qaeda in other theaters, the U.S. has recently stepped up its kinetic counter terror efforts in Somalia. Unmanned drones have been deployed over parts of the country, and have apparently killed and injured "mid-level leaders" of al Shabaab. The U.S. has not specified whether these leaders were local or foreign, nor whether they had been explicitly linked to al Qaeda. Worse, the decision to deploy the drones appears totally unrelated to conditions in Somalia, where al Shabaab is visibly less threatening than it has ever been, and it is a dangerous step in the wrong direction. Al Shabaab may be despised, but the use of drones and other surveillance devices is controversial and unwelcome in Somalia, as in all other theaters. Though it is prudent of the

United States to conduct its counterterrorism operations independently of AMISOM and the TFG, less controversial methods should be employed, and greater effort made to justify the use of lethal force against targets not proven to have directly threatened U.S. interests.

CIVIL SOCIETY

South-central Somalia

Prior to 2006, Somalia was religiously moderate, relatively stable, and enjoyed a rate of economic growth that was approximately on par with its East African neighbors. The country's civil society sector was underdeveloped and often unreliable, but thriving. Literally hundreds of community-based and nongovernmental organizations were employed in the delivery of services to local populations. Many of these NGOs were funded indirectly by the U.S. and its allies, and were slowly developing the administrative capacity needed to secure direct grants from donors. Today, few Somali NGOs remain functional in southern Somalia. Most have been reduced to signposts and skeleton crews. Those that remain in operation shoulder an ever-present threat of targeted and indiscriminate violence. The number of NGOs continues to dwindle rapidly, however, not as a result of violence, but because there is so little local or international funding available now to support them.

In the wake of the five-year battle between al Shabaab and the TFG, almost all of Somalia's fragile advantages have been lost. Prior to the escalation of the drought, some 2.4 million people (approximately 30 percent of Somalia's estimated population of eight million) had been displaced or driven over Somalia's borders by violence. The Somali economy has ground to a halt. The Somali currency has been drastically devalued by counterfeiting, much of it conducted by government officials. Strong new criminal networks, mostly devoted to piracy, have emerged in the northern and central territories of Somalia, and are currently holding some 650 international hostages, either as slaves or for ransom. Somalia's long-standing clan conflicts have also been deeply aggravated by political instability and a brutal scarcity of resources.

Impossible as it may seem, the situation continues to deteriorate. Somalia is poised on the edge of yet another humanitarian disaster, provoked by a confluence of conflict and drought, not unlike the 1991-92 crisis that served as a precursor to direct U.S. intervention in Somalia under the first President Bush. This disaster could be even worse: local NGOs report that a number of districts, including Adale (in Middle Shabelle Region), Qoryoley, Kurtun Warrey and Sablale (in Lower Shabelle Region), and Dinsoor (in Bay Region), are already suffering from famine – but are so isolated from press and humanitarian access that the international community has yet to realize the extent of the crisis.

Recognition cannot be long in coming. Some 1,600 Somalis are arriving at the Dadaab refugee camp in Northern Kenya every day. More than 30,000 rural Somalis have descended on Mogadishu in the past two months in search of food and alternate livelihoods. Policymakers must understand the significance of this migration: these rural families are fleeing to an active war zone in which civilians continue to face indiscriminate violence from both sides of the conflict, peacekeepers and terrorists alike. They have seen their livestock starve and have decided that even the Mogadishu warzone is preferable to slow death in the remote rural villages. Because the "long rains" of 2011 have proved insufficient to renew pasture, nor provide enough soil moisture to bear a crop to maturity, this trend of forced rural migration can only be expected to increase.

The desperate, unmet need for humanitarian relief threatens to overwhelm all other priorities in southern Somalia. In order for the "dual track" strategy to stand any chance of succeeding, the United States should urgently revisit its *de facto* decision to suspend humanitarian funding to the

Somali territories controlled by al Shabaab. While it is true that al Shabaab has rendered dozens of communities inaccessible to foreign aid, there are hundreds of communities in which aid is still entirely possible. Without a dramatic increase in humanitarian aid, tens of thousands of innocent men, women and children living in these communities will die painful, unrecorded deaths. The failure to meet the most basic human requirements of Somalia's population conflicts with every precept of counterinsurgency strategy, and will undoubtedly deliver some desperate communities into the hands of al Shabaab.

Puntland and Somaliland

The northern territories of Puntland and Somaliland have suffered far less disruption from the conflict raging in the south and from the drought. Their civil societies are nascent, but capable of implementing sound development programs with international donor assistance. Corruption and lack of capacity continue to be problematic, but can easily be minimized through good donor practices.

ALTERNATE FORMS OF GOVERNANCE

The failure of the Transitional Federal Government has rekindled international donor interest in finding "homegrown," "decentralized," "bottom-up," or "grassroots" solutions to the Somali crisis. Various attempts to engage Somali clan leaders, civil society and regional administrations at the sub-national level have been made over the years; most famously during the early 1990s, when, in partnership with the Life and Peace Institute, the United Nations essayed a "building blocks" strategy to create local and district-level administrations across Somalia. "Building blocks" is generally regarded as a failed strategy, but a number of more recent developments suggest that it may be time to give "bottom up" strategies another look. In particular: the many practical "peace agreements" that have been negotiated outside of Mogadishu by rival clans; the service delivery and resource-sharing arrangements that have emerged in a number of Somali towns, often as a result of voluntary investments by local or Diaspora businessmen; and, of course, the relative stability of unrecognized, regional administrations like Somaliland and Puntland.

The strongest justification for any regional or "bottom up" strategy for promoting security and governance is that it better reflects the reality on the ground in Somalia. When Assistant Secretary Carson unveiled the U.S. government's "dual track" strategy last October, he alluded to the TFG as a "government in name only," and it was an accurate description.

To the extent that functional governance exists in Somalia, it exists at the grassroots, local, municipal and regional level, where local leaders and communities have developed their own governance arrangements over time, through extensive negotiation, and on the basis of a practical, shared need for stability and services. These governance arrangements tend to be far more reliable, transparent and accountable than the national frameworks that have been brokered by foreign diplomats.

PITFALLS OF ENGAGEMENT

Unquestionably, international development initiatives that seek to engage local and regional "authorities" are more likely to promote stability, reconciliation and economic growth, especially over the short term, than initiatives attempted at the national level. But they still have the potential to destabilize and do harm.

Clannism

Many Somalis fear that “dual track,” “building blocks” or “bottom up” strategies will encourage the splintering of Somalia into clan territories. The United States must therefore be extremely cautious in its diplomatic interactions with “regional,” district and even municipal entities. Efforts to bolster the military capacities of Puntland or Somaliland, for example—even in the service of anti-piracy or counterterror campaigns—may easily fuel clan tensions, and in a worse case scenario, could lead to conflict.

The State Department’s “dual track” strategy has been widely criticized by Somalis, both at home and in the Diaspora, and on many grounds. Predictably, though, the loudest complaint stems from the fear that the “dual track” strategy will catalyze the splintering of Somalia into ever-smaller parts. This fear is legitimate, but probably overblown. Given the extremely limited amount of U.S. funding available for development, humanitarian relief and institution building in Somalia, and the State Department’s lack of any coherent strategy to engage non-state actors in south central, it is unlikely that the “dual track” strategy will amount to more than a covert form of disengagement or containment. The small political shocks produced by its unveiling will probably be short-lived. The few district and regional administrations that have formed opportunistically in an effort to gain U.S. backing are likely to dissolve as it becomes evident that there is little funding and no military backing on offer. On the other hand, local, municipal and regional administrations that were functional prior to the announcement of “dual track” will continue to exist and could derive increased, and necessary, development support from the policy.

Corruption

Somalia’s general population desperately craves normalcy, stability, an end to clan-based conflicts, and increased access to economic opportunities, but its preferences are largely irrelevant. Time and again in Somalia, the prospects for peace have been ruined by political leaders, businessmen, warlords, elders, parliamentarians, clan leaders, and even clerics, all of whom have used their power and status as an opportunity to steal public resources. Leaders from all sides of the spectrum have not hesitated to prolong conflict in the interest of personal gain. For the past twenty years, legitimate and accountable Somali actors have been crowded out of the political dialogue by these spoilers.

Somalia’s municipal and regional administrations have suffered less from corruption than the TFG. But as policymakers and donors begin to shift international resources down to the local, municipal and regional levels, spoilers and corrupt practices will not only follow, but, due to the relative opacity of local-level politics, will be much harder for donors to spot.

Grassroots governance processes will automatically be denatured by the involvement of international donors (and dollars). The distribution of per diems, honorariums, travel stipends and food allowances by donor-funded NGOs is an unfortunate norm in Somalia, as in most of Africa. The opportunity to derive profit from a peace negotiation that would otherwise be driven by practical necessity will tend to skew the incentives of participants. Of course, donors can (and often do) attempt to resist these practices. But they will find themselves confronted by an even more unfortunate reality: when they are not distributing money, international donors have precious few means to incentivize local communities—let alone local officials, elders or other leaders—to participate in their peace, governance, and institution-building workshops. Somalis have complained bitterly that the distribution of per diems, honorariums, and lucrative government portfolios has derailed dozens internationally-sponsored peace conferences and meetings that have been held in foreign capitals over the years, transforming what could have been viable peace negotiations into hand-out sessions for spoilers and opportunists. Policymakers

should beware that the threat of spoilers is equally present at the village level – and that international donor policies play a causal role in the problem.

Cementing the status quo

Donors must also be extremely careful not to romanticize the inter- and intra-clan peace and resource agreements that have emerged “spontaneously” (that is to say, without the spur of international funding) at the local level. While such agreements have certainly reduced resource and clan-based conflicts in parts of Somalia, they are not perfect instruments. They tend to preserve rather than challenge the status quo. Local peace agreements, like national ones, are negotiated, and armed majority clan groups have a much stronger bargaining hand than their smaller, weaker neighbors. Though majority clans often make important concessions for the sake of peace, they rarely concede to resource distribution arrangements that international donors would consider strictly equitable. Policymakers should be aware that unarmed minority clan populations tend suffer particularly intensely under “grassroots governance” arrangements that depend on the Somali traditional law (the *Xeer*) to distribute resources and security. International donors and their partners can attempt to correct these imbalances (to the extent that they are able discern them) as they distribute aid, but donor capacity to enforce equality is limited. Monitoring the impact of aid will also be extremely challenging, as the districts of Somalia that are most in need of development and humanitarian assistance are typically the same territories that are most inaccessible to foreigners. If U.S. policymakers wish to work on the ground in Somalia, they must steel themselves to tolerate an uncomfortable degree of imperfection and risk.

PRACTICAL GUIDELINES

The risks of ground-level intervention in Somalia are real, but the rewards are potentially enormous. Somalia has been so starved of development and humanitarian aid that virtually any assistance can have a tremendous impact on the political climate. Brilliant ideas for investment, infrastructure and development assistance abound – and policymakers will no doubt be shocked by the remarkable impact that can be achieved at relatively minimal cost. Prior to the release of any funding, the U.S. should simply be careful to develop coherent strategies to minimize the risk that local and regional engagement will backfire.

Development without regard to governance

The simplest way to do this is to adopt a strategy of “development without regard to governance.”

First, the U.S. must avoid the temptation to enthrone local leaders, or to create political winners and losers. This means, first and foremost, that the U.S. should resist any form of institution-building at the community, municipal or district level. Institution-building is an inherently prescriptive activity, and will work against the emergence of viable homegrown solutions.

Traditional governance tends to depend on fluid, community-wide processes of dialogue, and the institutionalization of power by foreign donors will almost always lead to abuse. Even when extremely small amounts of funding are involved, officials have commonly been known to invest community development funds in the purchase of vehicles or build offices. Such purchases are usually perceived within the local community as ostentatious or worse, especially when they precede any visible program outputs, and are taken as a sign of corruption.

Second, the U.S. should deliver assistance directly to local communities, avoiding the use of local administrations as pass-throughs. A number of local NGOs have developed excellent community-based models for delivering services. A women’s NGO called SAACID-Somalia, for example, has successfully implemented an impressive variety of programs ranging from garbage collection to disarmament, demobilization, and reintegration in Somalia’s dangerous capital city

using a clan-neutral, district-based distribution model that requires neighborhoods to cooperate in the delivery of services, or suffer a complete stoppage of support. This model can and should be applied across the country.

