

**The Stability/Sustainability Dynamics: The
Case of Marine Environmental
Management in Somalia**

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Abstract

Since January 1991, Somalia has been a war-torn society without law and order machinery. After a decade of chaos, in January 2001, an interim government formed in Djibouti was brought to Mogadishu, albeit it failed to function. Two similar others followed; one in 2004 and the other in 2007. In 2012, a federal government was elected by 275 members of parliament, but it is yet to govern most of the country's regions. Consequently, over 25 years, there has been sociopolitical and economic instability which jeopardised Somalia's environment and security (land and marine). Now, who are the actors of socio-political and economic instability, and can marine sustainability be achieved in the absence of stability?

This doctoral study identifies, defines, examines and analyzes each of the state and non-state actors/networks operating in Somalia, at the international, regional, national, provincial, and local levels. I investigated who are they and what are their backgrounds/origins? What are their objectives and strategies? What are their capacities and economic status? What are their motives and manoeuvres? and what are their internal and external relationships? I categorised each one of them based on these scales: instability, potential stability or stability. I adopted a multi-dimensional approach which aims at tackling both marine environmental degradation and insecurity in the Somali basin, while establishing a community-based policy as a milestone for the formulation of a national/provincial policy.

The study finds out that the competing multifaceted and multipurpose (economic, political or social gains) networks deliberately or inadvertently destroy the country's environment and contribute to instability. Yet, in the country's post-conflict situation, environmental traditional-based policy and socio-legal systems can be practiced at the grassroots level. I then proposed the roles to be played by individuals, local communities, provincials, and national, as well as regional, and international communities in the implementation of this bottom-up approach policy. While showing the relationship between environmental sustainability and sociopolitical stability, I argue that marine problems are borderless and as such, need global attention. I shed light on how war-torn states and post-conflict countries can establish vital means of environmental sustainability by applying community-based policy, implemented through self-help programs.

Identification Terms: Marine, Seawaters, Environment, Networks of Stability/Potential Stability/Instability, Political, Social, Sociopolitical, Economic, Exclusive Economic Zone, Illegal Fishing, Foreign Trawlers, Jurisdiction, Judiciary, Executive, Legislative, Warlords, Faith-Lords, Money-Lords, Al-Shabaab, Backgrounds, Manoeuvres, Motives, Relationships, Minor-Groups, Typology, Negotiation, Management, Puntland, Somaliland, Jubbaland, Galmudug, Southwest Somalia, Somalia, Ethiopia, Kenya.

Dedicated to:

My Mother Salada Adam and,

My Children: Abdulfatah, Abdulhalim, Hanaan,

and Hasiina

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Glossary: Frequently used Abbreviations

- AIPU = Arab Inter-parliamentary Union
AMISOM = African Mission in Somalia
APC = African Parliamentary Conference
BCPR = Bureau for Crisis Prevention and Recovery
CNLP = Constitution on the National Legislative Procedures
CMs = Council of Ministers
CGPCS = Contact Group on Piracy off the Coast of Somalia
CIA = Centre of Intelligence Agency
CID = Criminal Investigation Department
COMS= Center for Ocean Management Studies
CRD = Centre for Research and Development
CTF-HOA = Combined Task Force of Horn of Africa
DFID = Department for International Development
EALA = East African Legislative Assembly
EEZ = Exclusive Economic Zone
EU = European Union
FAO = Food and Agricultural Organization
FBI = Federal Bureau Investigation
FP = Federal President
GRP = Glass Reinforced Plastic
HPFP = House of the People of the Federal Parliament
ICs = Independent Commissions
ICU = Islamic Courts Union
IGAD = Inter-governmental Authority for Droughts and Development
IGAD = Inter-Governmental Authority on Development
IIUUUF = Illegal, Illicit, Unreported, Unregistered, Undocumented, Undocumented, and Overfishing
IMO = International Maritime Organisation
INGOs = International Non-Governmental Organizations
IPU = Inter -Parliamentary Union
JSC = Judicial Service Commission
JB = Judicial Branch
LNGOs = Local Non-Governmental Organizations
MP/s = Member/s of Parliament
MI5 = Military Intelligence Section 5
MI6 = Military Intelligence Section 6
NATO = North Atlantic Trade Agreement
NAVFOR = European Union Naval Force Regional Operation
NFD = North Front District
NGOs= Non-Governmental Organizations
NIEC = National Independent Electoral Commission
NUG = National Government of Unity
OAU = Organisation of African Unity
OBP = Oceans Beyond Piracy