Using development assistance to achieve policy ends

Targeted development assistance has the potential to stop piracy. It can also enhance U.S. security by further splintering radical networks, like al Shabaab, into their pragmatic and radical parts.

But development interventions cannot be narrowly driven by counter-piracy objectives. Enormous damage has been done to Somalia in the past by the United States' narrow focus on counter-terror goals, and any land-based development intervention that is driven exclusively by narrow counter-piracy concerns is likely to be equally dangerous. To stand any chance of succeeding, land-based interventions must be equally sensitive to counterterrorism, counterpiracy, development and human rights objectives.

This requires a delicate balancing act on the part of U.S. officials.

As noted above, the U.S. should not funnel development funds through local or regional administrations. Even the most stable of these administrations currently lacks the accountability mechanisms needed to handle large infusions of foreign funds.

The United States can and should provide development assistance packages to local communities in exchange for community efforts to stop criminal activities, including piracy. There is nothing wrong with a tit-for-tat agreement, provided that:

- Development packages are carefully negotiated on a community-by-community basis to reflect the specific priorities of the residents. The U.S. should consider relying on the assistance of one or more reputable local NGOs to ensure that all relevant stakeholders—including minority clan groups—are included in this negotiation process.
- Development packages are not provided only to “pirate villages.” If the U.S. focuses on delivering aid to villages that have profited from piracy, it will create a situation of moral hazard, in which development relief will be perceived as yet another benefit of piracy. Development assistance can only stop piracy if it is provided equitably – otherwise, pirates will simply shift their operations down the coast, and communities eager for development assistance will have good incentives to shelter them.
- Over the long term, development will reduce the incidence of piracy in Somalia by creating alternative economic opportunities for youth. In the short term, however, piracy can only be halted by the active intervention of local communities. The United States will, effectively, be paying communities to police themselves. In order for this system to work, the U.S. must be prepared to suspend its development support if the community fails to honor its contract. Otherwise, communities will simply be able to accept the development packages, while accepting pirate profits on the side. Though it sounds intuitive, this will no doubt be extremely difficult for the U.S. to manage – it will occasionally require truly awful decisions on the part of donors, such as suspending school or halting health care deliveries. However, this system will reward communities that do not tolerate piracy, and will penalize those that do. (The local NGO SAACID-Somalia has developed a very credible strategy for negotiating “community compacts” that clearly define the terms of continued international support.)

- Some analysts have suggested that the United States need only scatter modest “incentives” across Somalia’s coastal communities in order to stop piracy. On the contrary, policymakers must recognize that buying our way out of the pirate problem will not be cheap. Villages that host pirate networks reap concentrated rewards – and realistic estimates of the cost of the development incentives needed to pull them out of the piracy business are as high as \$10 million per district, per year, over the course of several years. Not all development packages need be that expensive, but piracy has become endemic in Somalia, and a land-based approach to curing it is growing more expensive by the day. The good news is that the land-based approach is still enormously cheaper – and more effective – than the approximately \$2 billion annual cost of the international naval flotilla. But it represents a huge increase in the U.S. development budget for Somalia, even when the costs are shared across several partner nations and with actors in the private sector.
- Finally, development can only stop piracy and terrorism in Somalia if the United States is timely and consistent in meeting its funding obligations. Somalis have heard many false promises from donors over the years, and will not invest in changing their behavior unless they believe that the United States is seriously committed to development. The financial rewards of piracy, after all, are clear and immediate.

CONCLUSION

Since 2004, international efforts to impose a central government on the Somali people have not only catalyzed the re-emergence of indigenous radical groups in the Horn of Africa, but have actively sustained them.

Most Somalis have no living memory of the country’s last “effective” government: the military dictatorship of Siad Barre, whose systemic violence and corruption set the stage for twenty years of anarchy. Today, the only consistent source of security, economic connectivity and traditional law in Somalia is the clan. Somalis are increasingly disgusted by the clan system, but they have yet to develop the most basic ingredient of statehood: a common commitment to a national vision. International efforts to reconstruct a centralized state for Somalia, in advance of any meaningful national reconciliation process and without any baseline consensus on governance among the Somali people, will continue to fail. The U.S. “dual track” policy represents an important concession to this reality and will certainly do less harm than previous policy approaches.

Critics of the “dual track” policy are right to point out that no intervention at the “district” or “regional” level can establish the foundation for national governance in Somalia. Such interventions can, however, provide the space and resources for a much-needed period of stabilization, normalization and economic growth. Normalization is not a modest U.S. policy goal: indeed, it is the condition most likely to lead, over time, to reconciliation and to the emergence of a truly “homegrown solution” to Somalia’s crisis.

Mr. SMITH. Ms. Bruton, thank you very much for your testimony. Dr. Murphy, please proceed.

**STATEMENT OF MARTIN MURPHY, PH.D., VISITING FELLOW,
CORBETT CENTRE FOR MARITIME POLICY, KING'S COL-
LEGE, LONDON**

Mr. MURPHY. Mr. Chairman, thank you for inviting me to give evidence on the issues confronting Somalia, and the implications of those issues for the United States and the wider international community.

My expertise lies in the areas of piracy and maritime terrorism. I wish to focus on the problems of piracy in particular, and provide some insights into what is driving this economic crime, and its implications for U.S. Government policy.

I have a prepared statement. I would like to summarize my views in eight points.

First of all, piracy is a symptom, not a cause, of Somalia's current predicament. Dealing with it requires engagement on land. This necessity is recognized widely, and equally widely rejected because of fears that the Black Hawk Down experience will be repeated in some form.

Piracy, however, is an economic crime that requires political and economic engagement if it is to be controlled. The concern is that piracy will become endemic the longer engagement is delayed. The number of direct and indirect stakeholders will grow, thus making the problem increasingly difficult to eradicate.

Secondly, to avoid this, piracy needs to be crowded out using political and economic engagements in the areas of Somalia that host piracy operations, such as Puntland. Pirate rewards need to be decreased; economic alternatives need to be increased. The aim must be to change the incentives away from piracy and toward legitimate economic activity.

Thirdly, the costs of economic alternatives need not be great. Whatever the cost, it will almost certainly be less than maintaining even the moderately effective naval presence that is operating off the Somali coast currently. Delay in initiating land-based development will merely increase the eventual cost.

My fourth point is that the approach must contain a substantial bottom-up element. Development assistance is not aid. Investment in judicial capacity will be necessary, but the primary objective must be to encourage international commercial and diaspora investment on business terms. Somalis are a proud and independent people, not all of whom are looking for handouts.

Fifthly, we must work with the grain of Somalia's messy and decentralized politics. It cannot be imposed. Local stakeholders need to take responsibility. Hopeless candidates should be discarded, but development providers should not aim on picking winners.

Winners will emerge. Failure is to be expected. The successful will attract more support and will crowd out the less effective alternatives.

Sixthly, the current policy of containment at sea is not politically and strategically risk-free for the United States. Piracy has a political significance that often exceeds its economic impact.

The U.S. Navy is the ultimate guarantor of maritime security globally. When shipping comes under sustained attack without an effective response, as it has done off Somalia, then the U.S. commitment to maritime security is brought into question, and space is created for state and even non-state competitors to intervene to their political advantage.

In a strategy paper published last December by the Central Committee of the Chinese Communist Party, for example, anti-piracy operations were described as a way China could gain a foothold in a geostrategically vital region.

Seventhly, in relation to containment, and possibly to avoid landward engagement, it has been suggested that the United States should outlaw the payment of ransom in cases of piracy, and to make this measure enforceable internationally by means of a United Nations Security Council resolution.

Although it would eliminate piracy if it proved enforceable, which must be in doubt, it would take time to take effect, possibly as long as 2 or 3 years, during which time the hostages—currently there are in excess of 400—would be at risk.

Most of those held come from developing countries which are America's friends, such as India, Bangladesh, the Philippines, and Indonesia. The outcry in those countries would be loud and politically damaging.

So long as the U.S.-led international community is unwilling to either intervene or engage on land in Somalia, then the payment of ransom will remain the only way that hostages can be brought home.

My final point is that if Yemen were to fail, maritime disorder in the region would likely worsen considerably. If both sides of the Gulf of Aden were to become launching sites for pirate and potentially terrorist attacks, it is possible that ship operators would demand a much higher level of naval protection.

If that was not forthcoming, they may seek alternative routes, which would add to the costs of both finished goods and raw materials, including oil and gas. Economic development will crowd out Islamist extremism as effectively as it will undermine piracy.

Once again, Mr. Chairman, thank you for the opportunity to be here today. I am happy to answer any questions you might have.

[The prepared statement of Mr. Murphy follows:]

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Prepared Statement of

Dr. Martin N. Murphy

Visiting Fellow, Corbett Center for Maritime Policy Studies

King's College London

before the

United States House of Representatives

Committee on Foreign Affairs

Subcommittee on Africa, Global Health, and Human Rights

and

Subcommittee on Terrorism, Nonproliferation, and Trade

on

“Assessing the Consequences of the Failed State of Somalia”

Thursday, July 7, 2011

12:30 p.m.

Rayburn House Office Building

Washington, D.C.

Chairman Smith, Chairman Royce, Ranking Members Payne and Sherman, Distinguished Members of the Subcommittees: Thank you for inviting me to give evidence on the issues confronting Somalia and the implications of those issues for the United States and the wider international community. My expertise lies in the areas of piracy and maritime terrorism. I wish to focus on the problem of piracy in particular and provide some insights into what is driving this economic crime and its implications for US government policy.

I wish to make four principal points:

1. Piracy is a symptom not a cause of Somalia's current predicament. Dealing with it requires engagement on land. This necessity is recognized widely and equally widely rejected because of fears that the *Black Hawk Down* experience will be repeated. Piracy, however, is an economic crime that requires political and economic engagement if it is to be controlled. The concern is that piracy will become endemic the longer engagement is delayed. The number of direct and indirect stakeholders will grow thus making the problem increasingly difficult to eradicate.
2. To avoid this piracy needs to be 'crowded-out': pirate rewards need to be decreased; economic alternatives need to be increased. The costs of alternatives need not be great; although they cost of eradication will almost certainly increase the longer than nothing is done whatever the amount is it will almost certainly be less than maintaining even the modestly effective naval presence that is operating off the Somali coast currently.
3. The current policy of containment at sea is not politically and strategically risk-free for the United States. The US Navy is the ultimate guarantor of maritime security globally. When shipping comes under sustained attack without an effective response - as it has done off Somalia - then the US commitment to maritime security is brought into question and space is created for state and even non-state competitors to intervene to their political advantage. In a strategy paper published last December by the Central Committee of the Chinese Communist Party, for example, antipiracy operations were described as a way China could gain a foothold in a vital region.
4. Finally, if Yemen was to fail maritime disorder in the region would likely worsen possibly considerably. If both sides of the Gulf of Aden were to become launching sites for pirate and, potentially, terrorist attacks it is possible that ship-operators would demand a much higher level of naval protection. If that was not forthcoming they may seek alternative routes which would add to the cost of both finished goods and raw materials including oil and gas.

The need for landward engagement

Piracy is a symptom not a cause of Somalia's current predicament. It arose as one consequence of Somalia's domestic turmoil, a problem that has lasted since the fall of the last national government in 1991 but has roots stretching back into the period following independence in 1960. Dealing with piracy requires engagement on land. This necessity is recognized widely and equally widely rejected because of fears that the cost in blood and treasure would be too great. The opposing argument is that this is merely postponing the inevitable. Piracy has rarely, if ever, been defeated at sea. It has usually required the destruction of piracy bases and the dispersal of pirate communities. Currently there appears to be

no appetite for violent intervention. When looked at historically this judgment appears sound; raids on their own were often insufficient to eradicate the problem. In many cases suppression required prolonged intervention and sometimes occupation. In today's terms this can be interpreted as political and economic engagement extending over a period of years. The concern is that the longer engagement is deferred the more piracy will become endemic: The number of direct and indirect stakeholders will grow thus making the problem increasingly difficult to eradicate.

Piracy's epicenter is Puntland including for the gangs that operate outside its borders in Mudug and Galguduud. Pirate activity is now a major part of the Puntland economy; probably second only to expatriate remittances in terms of national income. To counter this the international community is currently focusing its efforts and resources on a limited range of legal and security measures aimed at capturing and imprisoning pirates that are, for the most part, expendable foot-soldiers. In the meanwhile the economic alternatives to piracy on land are ignored and piracy's organizers are left untouched. As the recent Lang report to the United Nations makes clear, supporting the economic counter-weights to piracy must be given greater priority. So long as this option is ignored junior-level pirates will continue to be caught-and-released by billion-dollar warships, new recruits will try their luck because the chance to earn \$20,000 from one attack is more appealing than earning \$2 a day for life, pirate king-pins will continue to reap huge profits from the misery of the hostages who are now held for months and apparently subject increasingly to abuse, while shipping throughout much of the eastern Indian Ocean and perhaps beyond will continue to sail in peril.

Crowding-out piracy

Historical experience suggests that Somali piracy would be countered more effectively by a program that combines political, economic and social initiatives to crowd-out the incentives for piracy on land and in so doing make naval and law enforcement activity at sea more effective.

Piracy arises in response to opportunity. Opportunity derives from seven factors the importance of which varies from case-to-case: legal and jurisdictional openings, favorable geography, conflict and disorder, inadequate security, permissive political environment, maritime tradition, and the presence of reward. How well any opportunity is exploited depends on a variety of other factors including the pirates' mobility, access to sanctuary, the political will of their opponents (which is linked in turn to the presence or absence of a political or economic imperative), ship self-protection and the pirates' access to useable technology. Off Somalia these factors have come together to create piracy's 'perfect storm'.

In Somalia traditional community values, protection systems and orderly governance were consciously destroyed by the Barre regime in the years leading up to its demise in 1991 in a ruthless but ultimately futile attempt to survive. During those years and in two decades of misery that have followed, tens thousands of people have lost their lives and tens of thousands more have lost their livelihoods. Opportunities for material gain were circumscribed by clan and political interests and were always at risk of violent expropriation. Not all economic activity, however, was subject to these restrictions or depredations nor were all areas of Somalia affected equally. Various governance structures survived

such as the *abbans* protective networks, clan elder authority and Islam, or were re-built such as Somaliland, or arose in response to prevailing conditions such as a viable business sector. Imposition of order from above or from the outside does not work in Somalia. As many initiatives as possible must either start from the bottom and work upwards, or be met halfway. Consequently, all of these constituencies need to be involved if civil society in Somali is to be restored and piracy brought under control.

It is critical that this process of building institutions for physical and economic security does not mirror international models but works with the grain of Somalia's messy and decentralized politics. Throughout the twenty years Somalia has been a failed state the international community has tried to create new states to replace the ones that have repeatedly failed. Rather than making the same mistake *again* a new approach is needed which builds upon what exists and works successfully, and is targeted at those tolerably stable parts of Somalia which have a reasonable hope of supporting economic growth. Apart from Somaliland, which has proved in large measure the durability of its institutions and which has never been affected by piracy, it is no coincidence that the most stable areas are the ones where piracy is based currently: Puntland and the neighboring regions of Mudug and Galguduud adjoining Puntland's southern border. Piracy, like organized criminal activity generally, requires some level of government to provide stability in order to operate.

The costs of development may not be as great as are feared although as time passes and piracy's roots sink deeper into Somali society the more difficult and expensive they will be to eradicate. Piracy is a security problem but an economic crime. At the moment the rewards that the pirates can achieve are disproportionate to the risk they incur. This balance needs to be changed. Given the limited number of naval assets deployed in the region, the large number of potential pirates, the continuing availability of targets and the huge area over which all three are dispersed this change is unlikely to be effected at sea without incurring unacceptable levels of cost. Those are high enough already; the US Navy is expecting to disburse around \$1 billion for fuel alone next year. No one, I believe, is suggesting that direct aid is the answer. On the contrary, Somalis are acute businessmen; if piracy has demonstrated one thing it is that Somalis are not afraid to take risks. Changing the risk-reward balance towards more legitimate activity will involve a program that combines political engagement with security force assistance, international police action against the small number of pirate gang leaders and major investors (an initiative which is only just starting); the restoration of an effective court system to enforce contracts, settle disputes and punish crime; and development assistance in the form of strategic infrastructure construction including water resources, and community assistance. A simple survey of existing economic opportunities suggests that attention should be focused on livestock exports, oil and mineral extraction, and fish processing.

This is not to suggest that taking action will be straightforward. First of all care will need to be exercised to ensure that the entities chosen for engagement are viable and have a reasonable chance of success. Even then the guiding principle must not be to pick winners because that runs the risk of creating recipients; local communities even at the village level must not become agents for the distribution of funds but stakeholders in their own success. Those that succeed must be supported; the ones that fail must be abandoned. There must be an expectation that some will fail because of poor management,

overly-ambitious targets, corruption or infighting. Let them. The ones that overcome their problems will draw supporters away from that fail. Progress will take time but it will arise largely from the bottom up and be Somali-inspired not donor-driven. Secondly, the process cannot be focused solely on counter-piracy. Directing assistance towards entities simply because they harbor pirates would be to reward criminal behavior and invite the repetition of that behavior elsewhere. It would also spur resentment amongst those entities and local communities that have resisted pirate encroachment.

Naval antipiracy operations off the Horn of Africa are not politically risk-free

While state failure in Somalia provides pirates with an opportunity to operate relatively freely at little cost the lack of effective security at sea gives them the opportunity to attack ships at relatively little risk. Somali piracy is consequently the most substantial threat to the freedom of maritime trading nations to conduct their lawful pursuits peacefully since the end of World War II.

According to the International Maritime Bureau there were 217 incidents resulting in 49 successful hijackings in 2010. Up until June 13 this year there have been 154 incidents and 21 successful hijackings. Pirates are currently holding 23 vessels and 439 seafarers' hostage. The pirates have expanded their area of operations as far north as the southern Red Sea and the coast of Oman, have approached the Indian coast in the east, and attacked ships as far south as the Mozambique Channel.

Although the United States may have only a very limited direct interest in shipping protection in the region – because the number of US-flagged vessels is now so few – it has a powerful indirect interest in the peaceful and legal use of the sea because as the predominant naval power it is the ultimate guarantor of maritime security and has held that hegemonic position since 1945. When that security is compromised without eliciting an effective response, as it has been off Somalia, then the US commitment to maritime security is brought into question. It cannot go unanswered for long without competitor powers taking advantage of US hesitation. Rising powers are always looking for a weakness they can exploit and looked at historically the opportunity to control piracy has often served as an admirable excuse. The longer the outbreak off Somalia is allowed to persist the more opportunities competitors have to challenge the United States, exercise their forces in a realistic situation, and gain political capital amongst Somalia's neighbors and states that depend upon the peaceful use of the sea.

The naval forces that the US and its partners have deployed in the region have insufficient naval and air assets, and operate under such restrictive rule of engagement (ROE), that they are unable to do more than the bare minimum to restrict pirate activity. More assets and less restrictive ROE would raise the pirates' risk. Fewer ships would be taken and fewer hostages held but the pirate enterprise would continue until it was addressed directly on land.

In the absence of effective naval protection, those ship owners who can afford it are being forced through necessity to adopt increasingly elaborate and expensive self-protective measures of their own. Passive defenses include enhanced watch-keeping, informing naval authorities of their presence, the use of razor wire around the ships' rails, the deployment of water sprays or foam, and the installation of so-

called ‘citadels’, which are secure on-board spaces to which the crew can retreat and hold-out for a number of days until help arrives. I believe members of the Sub-committee should be under no illusion how terrifying being locked in a steel box on a ship occupied by pirates can be; wondering what they are planning, whether or not an RPG round will be fired at the door and if naval support will arrive in time. Nonetheless, citadels have worked in the sense that pirates have on many occasions failed to break in and retreated back to sea; in some cases such as the *Maersk Alabama* they have been apprehended by naval personnel. On balance, therefore, three days of terror in a citadel is preferable to months of isolation and fear as a hostage. These measures have been codified in a voluntary industry standard known as ‘Best Management Practice’ (BMP) which is currently in its third iteration and about to enter its fourth.

The deployment of armed private security detachments is more contentious and potentially more troubling. No-one in the shipping industry would disagree with Deputy Assistant Secretary of Defense William Wechsler when he testified before the Senate Armed Services Sub-committee on Emerging Threats and Capabilities on April 12th, 2011 that “consistently (ships) with armed personnel onside, not military personnel but privately held armed personnel, do not get pirated.” The industry internationally has accepted only recently and with great reluctance that in many cases such detachments are necessary to protect vessels, particularly slow-moving vessels such as bulk carriers. This stems from a natural aversion to having arms on board, the logistical difficulties that embarking and disembarking armed teams entails, the expense that amounts to tens of thousands of dollars per voyage and the deep-rooted belief that states, both maritime and regional powers, are treating piracy with insufficient seriousness as evinced by the lack of naval protection and the lack of political will to engage with the problem on land in Somalia.

One further, related point needs to be made; it has been suggested that the United States should outlaw the payment of ransom in cases of piracy and make this measure enforceable internationally by means of a United Nations Security Council (UNSC) resolution. Although it would eliminate piracy if it proved enforceable – which must be in doubt – it would take time to take effect, possibly as long as two or three years. All that time hostages would be held in deteriorating conditions and subject to increasing abuse, and could eventually be sold to political groups or let free to make their way home as best they can. The policy’s price would therefore be high on these individuals and on U.S. interests. The U.S. has no hostages in Somalia. Most of those held come from developing countries which are America’s friends such as India, Bangladesh, the Philippines and Indonesia. The outcry in those countries would be loud and politically-damaging. So long as the U.S.-led international community is unwilling to either intervene or engage on land in Somalia then the payment of ransom will remain the only way that hostages can be brought home.

Furthermore, while containment at sea continues to be the only anti-piracy policy option that is being pursued rather than one focused on political and economic engagement on land leading to eradication, then US naval prestige will continue to be affected and political space will be given to competitor states to advance their interests. Those commentators, for example, who argued that the presence of Chinese warships off Somalia was evidence of a newly cooperative spirit on the part of Beijing will have been

disturbed by a strategy paper published last December by the Central Committee of the Chinese Communist Party in which antipiracy operations were described as a way China could gain a subtle foothold in a vital region: "China," it said, "can make use of this situation to expand its military presence in Africa."

If Yemen were to fail

Piracy is not an automatic or even probable consequence of state failure. Other factors need to be in place. If, however, Yemen were to fail, and if in particular a separate state or sub-state were to breakaway in the south, then the security situation in waters surrounding the Horn of Africa is likely to worsen considerably.

There is no home-grown Yemeni piracy currently. Some Yemenis have been observed and even caught crewing Somali piracy boats including one captured on the board the *SV Quest* after the killing of four American sailors. Despite comments to the contrary, and evidence that Somali pirates have used the Yemeni island of Socotra as a refueling base, there is little to suggest currently that piracy is emanating from bases in Yemen.

That is not to say that this might not change. The Yemeni coast guard performs a useful security function keeping Yemeni waters largely although not totally free of Somali pirates. State failure would probably mean this force would not collapse but instead freelance. To an extent this is happening now: Yemeni coast guard vessels already offer themselves for hire as escort ships. If the situation deteriorates to the point that that Yemen breaks up then it is quite possible that unemployed coast guards would engage in smuggling, human trafficking, illegal fishing and piracy on their own account. The areas most likely to be affected are the Red Sea coast north of the Bar el-Mandeb which is edged by numerous small islands and off the country's desolate far eastern coast between the port of Mukalla, which is also a current coast guard base, and the border with Oman.

On the terrorist front al-Shabaab in Somalia, which contains a faction with links to al Qaeda, and Al Qaeda in the Arabian Peninsula (AQAP), which in February this year National Counterterrorism Center Director Michael Leiter referred to as the group that presents the most significant risk to the US homeland, are at least loosely linked to each other with statements of support flowing back and forth. Further evidence of these connections emerged only yesterday with the announcement that Ahmed Abdulkadir Warsame, a linkman between the two organizations, who had been captured by US forces had been brought to New York for trial. It is similarly noteworthy that the US appears to have launched its first drone airstrikes against targets in Somalia following a pattern well-established in the Afghanistan-Pakistan border region and observed increasingly in Yemen. Moreover, that Islamist groups have noted the pirates' successes. Al-Qaeda's two most high-profile maritime attacks, those against the *USS Cole* and the *MV Limburg*, were launched from Yemen. Nonetheless, the threat must not be overstated; it is equally important to recognize that pirates and terrorists have very different interests and have demonstrated no propensity to cooperate with each other to date in Somalia or anywhere else. Despite this caveat it remains the case that if both sides of the Gulf of Aden were to become launching

sites for pirate and, potentially, terrorist attacks then it is possible that if the level of violence increased significantly ship-operators would demand a much higher level of naval protection and if that were not forthcoming would seek alternative routes. Johnny Carson, the U.S. Assistant Secretary of State for African Affairs, has acknowledged already that Somaliland and Puntland “will, in fact, be a bulwark against extremism and radicalism that might emerge from the south.” It is time to acknowledge that they could be a bulwark against extremism from the north as well.