PNGOs = Provincial Non-Governmental Organizations
PM = Prime Minister
RNGOs = Regional Non-Governmental Organizations
SMRDCC = Somali Marine Resource Development and Conservation Centre
TNG = Transitional National Government
TFG= Transitional Federal Government
UAE = United Arab Emirates
UH = Upper House.
UK= United Kingdom
UNDP = UN Development Program
USA/US = The United States of America
UN= United Nations
UNCLOS = United Nations Convention on the Law of the Sea
UNDOS = United Nations Development Operations Office
UNDP = United Nations Development Program
UNEP = United Nations Environment Program
UNISOM = United Nations Operation in Somalia
UNITAF = United Nation Task Force
WHO = World Health Organization
WTO = World Trade Organization.

Chapter One

General Introduction to Somalia

Introduction

Somali Democratic Republic (commonly known as Somalia) is an African sub-Saharan country that borders to the North the Gulf of Aden, the East and South on the Indian Ocean, to the Southwest Kenya, to the West Ethiopia, and to the Northwest Djibouti. Genealogically, the Somali people trace their lineage back to one fore-father called “Samal.” Even though they are divided into clans and sub-clans, they are still as one entity when it comes to culture, customs, behaviour, language, and religion.

In this chapter, I introduce my audiences to the social, political, economic and environmental dynamics of Somalia. I describe the impacts of the civil war, from 1990-2014, on these four areas. I highlight the Somalia’s clan system and the connection, between coastal communities’ lifestyles and marine geography. Furthermore, I describe Somalia’s foreign relations’ networks and their domestic influence networks and the roles of various foreign forces in destabilizing the country. In this study, I highlight, (but will investigate and analyse in chapter 3, 4 & 5) the link between Somali government policies and an array of its socio-political and economic stakeholders at the international/regional, national, and provincial/local levels.

1.1: Somalia: from Central Authoritative System to Unstable Fiefdoms

Pre-independence, the European imperial forces divided Somalia at the Berlin Partition Conference in 1897 into: 1) British-Somaliland, 2) Italy-Somaliland, 3) Ogaden and Liban (under Ethiopian rule), 4) Northern Frontier District - NFD (under Kenyan authority), 5) Socotra Islands (under South Yemen administration), and 6) Djibouti under the French colonial administration (Gregoire, 2010). British-Somaliland and Italy-Somaliland were declared as an independent state on June 26, 1960 and July 1, 1960 respectively. The two were united as one state called Somalia inaugurated on July 1, 1960. A civilian system of governance was formed that lasted a 9-year term. The first head of state, President Aden Abdulle, came to power through Parliamentary election, and ruled until July 1967. During that time, the country's economic and financial capacity was limited to the level of "from hand to mouth" (Mubarak, 1996). The civilian government was condemned for being weak and haphazard (CIA World Fact Book, 2004). Although this would be expected in the case of any newly established state, Somalia's first administration was accused of letting a few individuals manipulate the country's resources and power (Mubarak, 1996). Corruption and graft began. Besides the corruption in the public properties, there has been constant clan-based warfare, droughts and a lack of national progress. During these critical circumstances of economic deficiency, natural disasters, insecurity, maladministration, and political turmoil a few individuals who had access to the public property have lived high lifestyles.

In the first administration, the majority of the Somalis, irrespective of their clans, felt that they neither had their rightful shares to the national resources nor any political power (Mubarak, 1996). Consequently, in 1967, a new President, Adbirshid Ali Sharmake, was elected by the same parliament, but he also failed to achieve any significant positive change. Sharmake was shot dead

on 15 October 1969 by one of his body-guards (Mahmood, 2001). In the next two weeks, the Parliament argued over who would replace him. The dispute showed no hope of resolution. As a result, the national military, under the leadership of their Chief Commander Major General Mohamed Siad Barre, took power, by force, on 21 October 1969. The coup d'état was bloodless, no one was injured and not a single bullet fired.