Conclusions

In conclusion I would like to draw the Sub-committee’s attention to four points:

1. Piracy needs to be ‘crowded-out’ using political and economic engagement in the areas of Somalia that host piracy operations, such as Puntland. The aim must be to change the incentives away from piracy and towards legitimate economic activity. Effective engagement on land will reduce the requirement for naval forces because, in addition to changing the risk-reward ratio, land-based law enforcement will be able to target pirate bases and feed navies with accurate intelligence. Delay in initiating land-based development will merely increase its eventual cost.
2. That development assistance is not aid. Investment and judicial capacity will be necessary but the primary objective must be to encourage international commercial and diaspora investment on business terms. Somalis are a proud and independent people who are not looking for handouts.
3. Piracy has a political significance that often exceeds its economic impact. What the pirates have exposed is that the world’s shipping lanes are more vulnerable to disruption than many assumed and the response to that disruption is less robust than many would have wished. The United States as the world’s predominant naval power is the ultimate guarantor of maritime security. Failure to curb the pirates’ activities raises doubts about its willingness to devote the political and naval resources needed to make that security a reality; doubts that in turn raise questions about its position as the leader of any global maritime security community. Prolonged failure to resolve this question creates political space which competitors will occupy. Experience in maritime security is one step along the road to naval competence.
4. That state failure in Yemen will destabilize the region further. Any instability is likely to spill onto the water and could become sufficiently worrisome to disrupt the vital shipping lane through the Gulf of Aden. This possibility adds a sense of urgency to the need to engage with Puntland and other areas within Somalia that are sufficient stable to make economic development possible. Economic development will ‘crowd-out’ Islamist extremism as effectively as it will undermine piracy.

Once again, thank you for the opportunity to be here today. I am happy to answer any questions that you may have.

Mr. SMITH. Dr. Murphy, thank you very much for your testimony.

Ambassador Shinn.

**STATEMENT OF DAVID H. SHINN, PH.D., ADJUNCT PROFESSOR,
ELLIOTT SCHOOL OF INTERNATIONAL AFFAIRS, GEORGE
WASHINGTON UNIVERSITY**

Ambassador SHINN. Yes, thank you, Mr. Chairman. The administration's Dual Track policy is essentially sound. The TFG is the only entity other than al-Shabaab with any claim, albeit a weak one, to speak for the Somalis in that part of Somalia.

It extended its mandate from August 2011 to August 2012, and if it cannot make significant progress by the end of the extended mandate it is difficult to imagine that there will be any support left for it in the international community.

The United States should indeed devote more development resources to Somaliland and Puntland. I would also argue that U.S. Government personnel should have more flexibility in visiting Puntland and Somaliland. The hard part of the two-track policy is that which calls for reaching out to and supporting anti-Shabaab groups in south and central Somalia.

The United States has not yet figured out how to reach these groups, because they are, after all, under al-Shabaab control. Whatever strategy is pursued, however, it must be Somali-driven and not have an outcome that, by supporting sub-clans and small groups, results in the permanent Balkanization of the region.

The Somali diaspora can be an important part of the solution to Somalia, but it is not united on a solution.

On the issue of counterterrorism and military strikes, following 9/11 counterterrorism became the overwhelming U.S. policy in Somalia, and continues as a major factor. counterterrorism, while important, should not overwhelm U.S. and international community actions that might make a stronger contribution to diminishing the influence of al-Shabaab in the region.

Military strikes need to be limited to high-value targets, where the intelligence is almost incontrovertible and the likelihood of collateral damage is virtually non-existent.

It will be a mistake if these strikes become the U.S. default policy for countering al-Shabaab and other extremists in Somalia. A policy of military strikes in isolation does nothing to mitigate the root causes that led to the rise of and continues to generate support for al-Shabaab and similar organizations.

On the issue of contact with al-Shabaab, a controversial topic, while there are rank and file members of al-Shabaab who have no ideological commitment and can be lured away. I just do not see anyone in a leadership position with whom representatives of the international community should be in dialogue. To the extent there is any role for a dialogue with al-Shabaab, it should be done by Somalis and not by foreigners.

On the issue of piracy, I think probably as much has been said on that as is necessary, so I will pass over that. I would only add, though, that in addition to dealing with piracy per se, there is a Somali element of this that needs addressing, and that is for the international community to focus on ensuring that illegal fishing in

the 200 mile economic zone of Somalia be dealt with, and the international community in the future not permit that to happen. There has been a bad history of that in the past.

There have also been a few cases of toxic waste dumping in the waters off Somalia. I think there has been a lot of exaggeration on that point, but it is important that the international community do whatever it can to ensure that there not be toxic waste dumping.

On the recognition of Somaliland, Somaliland should be rewarded for the relative stability that it has established and the fact that it has become the most democratic entity in the Horn of Africa. But I think any decision on the recognition of Somaliland should be led by the Africans, either the African Union collectively or individual African countries.

And finally, I would like to make a plea for greater consideration of regional economic integration in the area. I think this is a long-term goal that has major implications for the future.

Somalia is one of the most conflicted countries in the world and has been for a long time. I think if it is possible to identify ways to increase regional economic integration for all of the Horn and East African countries, it has the potential to mitigate significantly conflict in this part of Africa.

I thank you very much, Mr. Chairman, for hearing my views.
[The prepared statement of Ambassador Shinn follows:]

Assessing the Consequences of the Failed State of Somalia
Joint Hearing
House Subcommittee on Africa, Global Health, and Human Rights
House Subcommittee on Terrorism, Nonproliferation and Trade
Rayburn House Office Building
7 July 2011
Remarks by David H. Shinn
Adjunct Professor, Elliott School of International Affairs
George Washington University

I thank both subcommittees for inviting me to testify on Somalia today. My testimony focuses on ways for the United States and the international community to respond (or not) to the plethora of challenges posed by the current situation in Somalia.

Dual Track Policy

The United States announced in October 2010 a dual track approach toward Somalia. Track one called for continued support of the Djibouti Peace Process and the Transitional Federal Government (TFG), including security sector assistance to the African Union Mission in Somalia (AMISOM) and the TFG National Security Forces. Track two called for expanding outreach with self-declared independent Somaliland, semi-autonomous Puntland and regional and local anti-Shabaab groups throughout south and central Somalia. Track two included encouragement of grass-roots support for stability in Somalia and reaching out to the Somali diaspora in the United States.

The policy is essentially sound. Unfortunately, the TFG is in many ways dysfunctional. It controls most of Mogadishu, thanks to the AMISOM force, and small bits and pieces elsewhere in south and central Somalia while Al-Shabaab controls most of the rest of south and central Somalia and a smaller part of Mogadishu. The fact remains, however, that the TFG is the only entity other than al-Shabaab with any claim, albeit a weak one, to speak for Somalis living in this part of Somalia. The TFG continues to be bedeviled by internal power struggles and inefficiency. It extended its mandate from August 2011 to August 2012. If it cannot make significant progress by the end of its extended mandate, it is difficult to imagine there will be any support left for it in the international community. Many in the Somali-American diaspora and a number of American scholars who follow the situation in Somalia have already given up on the

TFG. I have not heard, however, from those who want to end support for the TFG an acceptable alternative entity to work with in Somalia. Nevertheless, if the TFG continues its internal squabbles and fails to make progress, I may find myself joining this group in August 2012 when there would hopefully be an acceptable alternative.

I have argued for the past decade that the United States should devote more development resources to Somaliland and Puntland and, in the case of Somaliland, open a small liaison office in Hargeisa to monitor an expanded development program. Initially, there was no interest in this idea. In the past several years, as al-Shabaab became more threatening towards western interests in the region and carried out terrorist attacks in Somaliland, concerns about providing adequate protection for an American physical presence in Hargeisa have made the proposal more difficult to justify. At a minimum, however, U.S. government personnel should have more flexibility in visiting both Somaliland and Puntland, which unlike Somaliland is not seeking independence. Providing additional resources to Puntland needs to be balanced with the inability and/or unwillingness of Puntland to shut down pirate bases along its coast. I will come back to this issue in my comments on piracy.

The hard part of the two track policy is that which calls for reaching out to and supporting anti-Shabaab groups in south and central Somalia. From my optic, the United States has not yet figured out how to reach these groups because they are, after all, under al-Shabaab control. To the extent that the TFG can convince Somali communities on the margins of al-Shabaab control that it has something to offer them, then the international community needs to step in quickly to provide development resources. I don't know how you reach out successfully to Somali communities firmly under the control of al-Shabaab; so far, the TFG has not demonstrated that it is the organization to carry this out. Whatever strategy is pursued to overcome this conundrum, however, it must be Somali driven and not have an outcome that by supporting sub-clans and small groups results in the permanent balkanization of the region.

The Somali diaspora can be an important part of the solution in Somalia. It is large, provides a huge amount of remittances and is generally interested in the future of Somalia. Like Somalis in Somalia, however, it is not united on a solution. Nevertheless, the U.S. government is correct to reach out to this community in the United States just as other governments should do in those countries where there is a large Somali diaspora. The idea behind the two track policy is commendable; implementation of the program in territory held by al-Shabaab is still wanting.

Counterterrorism and Military Strikes

Following the departure in March 1994 of U.S. troops from the international peacekeeping operation in Somalia, U.S. policy towards Somalia was largely one of neglect. Counterterrorism developed as an issue of limited concern after the 1998 bombings of the U.S. embassies in neighboring Kenya and nearby Tanzania. It took some time, however, to link al-Qaeda affiliates in Somalia to the attacks on the embassies. Following 9/11, counterterrorism

became the overwhelming U.S. policy and continues as a major factor, although the policy is now more nuanced. While it is important to keep counterterrorism high on the priority list of U.S. concerns, it should not overwhelm U.S. and international community actions that might make a stronger contribution to diminishing the influence of al-Shabaab in the region and help to establish the conditions that may eventually allow Somalia to reestablish a broadly accepted national government.

The U.S. counterterrorism strategy has involved material and training support for neighboring countries, especially Kenya and Ethiopia. Much of the assistance to AMISOM is predicated on obstructing al-Shabaab and other extremists in Somalia. Since 2007, there have been almost a dozen U.S. military strikes inside Somalia using missiles from ships in the Indian Ocean, helicopters from ships and land and, most recently, drones. Some have hit high value targets and some seem to have had limited counterterrorism value. Some have resulted in collateral damage and others, according to accounts from many Somalis, have generated sympathy and even served as a recruitment tool for al-Shabaab. These strikes need to be limited to high value targets where the intelligence is almost incontrovertible and the likelihood of collateral damage is virtually non-existent. One of the strikes that fit this definition was the September 2009 attack on an isolated road south of Mogadishu by U.S. Special Forces against Saleh Ali Nabhan. He was a senior al-Qaeda member believed to have been involved in the planning of the attacks on the U.S. embassies in Kenya and Tanzania and the 2002 attack against the Paradise Hotel outside Mombasa, Kenya.

It will be a huge mistake, however, if these strikes become the U.S. default policy for countering al-Shabaab and other extremists in Somalia. While the successful strikes against senior leaders disrupt the organization, al-Shabaab has been able to replace them without great difficulty. More importantly, a policy of military strikes in isolation does nothing to mitigate the root causes that led to the rise of and continue to generate support for al-Shabaab and similar organizations.

Contact with Al-Shabaab

There is a debate among those of us who follow Somalia closely concerning the wisdom of the international community, including the United States, engaging al-Shabaab in dialogue. Those who make this argument believe there are moderates among the leadership in the organization who might be weaned away from al-Shabaab. I do not subscribe to this point of view. While there are rank and file members of al-Shabaab who have no ideological commitment and can be lured away (witness the low level defections in recent years), I just do not see anyone in a leadership position with whom representatives of the international community should be in dialogue.

To the extent there is any role for a dialogue with al-Shabaab, it should be done by Somalis and not foreigners. In fact, it is my understanding that some representatives of the TFG

have had conversations with members of the same clan and former colleagues who now hold senior positions in al-Shabaab. This is not surprising as Somalis tend to talk with other Somalis irrespective of their political differences. This will continue whether the international community approves or not. To the extent that it is possible to reach any acceptable agreement with al-Shabaab's leaders, a point on which I have great doubt, I don't believe there are any non-Somali with a sufficient understanding of Somali society and the role of sub-sub clan politics to interact effectively with al-Shabaab. Only Somalis can reach an agreement that has any prospect of lasting. Even dialogue with al-Shabaab involving Somalis assumes it is possible to identify a negotiator or negotiators who can overcome vested interests in the proposed solution. This is a challenge.

Piracy

The international anti-piracy effort has clearly prevented some pirate attacks and reduced the rate of increase in both attempted and successful hijackings. But the fact is that both the number of attempted attacks and successful attacks has risen each year since 2006 and the rise has continued through the first quarter of 2011. Only the percentage of successful hijackings compared to attempted attacks is dropping. The international naval force is concentrated in the Gulf of Aden, a relatively small body of water compared to the western Indian Ocean. Most of the success in reducing piracy has occurred in the Gulf of Aden; the pirates have responded by moving most of their operations to the western Indian Ocean. The estimated annual cost of the international anti-piracy operation is an astounding \$1 billion to \$2 billion. It is obviously not the solution to the problem. While all the experts agree that the ultimate solution is the return of state control to lawless parts of Somalia complete with an effective police force and coast guard, it is also understood this goal will not be achieved any time soon. In the meantime, it is necessary to find more effective temporary measures—both sticks and carrots.

Many ships plying the waters in the Gulf of Aden and western Indian Ocean have taken more effective countermeasures such as travelling faster, making it more difficult to board and employing security teams. They still need to do more as Somali pirates improve their own capabilities. When international naval forces captured pirates a couple of years ago, the default policy for dealing with them was "catch and release" because it was too much trouble to prosecute them. Fortunately, this practice seems to be less common today and a higher percentage is being prosecuted. The earlier practice of firing warning shots at armed pirates rapidly approaching a ship, thus alerting the pirates to attack another vessel, seems to be slowly shifting to a tougher response. This is a good development. There also needs to be a greater willingness by the international naval force to hunt down and board pirate mother ships that are operating in international waters. There is still considerable reluctance to do this.

The international community has a responsibility to prevent illegal fishing in Somalia's 200 mile economic zone. While a foreign fishing vessel would be crazy to enter these waters today because of the likelihood of a hijacking, there has been a long tradition in earlier years of

illegal foreign fishing in these waters. Once Somalia became a failed state in 1991, some fishing companies signed bogus agreements with Somali coastal communities that allegedly authorized them to fish in Somali waters. The international community must put an end to this practice. Strong international action against illegal foreign fishing will send a positive signal to Somalis that the world community is also interested in their economic future. There have been a few documented cases of toxic waste dumping along the Somali coast. In my view, many of the reports on this subject have been highly exaggerated, but there should not be a single instance of toxic waste dumping along the Somali coast and only the international community can ensure this no longer occurs. To its credit, the United Nations is finally seized with the matter but this is an issue that should have been dealt with years ago.

The international community should also look into the possibility of working with communities along the Puntland coast with the goal of funding income producing projects that might eventually lure young Somalis away from piracy and into activities that make a long-term contribution to the development of their region. This will be hard as these projects cannot produce the kind of income now being illegally obtained by pirates and shared widely with officials throughout Puntland. But appeals to elders and religious and community leaders backed by international development funding might convince them that this approach offers a better future than piracy. It would also cost a lot less than the international anti-piracy force.

Countering Drought and Potential Famine

East Africa and the Horn are experiencing a serious drought. Southern Somalia, where al-Shabaab is largely in control, seems to be ground zero. Tens of thousands Somalis are flowing into the world's largest refugee camp at Dadaab in Kenya near the Somali border while an estimated 31,000 Somalis have fled to refugee camps in Ethiopia in the past five months. Another 10,000 have moved into Mogadishu seeking emergency assistance. It is important that the donor community not be deterred by donor fatigue and respond quickly to this crisis. It should be possible to move emergency supplies on a timely basis to the refugee camps in Kenya and Ethiopia and even to the Somalis who have moved into that part of Mogadishu controlled by AMISOM and the TFG.

The problem will be providing food to drought victims in the al-Shabaab controlled parts of south and central Somalia. Al-Shabaab imposes strict controls over all non-governmental organizations operating in areas under its jurisdiction and benefits financially by extracting fees from NGOs and insisting that its followers be paid high rates for providing services such as transporting food. This poses a dilemma for the international community and particularly the United States.

Recognition of Somaliland

Somaliland should be rewarded for the relative stability that it has established and the fact that it has become the most democratic entity in the Horn of Africa. In this connection, I have

praised Somaliland over the past ten years and urged that the United States devote more development resources there. With the upcoming independence of South Sudan, there is increasing discussion of recognizing Somaliland's 1991 unilateral declaration of independence. Although Somaliland has a strong legal case for independence, the African Union has been unwilling to accept its position for political reasons, including the precedent it might set for other breakaway regions. Somaliland does have one significant issue related to independence that it tends to ignore. Two sub-clans from the Harti group of the Darod clan, which has close ties to neighboring Puntland, reside in the eastern most part of Somaliland. The Warsangeli inhabit the eastern part of Somaliland's Sannag region and the Dulbahante inhabit Sool region. Many of these people prefer a closer relationship with Puntland, which strongly objects to including these areas in an independent Somaliland.

Any decision on the recognition of Somaliland should be led by the Africans—either the African Union collectively or individual African countries. Non-African countries, including the United States, should not take the initiative. If the Africans move to recognize Somaliland, then it would be appropriate for the United States to follow. There are some who argue that recognizing Somaliland will help resolve the problems in the rest of Somalia. This is an illusion; it could just as easily exacerbate problems to the south.

Regional Economic Integration

Looking beyond the time when Somalia has a broadly accepted and functional national government, the best long-term solution for reducing conflict in the region is regional economic integration and open borders. Somalis are historically a pastoral people as are many of their neighbors. Since the end of World War II, the Horn of Africa has arguably been the most conflicted corner of the world. The most sensible way to break down political and cultural barriers is to improve and expand regional economic integration. The East African Community (Kenya, Uganda, Tanzania, Rwanda and Burundi) are moving slowly in this direction. The Intergovernmental Authority on Development or IGAD (Somalia, Kenya, Uganda, Ethiopia, Djibouti, Sudan and, until recently, Eritrea) has been too consumed with internal political differences to move forward on economic integration, but IGAD might still provide the necessary framework. In any event, this is the only long-term solution that I see for overcoming the many divisions and conflicts in this part of the world and Somalia could be one of the principal beneficiaries.

Mr. SMITH. Ambassador Shinn, thank you very much for your testimony and for your service.

Let me just ask a few questions. You mentioned, Dr. Murphy, that there are some 400 hostages. I wonder if you could tell the subcommittees, how are they treated? What is the average stay of incarceration? I don't know how else to explain it. Are they tortured, any of these individuals?

Mr. MURPHY. Thank you, Mr. Chairman. Yes, there are about 450 hostages currently. The average stay has increased. It is probably around 5 to 6 months now, and that is all to do with the time it is now taking to negotiate the ransom payment.

There have been a number of stories of bad treatment. I think it would be unfair to be that they have had pleasant treatment heretofore, but it has generally been safe. There has been all sorts of reports of their food being prepared correctly, and so on and so forth.

But we have, as I said, had some reports over the last 6 months or so of pirates—of their being treated badly, a number instances of heads being submerged below the water, hostages being dragged behind ships, mock executions, and so on and so forth.

What is difficult, really is to ascertain what the actual evidence for that is. We know it has occurred, but is it systematic? There doesn't seem to be a systematic pattern behind it. It seems to be related to one or two cases. However, there is concern that, partially because of the drought and partially because of general migration within Somalia, the Somali pirates are attracting—or the Somali pirate enterprise, to put it that way, is attracting more people from the interior who don't have an understanding of the sea, or possibly an understanding of the business model that has been heretofore so successful for the pirates, which is essentially a peaceful one.

So it is a situation one has to keep under review. At this stage, I think it is important not to exaggerate it, but it does seem to be occurring, and what we need is better and more reliable information upon which to make a judgment.

Mr. SMITH. Have there been reports of sexual abuse? And are women among those who have been detained?

Mr. MURPHY. There was one woman detained. I think it was on a Ukrainian ship. There was no report of any sexual harassment.

Mr. SMITH. Are shipping companies purposely keeping women off those ships?

Mr. MURPHY. There are very few women in the international—

Mr. SMITH. But there are some?

Mr. MURPHY [continuing]. Crewing business. Yes. They tend to be officers, not in the crew, but it is a very, very small proportion. I don't know if there is any particular policy to keep women out of the Arabian Sea theater.

Mr. SMITH. With regards to when they are repatriated, what has been the experience of those men, and the woman, once they are back home? Are there any signs of PTSD, or is anybody monitoring their psychological or physical health once they are freed?

Mr. MURPHY. Given the way that the international shipping industry works, I should imagine there is very little monitoring of what happens afterwards. There is no hard evidence as to what is

happening to these people, and that is partly because of the way the international shipping industry does work, which is to say it tends not to want crew or officers to be interviewed. People tend to be kept away from the press. We don't know, really, how these people are dealing with it.

Historically speaking, the vast majority of people who have been pirated never went to sea again unless they had to, and that usually meant, clearly, the lowest-paid portions of the crew.

Many of the officers, historically, did not go back to sea again because the trauma was so significant, but we don't have particular surveys as to what has happened to the people who have been held in Somalia.

Mr. SMITH. Let me ask Ambassador Shinn, if you could, you mentioned that the Somali Diaspora in America can be part of the solution in Somalia. But while remittance has maintained Somali families, young Somalis in some number are joining al-Shabaab on the battlefield.

Do we have any sense as to how many Somali emigres have gone back and are now a part of the fighting? And those who are being radicalized here, what is their game plan? Do we have any sense of their hostility or lack of it toward the United States?

Ambassador SHINN. Well, we have a fairly good idea of the numbers who have gone back and joined al-Shabaab. And the last figure I saw was around 30 from the United States. There are other members of the Somali Diaspora in other countries who have gone back.

Larger numbers, I believe, have gone back from the United Kingdom. I saw a figure of around a dozen from Sweden, maybe five from Denmark, and small numbers from other European countries. So the total may very well be a couple of hundred by the time you add them all up.

What I have not seen is any number of Somalis in the American Diaspora who have, as you say, been radicalized, or who might have sent money to al-Shabaab.

The FBI may have some better numbers on money transfers, but that is very hard to follow, because most of that money is sent back by what is called the Hawala organization, where you literally can go into a large Somali mall in downtown Minneapolis, which I have done, and where there will be a little office where a Somali-American can deposit \$100—actually, \$105. There is a \$5 commission.

That \$100 will just show up, almost miraculously, anywhere in Somalia several days later. Someone will literally deliver it to the intended person, and it is very, very hard to track this sort of thing.

So I don't think anyone really knows with any certainty the degree to which al-Shabaab has benefitted by financing from the Diaspora, but it definitely has. The numbers just aren't there.

Mr. SMITH. Ms. Bruton, you had faint praise for the Dual Track. You said it was less harmful than the previous policies. And I am wondering if you and the other panelists might want to speak to how well you think the Dual Track, especially track two, is progressing.

Ms. BRUTON. I think that the Dual Track policy has really yet to get off the ground. In theory, it could work very well, and I spec-

ified that I think that will require the U.S. to use a very light footprint, and not to use the Dual Track strategy as an opportunity to pursue political ends at the local level. If the U.S. pursues political ends on the ground, I think that the results will be very similar to what we have seen in Mogadishu.

I believe that the Dual Track policy has been held up by the tremendous difficulties that are involved in formulating a decent strategy for engaging at the ground level, particularly in south central. And I know that USAID and other entities are working very hard to come up with such a strategy, given the evolving political situation, and I think particularly given the fear that some of this funding could ultimately go into the hands of al-Shabaab.

But I think that the dialogue needs to move much more quickly. Most people who have worked in Somalia will tell you it is not anywhere near as difficult as people think it is. If you take a few precautions, it is possible to do amazing, amazing projects with relatively little funding. And I am personally very hopeful that Dual Track will be able to accomplish some of those things.