The Military Junta called its mission the “Holy Revolution,” naming M. S. Barre as the President of the country with an unlimited mandate. During its first 15 years, the revolution transformed the economy of the country. The economy boomed and was recognized as the “miracle economy” in Africa. The country was one of the strongest African countries in military forces, diplomatic relations, development projects, and domestic policies. In military terms, despite its small population, Somalia was the second super-power – after Egypt - in Africa (Luis, 1993). Within in a decade, the regime announced self-sufficiency (Kibreab, 1994). Most of the nomads were given lands for farming or boats for fishing (Metz, 1992; Luis, 2001). Consequently, the unemployment rate had drastically fallen to its lowest level (Abdi, 1998). In the main cities, household energy and drinking water were made free, albeit, later on, low charges were applied for electricity. The Majority of the government employees were settled in government houses for free (Metz, 1992). Pre-university education was compulsory and the university students were remunerated for attending post-secondary education (Abdi, 1998). Entertainment was made abundant. However, songs and dramas were censored. In the country, political discussion was made illegal and there was only one media “SONA¹” as a source of information (Metz, 1992)

¹ There were only one Radio “Radio Mogadishu”, one TV station “The National TV”, one journal “The October Star”, and post office “The National Post” in the country. The ideas of private medias and competitive medias were not there.

The Holy Revolution attempted to enforce the political decision made by the first recognized Somali administration inaugurated on July 1, 1960, which was to bring back the missing regions of the Somali inhabitants in the name of Pan-Somalism². In 1977, the revolutionary administration waged a massive war against Ethiopia and advanced nearly to its capital city, Addis Ababa. After a year of conquest, the most powerful socialist states, including the Soviet Union, Cuba, North Korea, South Yemen, Libya, and others directly attacked the Somali military inside Ethiopia driving them back home (Lalieu, 2010). After this defeat, some of the Somali clans and sub-clans rebelled against their government.

From late 1985, the regime became weaker and steadily lost its capability to govern. The people were divided into several clans and sub-clans (Luis, 2011). Deep hatred and animosity against one another was instigated and planted by clannish oppositions. The widespread animosity and clan warfare hindered all economic sectors that existed in the country, and consequently, led to the collapse of not only the economy, but also the livelihood of the people. At this stage, the ambition of Pan-Somalism in the Horn of Africa died, due to a lack of military and financial power³.

Somalia has been a war torn society since January 1991 (Little, 2003). From 1991-2000, there was no governmental authority to provide governance and services for the population, but since then, there has been a series of attempts to form a practical public administration. Between the years of 2000 and 2012, three transitional governments were formed, but all to no avail as they made insignificant progress towards stability. Similarly, there were not less than 23 reconciliation

² Upon the independence of the two liberated regions, British-Somaliland and Italian-Somaliland, Somali political leaders unanimously agreed on seeking other non-liberated regions through both diplomatic and military means, but to, strategically, forgo and forget one of these regions, which is Socotra Islands under Yemen's control.

³ Even the only two united regions became separated by conflict, albeit not recognized as two separate states, and the most destructive civil war in modern history has ruined the nation for over two decades.

conferences held outside the country, but all ended as failures, except the three, which produced the three transitional governments respectively (Farah, 2011). Unfortunately, each of these transitional governments failed to function as expected. In August 2012, the transitional system ended. A national reconciliation conference was held inside the country, a presidential election took place inside the country, a new national constitution was drafted, and an officially recognized non-transitional government was formed (Great Britain, 2012). This government has been officially recognized by most of the Western countries, including the United States of America (USA) and the United Kingdom (UK) as legitimate. With this new government in place, Somalia has adopted a “federal governmental system” and has abolished the former centralist system by changing the name of the country from the Somali Democratic Republic to the Somalia Federal Republic. This fundamental progress opens a new window of opportunity for Somalia to become a stable state socially, politically, economically, environmentally, jurisdictionally, and more importantly policy-wise.