Mr. SMITH. Would anybody else like to—Dr. Pham?

Mr. PHAM. I would just add to that, I think that we need to also flesh out the Dual Track strategy. Conceptually, I think it makes a great deal of sense, and it certainly is a move in the right direction.

But we need to flesh it out, both in terms of distinctions within the secondary track between entities that are approaching quasi-state status, like Somaliland and Puntland, and more grassroots organizations which, although they may aspire to that, are a very long way from that. So I think we need to distinguish between that.

And secondly, we need to be able to put resources—it is good to say, “We are having a Dual Track strategy,” but unless development assistance and other things flow to privilege that, it remains just a rhetorical concept. Thank you.

Mr. SMITH. Ambassador Shinn.

Ambassador SHINN. Mr. Chairman, if I might add, there are two particularly sensitive and important areas where one would like to see the Dual Track policy take root. One that I alluded to earlier, and that is south central Somalia, the areas that al-Shabaab controls.

It clearly is very difficult to work there. One of the things we are going to find out in the coming weeks, as the United States Government tries to deal with this horrific drought that was talked about earlier today in this hearing, is the degree to which one can actually provide food in areas controlled by al-Shabaab.

Interestingly, al-Shabaab has said in the last 48 hours or so that it will now let international organizations and non-governmental organizations into that area to provide food. They threw them all out earlier.

But what we haven’t heard yet are the conditions for those organizations to go into al-Shabaab territory. In the past, al-Shabaab organization has tried to extract money from these groups, either assessing fees or taxes, or insisting that anyone who works in their area use al-Shabaab transportation companies. This is money that

ultimately ends up in the coffers of an organization that is an enemy of the United States.

So it is a very, very tricky situation. On the one hand, you don't want Somalis to be dying in this area. On the other hand, you don't want to be supporting, directly or indirectly, al-Shabaab.

The other area where the whole Dual Track system is critical is in the pirate-held ports along the Puntland coast. I think this is an area where we need to be a little more innovative as to how we deal with it. Right now, we are entirely focused on spending between \$1 billion and \$2 billion a year on a huge naval effort in the Indian Ocean, and it clearly has not worked.

Maybe it is time to see if there is any way of working with local communities—elders, religious leaders, community leaders, et cetera—in the existing pirate port areas, going in with some ideas for development assistance, the international community collectively, not just the United States, and seeing if there is any way to convince the elders that, look, there is another way here than just existing on the basis of pirate money.

This would be hard to do, because there is no way to compete with the amount of money that the pirates obtain, but you might be able to find some good-minded local leaders who would be willing to look at another way of creating jobs and employment, and try to reconstruct the economy there.

Mr. SMITH. Yes, Dr. Murphy?

Mr. MURPHY. Mr. Chairman, I obviously endorse my colleague's comments about the need for economic development in the piracy-prone areas. However, I think it is important that we do not couple development aid simply to the fact that you have been a bad boy as a pirate. The economic aid has to be spread much more even-handedly, otherwise we are rewarding malfeasance.

Mr. SMITH. Let me just ask you a couple of final questions, then I will yield to my good friend, the vice chairman of our subcommittee, Mr. Fortenberry.

Ms. Bruton, you mentioned earlier that it is time to revisit the territories that are not getting the kind of humanitarian aid that they desperately need. As a matter of fact, Ms. Lindborg suggested that some 61 percent of the unmet need is in those areas.

She also pointed out that there is about a \$200-million gap in terms of what is needed and what is certainly not there yet. And I wonder if any of you might like to speak to that gap, and whether or not you are confident the U.S. and our other donors will stand up and provide the sufficient amounts of money.

Let me also, if I could, address human trafficking. The human trafficking report, the TIP Report, has just been released a week ago. And it points out that, as in previous years, trafficking victims were primarily trafficked within the country, from Somalia's south and central regions to Puntland and Somaliland regions. And it points out that the government made no known effort to prevent trafficking in persons.

And I am wondering if the international community, the government, the TFG, in your view, are even aware that this problem is going unattended-to. And obviously, it is usually women and children who are the victims of human trafficking.

And finally, Dr. Pham, you spoke about the African Union deployment, and pointed out that that is one of the rallying cries against the government. I am wondering, if not the AU troops, who? I mean, who would provide that necessary lifeline or protection, minimal as it may be, but certainly very hazardous for those troops who are deployed there.

And I do have a question, if you could, about the whole issue of rules of engagement. Do the AU troops have a sufficiently robust mandate to protect? And secondly, on the high seas, is our Navy, are the navies of other interested parties sufficiently robust in their efforts, as well?

So those questions.

Ms. BRUTON. Thank you, Congressman Smith. I am very, very grateful to have the opportunity to address this question, because my memory of the suspension of U.S. humanitarian relief differs significantly from some of my colleagues.

As I recall, it is certainly true that al-Shabaab was attempting to collect some fees from humanitarian agencies. Typically, those fees were about \$20,000 every 6 months. Forty thousand dollars a year for every large humanitarian NGO.

That is not a huge amount of money, particularly when you contrast this with the amount of funds and weaponry that al-Shabaab has derived from, for example, the sale of weapons by TFG troops, who have been trained by the United States and other European and western donors.

Al-Shabaab can be very difficult to work with. They have always been difficult to work with. But the United Nations, ICRC, and other humanitarian agencies have almost always succeeded in gaining access to the territories after negotiations.

There are some subsets of al-Shabaab that certainly will refuse to allow humanitarian actors into their territory if they perceive them as political rivals. But I think that those instances are fairly few and far between, and under the current circumstances, certainly, I think it is very important that the United States do everything possible to ensure that humanitarian relief flows to those many, many communities that are not receiving any aid at all.

We can't allow our political ideas about what al-Shabaab may or may not do in the future to allow people to starve today.

Mr. PHAM. To pick up on the questions concerning the African Union Mission in Somalia, AMISOM, one has to acknowledge that its performance has improved a great deal in the last year, partially because of increased training by U.S. and European Union countries, partially because of a change in command.

The current commander, Major General Nathan Mugisha from Uganda, certainly is making a valiant effort at it. The problem is in resources, both in personnel and ultimately in political resources.

Currently, there are just shy of 10,000 African Union Forces out of an authorized strength of 12,000. Earlier we heard testimony from Ambassador Yamamoto that it seems unlikely anyone is going to come up with those 2,000 to make up the force.

But even if the 2,000 were found, we would have 12,000 troops with a mandate to do something that a decade and a half ago, against an insurgency that was nowhere as ideologically committed

or as well armed and trained as al-Shabaab and the Islamists, the U.N. failed with 37,000 troops. It is beyond delusional to think that 12,000 is going to pull it off.

And if you look at the numbers, right now AMISOM has roughly one soldier for every 500 people. The surge in Iraq, when that turned the tide, the ratio there in the counterinsurgency was one U.S. soldier for every 187 Iraqis. So they are woefully under-resourced.

Beyond mere troop strength, however, you also have the issue of political agenda. You may be able to gain space, as difficult as it is, but in order to hold that space, one has to have a political solution.

The government has to be ready to offer services, goods to people to hold their loyalty. And what we have in the Transitional Federal Government is an outfit that is good for one thing, which is robbing, stealing the resources they have.

In the last two fiscal years, the government offices have stolen 96 percent of the bilateral assistance. We have a Prime Minister, until recently, who was a U.S. citizen. During the period when he was in office, the payroll account for his office was 864,000—he was only in office about 9 months—of which only 216,000 can be accounted for. 648,000 has simply disappeared just from one account.

That is not the type of political figure or government that is going to inspire people to shift away and, as much as they dislike al-Shabaab, they are not going to shift their loyalty to an institution like this.

And so we have to acknowledge what AMISOM is improving. It has certainly gotten better. But ultimately, it cannot hold without a political strategy.

Mr. FORTENBERRY [presiding]. Let me intervene here, and thank you all for your patience. You have come at a difficult time, as we have got defense authorization and defense appropriations votes occurring, and we have got people in and out.

So I apologize that I haven't had the benefit of the fullness of the testimony today. But before we conclude, let me thank you all for coming, and also just pull back a little bit and ask a broader question, if you care to answer.

When the people of the United States think about Somalia, they will have the recollection of a loss of, if I recall, 23 soldiers in the 1990s. They will see piracy. They will have a notion that this is a, perhaps, ungoverned space, if you will, that is ripe for the potential for terroristic landing, engagement, and potentially expansion.

Then, on top of that, there would be a broader concern, in terms of the humanitarian problems that some of you have addressed in the brief time that I am here.

So I think it is important to step back and say, for a moment, why—or to point out, why is this strategic? Why is this important, that Somalia at least begin—at least we have a semblance of a vision for a transition of Somalia to a stabilized—a place with a stabilized government that has the potential to at least keep out the threats of those who would land there and expand for terroristic purposes, or affiliate with other terroristic organizations?

Explain why this is important, please.

Ambassador SHINN. Mr. Chairman, let me answer that question, if I may. I have worked on Somali affairs literally going back to the 1960s, off and on. And I think what the United States is facing—and I believe you quite aptly described the American perception of Somalia today. I think you are right on target.

The problem is that you have an entity which has been a failed state since 1991. If that entity kept its problems entirely to itself, there probably wouldn't be a great deal of concern in the United States about what was happening there.

But it has gone far beyond that, now. Not only is it harming the Somali people themselves—and there are some Americans who inherently are interested in the Somali population, particularly the Somali-American population. So there is that direct interest.

But now that it has gone so far beyond the borders of Somalia, with piracy, with terrorism that has extended outside, with even American links to terrorism in the form of Somali-Americans, some 30 of them or so who have been directly implicated, and the fact that it is impacting the stability of neighboring countries which are allies of the United States, particularly Ethiopia and Kenya, it is an issue that I think is properly of concern to the United States Government. It is in our interest to try to do something to help create a government that can, in fact, control the country.

And until that time comes, my guess is these problems are going to get worse, not get better. I think that, essentially, is the rationale for it.

Mr. MURPHY. Thank you. I approach the issue of Somalia very much from the sea, and my concerns about the International Maritime Commons, freedom of navigation, our ability as a nation to maintain, if you like, the way of life that we have had for the last 200 or so years.

I see the Somali pirates as presenting a major challenge to that international maritime security regime. I have argued that it possibly represents the most significant challenge to the peaceful use of the sea since the Second World War.

How this affects the United States is, the United States is the ultimate guarantor of the maritime security system, and as I argued in my testimony, where that is challenged and is not responded to, that gives opportunities for competitor states.

And I drew an example of a statement recently made by the Central Committee of the Chinese Communist Party, which indicates that they are prepared to take advantage of weaknesses in this area specifically to gain advantage for themselves in what they view—and we should also be viewing—as a geostrategically very important area.

In fact, if anything, I am more concerned about that than I am, necessarily, about the now-you-see-it, now-you-don't changes in the terroristic threats in the region.

Ms. BRUTON. I have argued many, many times over that the U.S. has a very limited set of reasons for engaging on the ground in Somalia. For a long time it has been common sense to assume that because it is a security vacuum, it is a terrorist threat.

The reality is that after the U.S. pulled out of Somalia in 1995, after the Black Hawk Down incident that you have alluded to, So-

malia became more stable, more economically viable, and less threatening than it had ever been in the past.

In 1998, 1999, 2000, 2001, 2002, 2003, 2004, there was virtually no discernable terrorist threat in Somalia at all. In 2006, the Counter-Terrorism Center at West Point wrote a report in which it said that Somalia was—I think the term they used was “fundamentally inhospitable to foreign terrorist groups like al-Qaeda.” Basically arguing that it was an inherently bad place for terrorists to work.

Obviously now there are terrorists in Somalia, but the thing that changed was not the Somalis. It was the level of U.S. engagement in the country, which dramatically increased starting in 2004. The reason for that stepped-up interest on the part of the United States was nothing to do with what was happening on the ground in Somalia, and everything to do with 9/11.

I am all in favor of caution, and erring on the side of caution when we are talking about counterterrorism, but in Somalia our preemptive efforts have tended to backfire in really terrible ways, and I think that should be the source of most U.S. thinking on Somalia now.

Not, “If we intervene, is there a chance that we can make things better?” but, “If we intervene, what are the odds that we will actually wind up making things significantly worse because of unforeseen consequences?”

And when I look at the counterterror efforts that are taking place there now, I am equally concerned that they are being driven not by events on the ground in Somalia, which are actually more or less moving in our direction, but by things that are happening in Afghanistan, in Pakistan, in Yemen.

And I simply urge this subcommittee, and these subcommittees, to let Somalia guide your Somalia policy, rather than any other country.

Mr. PHAM. Mr. Vice Chairman, I echo my colleague’s sentiments. In answer to your question, I think we need to look at not only the threat that emanates from there, which does affect our way of life, the freedoms we enjoy, commerce, threats to navigation, the very real threat now that—irrespective of how they got there or when they got there, the fact that al-Shabaab has been hospitable to other terrorist movements and extremist groups, allowing them to operate in Somalia, becoming sort of a hodge podge of characters who have gathered there, introduced to you, including—I worry a great deal about—introduced to these 30 Americans and others with European and Australian passports, who now pass through there.

For all those reasons, we need to be concerned. But we also need to be concerned because we take for granted the areas in Somalia—the country itself as a whole is not that chaos that we often imagine. Rather, specific regions are, mainly the south central areas where the conflict is.

The other regions—Somaliland has been actually, as Ambassador Shinn said earlier, the most democratic state actually in the region. Puntland has its problems, some of which are of its own making, because of the piracy, but relatively speaking it is stable.

But we take that for granted at our own peril. Somaliland will not remain the way it is forever if it is left in this limbo, neither engaged by the international community nor part of Somalia.

Puntland, their money buys a great number of things, including at times governments and elders and others who accommodate pirate action. But we have to avoid the moral hazard Dr. Murphy spoke about. We also need to realize that there is no solution to piracy, without some engagement there.

So we need to hold what we have, even if we recognize the limits of the positive action we can do. Thank you.

Mr. FORTENBERRY. Well, your answers are very helpful in terms of pulling back and seeing the larger picture, as to both the reasons for concern here, whether they manifest themselves in maritime stability, the potential spread of terrorist activity into the neighborhood in the Horn of Africa, as well as things that transcend that, such as humanitarian concerns for the people.

It seems as though we have some contrarian views here. And again, not having the benefit of your full testimony earlier, I appreciate you raising some different perspectives in that regard.

If we could, before I conclude, let us just go back to one key point that you raised, Ambassador Shinn, regarding the spread of al-Shabaab into the surrounding neighborhood, or its affiliation, potentially, with other groups who could leverage this—I don't want to quite call it ungoverned space, but the semblance of governed space, for destabilization purposes, ideological and destabilization purposes.

Ambassador SHINN. I would be happy to do that. I would agree with Bronwyn on one part of her comment on this, in that it is quite true that if you go back to the early 1990s, we have documentary evidence, that is documents from al-Qaeda that were collected by the United States Government, and they are now translated, declassified, and available at West Point.

They do point out that al-Qaeda had a horrible time getting engaged in Somalia back in 1991/1992. They ran into the same problem that everyone runs into with Somalis. Somalis are very individualist; they are very hard to get along with, and it is very hard to get them to do anything. Al-Qaeda was tearing its hair out. But at some point along the way, al-Qaeda did make some recruits, did have some progress in Somalia, and—

Mr. FORTENBERRY. Ms. Bruton pointed to events in 2006, specifically citing intensified U.S. engagement as the reason for that. Do you agree with that?

Ambassador SHINN. Only partially. The next step in all of this is that you go to 1998, the bombings of the U.S. Embassies in Nairobi and Dar es Salaam, and it turns out that several of the key al-Qaeda actors had support from Somalia during that planning period, and they took refuge, three of them, in Somalia.

All three happen to be dead now. It took a long time to track them down, but they are now all gone. The point is, that at some point between the very early 1990s and the late 1990s, there began to be a stronger connection between Somalia and the whole terrorist network.

That was before the United States got off on its counterterrorism preoccupation after 9/11. I think I would agree with Bronwyn that

after 9/11 there was an excessive focus on counterterrorism, and that did contribute, to some extent, to the problems that you have in Somalia today.

But the problem was well underway before that, and I don't think that part of it can be attributed to U.S. counterterrorism policy at that time.

So moving it all the way up to the present, what you have is a clear link between al-Qaeda and al-Shabaab, not operational control of al-Shabaab but a link to it. There has been training provided. There has been, probably, minimal funding.

Most of al-Shabaab is funded internally in south and central Somalia, by taxing and by controlling the port at Kismayo, where it makes tons of money with all the shipments going through Kismayo.

But they do get some outside money. They have also clearly established in the last year or so rather close links with al-Qaeda in the Arab Peninsula, and this is a very scary organization; this linkage is of real concern to the United States.

Mr. FORTENBERRY. Is that purely ideological? Is that religious ideology?

Ambassador SHINN. It is hard to know whether it is strictly ideological, or whether it is a marriage of convenience, to some extent. There have always been long-term links between Yemen and Somalia. They go back centuries. So this is nothing new, that they are visiting each other's countries. The fact that you now have the two terrorist groups linking up is different, and that is what is of great concern to the United States.

I think there is a lot we don't know about this link yet, because it is a relatively new connection.

Mr. FORTENBERRY. Could you address the magnitude of this?

Ambassador SHINN. I really can't. I am afraid that I would be getting into an area that, since I don't have access to classified information, that I may simply be getting it wrong.

But I do know from the anecdotal information that is out there, including the announcement just the other day in the Washington Post and the New York Times of the Somali who has now been brought to the United States for trial, he was picked up commuting between Yemen and Somalia, and according to the press reports he was in contact with AQAP.

This is a clear piece of evidence of it; but that in and of itself doesn't prove a lot. I have also heard from African Union personnel that they are greatly concerned about the link between AQAP and al-Shabaab, and I think it is very worrisome.

So this has gone beyond Somalia. We also have the bombing by al-Shabaab in Kampala, Uganda, just a year ago this month. There are links that are now starting to extend beyond the borders, and this is what should concern the United States.

Mr. FORTENBERRY. Well, there is a refugee problem in Kenya now, as well.

Ambassador SHINN. There is that also.

Mr. FORTENBERRY. One more question. Back to the strength and the potential for the African Union for stabilization purposes. Minimal? What is the trajectory here?

Mr. PHAM. I think the African Union Forces made—when they went in there, they went in without a clear strategy other than a broad mandate to be peacekeepers and to protect this government.

For most of the last 4 years, until about maybe 9 or 10 months ago, their chief duty was literally the physical protection of this so-called government that was confined to the presidential villa and occasional mad dashes to the airport.

Mr. FORTENBERRY. But they are concentrated in one place?

Mr. PHAM. In one place. Since then, they have made some expansion, but they don't have enough to hold that. That presupposes a trained Somali national security force, but those have largely—eight out of nine have deserted, so that is not coming.

Secondly, you need a political strategy. That is clearly absent, whether you give them a year or what. Unless that develops, that is going to—so we have to rethink the political goals, because, you know, Clausewitz said, "War is the continuation of politics by other means." We haven't figured out what political objectives, achievable ones, we want these warriors to do. And I think it does them a disservice.

If I could just return, sir, just one moment to the earlier discussion of al-Shabaab, the anecdotal evidence that Ambassador Shinn alluded to is there are quite a number of links going back, and it is both ideological and of convenience.

Two years ago, we had the suicide bombing which took the lives of a number of South Korean tourists in the Hadramut. The fellow who carried out that attack, a Haramuti, we have from both intelligence and his martyrdom video, he went to Somalia, was trained there, came back, and carried out his attack.

It goes both ways. Earlier, the Yemeni extremists had helped rescue al-Shabaab when they were on their last ropes after the Ethiopian invasion, when the Islamists made the mistake of engaging the Ethiopian defense forces out in the open, and were pretty much destroyed.

So there has been a back and forth, it continues. And what is worrisome is al-Shabaab's reach into the Diaspora community. Clearly it has that reach, and if it provides that facility, if you will, to the Yemenis and other al-Qaeda groups, I think we are in for some serious trouble.

Mr. FORTENBERRY. Address that issue, though, of motivation. Is it religious ideology? Some strange nationalism that we are not able to identify clearly with? Or is it something else? Is it just convenience?

When you are talking about it spreading to the Diaspora, then I assume it would have to be based on primarily religious ideology.

Mr. PHAM. Yes. And it is a mixture of religion and nationalism on the Somali side, but the ideology is clearly there at the leadership of al-Shabaab. Most of them are veterans of jihad in South Asia. They have been to Kashmir, Pakistan, Afghanistan.

Some of the middle commanders are actually foreigners, so there is—

Mr. FORTENBERRY. Do you have an idea of the magnitude, size, of this problem?

Mr. PHAM. Well, the size of al-Shabaab shifts, because you have got the core group, and then you have got militias that—clan mili-

tias that switch allegiances very quickly depending on circumstance and happenstance.

The number most analysts at least play around with, and it is only a guess, is probably in the low thousands, maybe up to five. But at times, they can capture the loyalty of certain clans or sub-clans, because each sub-clan has its own armed force, and those can be purchased. And at other times, they can purchase whole units, even from the Transitional Government's own forces.

Ambassador SHINN. Congressman Fortenberry, if I might just add to that, I have done a lot of research on the issue of particularly the foreign element in al-Shabaab, and the strength of the organization.

No one knows, other than al-Shabaab, with certainty how many armed followers it has in the country. The low estimate is about 4,000. The estimates go up to about 6,000 or 7,000 of armed persons at any given time in the country.

The more interesting part of the equation, though, is the number of those who are not local Somalis from inside Somalia itself. And there is pretty much agreement that in terms of the true foreigners, that is those who have no Somali ethnic connection, not from the Somali Diaspora, the number is probably around 300.

We used to say 200. We think it may have gone up a bit. Maybe 200 or 300. So not a huge number of true foreigners, that is, Pakistanis, or folks from the Swahili coast. Actually, most of them do tend to be from the coast of Kenya and Tanzania, and other parts of Africa, from India, from Bangladesh, from the Arab countries. They will constitute that 200 or 300.

Then there is another category of Somalis from outside Somalia who have a foreign passport, who have lived for either all or much of their life somewhere outside of Somalia, including the 30 from the United States that we talked about.

And that number could be as high as 1,000 or so. Again, the numbers are very, very fuzzy, but it is a fairly significant number. And that is what we are facing with al-Shabaab. Primarily, Somalis from Somalia, and then this group of 1,000 or so from the Somali Diaspora, or with some Somali ethnic link.

And then you have this real hardcore group, which is very ideological and very committed and ruthless. They are the folks who come from other jihad battles, or they come from the Swahili coast of Kenya, but they are not Somalis.

Mr. FORTENBERRY. Is there complicity with al-Shabaab in the piracy issue, or is that random criminal activity?

Mr. MURPHY. That has been searched for, and continues to be searched for. The links appear to be certainly not motivational. Pirates are criminals that are inspired simply by the need for money. Al-Shabaab, certainly in the core leadership, is certainly ideologically motivated. I think there is a penumbra around that that, as Dr. Pham has talked about, that they are allies of convenience, that they will come and go, and they are as likely to be motivated by access to money as anybody else. So the situation is not crystal clear.

There seems to be—clearly some financial transactions have gone on between the pirates and al-Shabaab. Exactly how much money

is involved is unclear, but they are almost certainly going to be, really, a version of a shakedown, a version of extortion.

In the same way that the pirates are paying, if you like, a fee or taxes to clan leaders or political figures in various parts of Puntland and the north of the south central region, al-Shabaab appears to have got in on the act and are squeezing some of the more southerly pirate groups. So some money is probably migrating across.

Where exactly that money is going within al-Shabaab is unclear. Is it staying within some of these peripheral groups, or is it going into the center? Somebody might know; I certainly don't. And it is not in the open sources.

Ambassador SHINN. If I might just add, Congressman Fortenberry, I agree with everything that Dr. Murphy said. There is a fascinating reporting piece, a rather long piece, that Reuters did yesterday, that claims to document payments that al-Shabaab has extracted from various pirate organizations.

It is about the most thorough, allegedly documented, piece of reporting that I have seen, and I would be happy to share it with your staff.

Mr. FORTENBERRY. Thank you very much.

Ms. BRUTON. If I may point out—

Mr. FORTENBERRY. Yes.

Ms. BRUTON [continuing]. It concerns me somewhat that we are using the word al-Shabaab as if it refers to a cohesive entity with a single ideology. I think it is very important to point out that probably 90 percent or more of the members of al-Shabaab, the people who call themselves al-Shabaab from day to day or once a week, are motivated by money. So far we think that the pirate connection is largely motivated by money.

And it is also important to remember that al-Shabaab, in addition to having a money motive, has a local agenda, which so far has been shown to vastly supersede any international agenda that it has.

When we talk about these 30 Americans who have gone from Minnesota and other parts of the U.S. to fight for al-Shabaab, the vast majority of them went in 2007, during the Ethiopian occupation, when there were rampant reports of Ethiopian troops raping Somali women.

The number of recruits that have gone from the U.S. to join al-Shabaab since the Ethiopian invasion ended is quite small.

I am also concerned when we talk about potential links with al-Qaeda in the Arabian Peninsula. Of course it is a worry, but I think that there is a big difference between being worried and having actual proof.

In 2006, the United States stated that the Union of Islamic Courts, which was then in control of Mogadishu, was being run by members of al-Qaeda. That turned out to be an absolutely inaccurate claim, but we used it to justify the Ethiopian invasion, which then triggered all of these migrations from the U.S. to Somalia. It brought al-Shabaab to power.

Basically, the risks, I think, are much higher here than we are allowing. I think that the U.S. has had a much more direct role in stimulating the terrorist threat from Somalia than we feel com-

fortable admitting. And in particular, I think that we should really keep in mind that al-Shabaab has a motive to associate with al-Qaeda that has nothing to do with ideology and everything to do with dollar signs.

Mr. FORTENBERRY. Clearly a complex situation in a place where governing structures are weak or collapsing, and other forces, whether that be nationalistic, religiously ideological motives, and criminal activity are filling the space, with the potential for exporting of those activities, which should be a worry, mitigated by some of the concerns that you raise that might round the edges of the conversation.

So if you all accept that, I think that is as fair a summary as I can make of what has been said here. But it has been very helpful to me to hear your testimony on what clearly is a complex situation.

But to raise awareness of this for the American people through this hearing, I think, has been an important outcome. And I appreciate your time and your willingness to testify here, as well as your background and expertise on these issues.

So with that, if any members of the committee have further questions, they will submit that to you in writing. And the committee is now adjourned.

[Whereupon, at 4:02 p.m., the subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
 U.S. HOUSE OF REPRESENTATIVES
 WASHINGTON, D.C. 20515-0128

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS
Christopher H. Smith (R-NJ), Chairman

SUBCOMMITTEE ON TERRORISM, NONPROLIFERATION, AND TRADE
Edward R. Royce (R-CA), Chairman

July 5, 2011

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held jointly by the Subcommittee on Africa, Global Health, and Human Rights and the Subcommittee on Terrorism, Nonproliferation, and Trade, to be held in **Room 2212 of the Rayburn House Office Building (and available live, via the WEBCAST link on the Committee website at <http://www.hcfa.house.gov>)**:

DATE: Thursday, July 7, 2011

TIME: 12:30 p.m.

SUBJECT: Assessing the Consequences of the Failed State of Somalia

WITNESSES:

Panel I
 The Honorable Donald Y. Yamamoto
 Principal Deputy Assistant Secretary
 Bureau of African Affairs
 U.S. Department of State

The Honorable Nancy Lindborg
 Assistant Administrator
 Bureau for Democracy, Conflict, and Humanitarian Affairs
 U.S. Agency for International Development

Reuben Brigety, Ph.D.
 Deputy Assistant Secretary
 Bureau of Population, Refugees and Migration
 U.S. Department of State

Panel II
 J. Peter Pham, Ph.D.
 Director
 Michael S. Ansari Africa Center
 Atlantic Council

Ms. Bronwyn Bruton
 Fellow
 One Earth Future Foundation

Martin Murphy, Ph.D.
 Visiting Fellow
 Corbett Centre for Maritime Policy
 King's College, London

David H. Shinn, Ph.D.
 Adjunct Professor
 Elliott School of International Affairs
 George Washington University

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON Africa, Global Health, and Human Rights and Terrorism, Nonproliferation, and Trade HEARING

Day Thursday Date July 7, 2011 Room 2212 Rayburn

Starting Time 12:30 p.m. Ending Time 4:02 p.m.

Recesses 1 (1:52 to 2:47) (____ to ____) (____ to ____) (____ to ____) (____ to ____) (____ to ____)

Presiding Member(s)

Rep. Chris Smith, Rep. Jeff Fortenberry

Check all of the following that apply:

Open Session ☒

Executive (closed) Session ☐

Televised ☒

Electronically Recorded (taped) ☒

Stenographic Record ☒

TITLE OF HEARING:

Assessing the Consequences of the Failed State of Somalia

SUBCOMMITTEE MEMBERS PRESENT:

*AGHHR: Rep. Chris Smith, Rep. Jeff Fortenberry, Rep. Donald Payne, Rep. Karen Bass
TNT: Rep. Ed Royce, Rep. Bill Johnson, Rep. Gerald Connolly*

NON-SUBCOMMITTEE MEMBERS PRESENT: (Mark with an * if they are not members of full committee.)

HEARING WITNESSES: Same as meeting notice attached? Yes ☒ No ☐

(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

*Prepared statement from Amb. Yamamoto
Prepared statement from Ms. Lindborg
Prepared statement from Dr. Brigety
Prepared statement from Dr. Pham
Prepared statement from Ms. Bruton
Prepared statement from Dr. Murphy
Prepared statement from Dr. Shinn
Prepared statement from Rep. Connolly
Questions for the Record from Rep. Carnahan*

TIME SCHEDULED TO RECONVENE _____

or

TIME ADJOURNED 4:02 p.m.


Subcommittee Staff Director

The Honorable Gerald E. Connolly (VA-11)

Joint Subcommittee Hearing
Assessing the Consequences of the Failed State of Somalia
Thursday July 7, 2011
12:30pm

There are two instantly recognizable effects of the situation in Somalia: the prevalence of maritime piracy off the Horn of Africa, and the terrorism perpetrated by militant groups such as Al Shabaab. The two are not mutually exclusive.

There are links between Al Qaeda (AQ) and Al Shabaab. According to the most recent State Department Country Report on Terrorism, Al Shabaab has run training camps where "AQ-affiliated foreign fighters often lead the training and indoctrination of the recruits. Al-Shabaab and other extremists conducted suicide attacks, remote-controlled roadside bombings, kidnappings, and assassinations of government officials, journalists, humanitarian workers, and civil society leaders throughout Somalia."¹

According to several reports accompanying United Nations Security Council resolutions, there are several distinct "pirate action groups" concentrated on the northern coast of the semi-autonomous region of Puntland. These pirate groups have launched attacks from the same areas in which Al Shabaab operates. The pirate groups operate in small teams equipped with AK-47s and rocket propelled grenade (RPG) launchers. They often have a larger mother ship equipped with additional supplies, along with one or more smaller boats that approach the targeted ship. One ship can yield a ransom of millions of dollars. Just last fall, pirates received the highest payout to date—\$9.5 million for the release of a South Korean oil tanker. Other ships have yielded a king's ransom as well—\$3 million for a Saudi oil supertanker in 2009, \$4 million for a Chinese coal carrier, and \$7 million for a Greek supertanker. The list goes on.

The crime of piracy—which costs the global economy anywhere from \$7 billion to \$12 billion—is concentrated in the Gulf of Aden, which more than 33,000 commercial ships traverse annually. The lack of rule of law and governance in Somalia has provided a base of operations for Somali pirate networks. Authorities in Puntland have directly colluded with pirates; a 2010 U.N. Monitoring Group report stated that key leaders in the Puntland administration have received money from piracy and in some cases have extended protection to pirate militias.

While piracy has been a crime of violence, recent instances are particularly troubling. For example, in February, four Americans were shot and killed aboard their sailboat, the *Quest*, after Somali pirates hijacked the boat off the coast of Oman. Details remain sketchy, though initial U.S. Navy reports indicated that the pirates fired an RPG at one of the Navy destroyers that was participating in hostage negotiations. The fourteen surviving pirates were indicted by a jury in Norfolk, Virginia.

¹ Office of Coordinator for Counterterrorism, US Department of State, "Country Reports on Terrorism 2009," August 5, 2010.

The Honorable Gerald E. Connolly (VA-11)

The citizens and neighbors of Somalia are certainly affected by the instability of that country. Over the past two years, about 1.1 million people in Somalia have been displaced and more than 475,000 have outright fled.² But even fleeing is not a short term solution. In March of this year, Human Rights Watch decried the Kenyan practice of deporting Somali asylum seekers. The organization outlined a specific instance regarding a temporary refugee camp in northeast Kenya which housed 13,000 people.³⁴

The instability in Somalia is a prime example of how events in one part of the world have consequences in another part of the world. Irrespective of calls for a more insular U.S. foreign policy, the instability of Somalia necessitates some sort of U.S involvement. Absent an international solution to the situation in Somalia, maritime piracy and militant groups will continue to thrive.

² Congressional Research Service, "Somalia: Current Conditions & Prospects for a Lasting Peace," June 29, 2011, p.

4.

³ Human Rights Watch, "Kenya: Stop Deporting Somalis Fleeing Conflict," March 31, 2011. For additional background, please see Human Rights Watch's publication "From Horror to Hopelessness; Kenya's Forgotten Somali Refugee Crisis," March 30, 2009.

**Question for the Record Submitted to
Ambassador Donald Yamamoto by
Representative Russ Carnahan
Subcommittee on Africa, Global Health, and Human Rights and Subcommittee on
Terrorism, Nonproliferation and Trade
House Committee on Foreign Relations
July 7, 2011**

Question:

Ambassador Yamamoto, In October 2010, the State Department announced a new “dual track” policy toward Somalia. This dual track policy focuses on, both, supporting the TFG, AMISOM, and regional peace processes, and engaging with internationally unrecognized Somaliland and Puntland in northern Somalia. Could you expand on the philosophy of this dual track approach, as well as its primary objectives? Has the Administration identified benchmarks for success under this strategy?

Answer:

Our dual track policy recognizes that stabilizing Somalia is a long-term process. . On Track One, we continue to support the regional Djibouti Peace Process and the Kampala Accord. Under those agreements, the Transitional Federal Government (TFG) and the African Union Mission in Somalia (AMISOM) are the primary efforts to help stabilize Somalia, including countering al-Shabaab. But AMISOM’s and the TFG’s efforts have been concentrated in Mogadishu. We would hope that the TFG and AMISOM could bring long-term stability to the whole of Somalia. But, we recognize the limitations they face. So, in September 2010 we announced a broadening of our strategy to also engage the semi-autonomous governments of Somaliland and Puntland, as well as with local and regional administrations throughout south and central Somalia opposed to al-Shabaab. The focus of Track Two is work with regional administrations toward a representative government, to help create safe humanitarian access across the country, to mitigate security threats to the region caused by instability inside Somalia, to rid piracy from Somalia’s shores, and to reduce its dependence on international humanitarian assistance.

The June 9th Kampala accord ended months of political infighting and set a clear deadline to establish a permanent national government. We consider this and the military success of AMISOM in Mogadishu significant benchmarks of Track One progress.

Along Track Two, we continue to work with UN and AU partners to convene broad meetings to bring more groups together in political dialogue. In addition, we are incorporating discrete community-based projects aimed at employment and tradecraft. USAID is working with regional administrations to address maternal health, democratization and elections support, local governance capacity building, education improvements, and youth engagement.

State failure has created conditions that allow piracy to thrive off the coast of Somalia. Achieving stability and good governance in Somalia represents the only sustainable long-term solution to piracy. Through our Dual Track approach in Somalia,

we continue to support the most important lines of action to counter piracy: building governance, security, and economic livelihoods on land in Somalia. We are working through the Contact Group on Piracy off the Coast of Somalia to emphasize the role of Somalia itself in counterpiracy efforts, and press Somali authorities to take the necessary steps to pass and implement anti-piracy legislation upon which the international community can help Somalia build enforcement capacity in the context of the rule of law.

Our long-term efforts on Somalia will continue to focus on security and governance, as well as humanitarian and development assistance. As we increase our engagement outside of Mogadishu, security permitting, we hope it will be possible to operate within Somalia on a more regular basis. We are working toward a Somalia at peace with itself and with its neighbors; one that is inhospitable to terrorist organizations. Future success in Somalia's stabilization requires international support in all of these areas.