This doctoral study seeks a means of establishing marine environmental sustainability and security in the post-conflict situation in Somalia. It consists of six chapters of which each is an explanatory and complementary to both its foregoing and after-going. Chapter one provides general introduction to social, political, economic, and marine environmental instabilities in Somalia as a general problem definition. Chapter two is about the dissertation’s theoretical approach and literature review. It concludes that the traditional literature on resource management and policy analysis are neither appropriate nor applicable in Somalia, due to Somalia’s present situation of instability and post-conflict situation. The most appropriate materials for analysing Somalia’s critical situation are those on post-conflict situations, which facilitate community-based

policy in the context of instability at provincial/local level (Pellegrini, 2011; Dingo, 2012, John, 11).

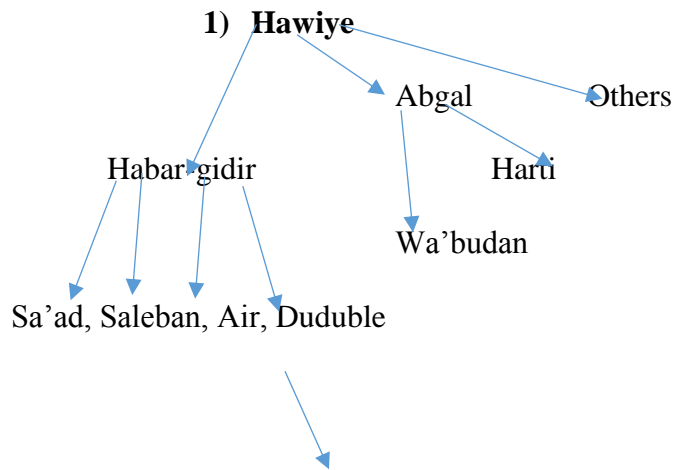
Chapter three is an analytical study of the roles and the responses of the international/regional stakeholders, both individual state and non-state actors and networks of actors, towards maritime environmental policy in Somalia. It identifies the foreign actors and networks of instability, potential stability and stability at the international/regional scale. Chapter four evaluates and analyses the role of the federal governmental institutions including the roles of the Judiciary, Executive and Legislative branches in the country's marine environmental policy and law. Then, it discusses the role of the key domestic actors of instability, investigating who they are, what their objectives and strategies are and their capacities. Chapter five considers relationships in the marine zone in Somalia's three provinces: Somaliland, Puntland and South-Central as well as other related actors of instability. Finally, chapter six seeks how to transform networks of instability to potential stability or stability for the purpose of pollution prevention and ecosystem management. It analyses some proposed approaches on maritime policy under a "multi-dimensional" approach. On the basis of this analysis, I make recommendations to build networks of socio-political, economic and maritime environmental stability, sustainability and security in post-conflict Somalia at the provincial/ local, national, and international/regional scales.

1. 2: Clan System in Somalia

Theoretically, Somalia can be defined as a country of one tribe. In anthropology, a tribe is defined as a "notional form of human social organization based on a set of smaller groups (known as bands), having temporary or permanent political integration, and defined by traditions of common descent, language, culture, and ideology" (Encyclopedia Britannica, nd). Somalia is a

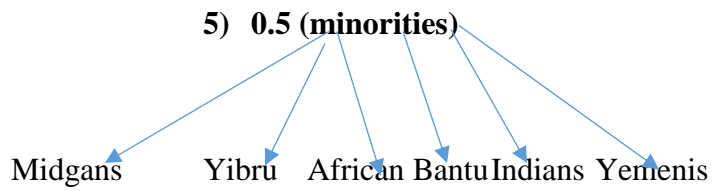
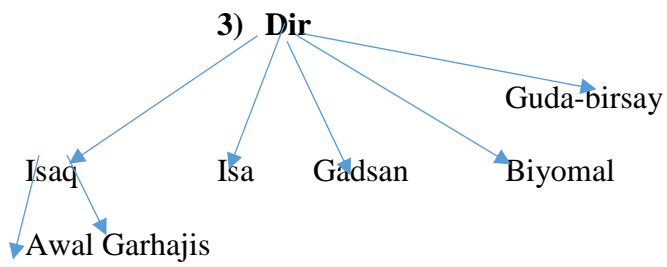
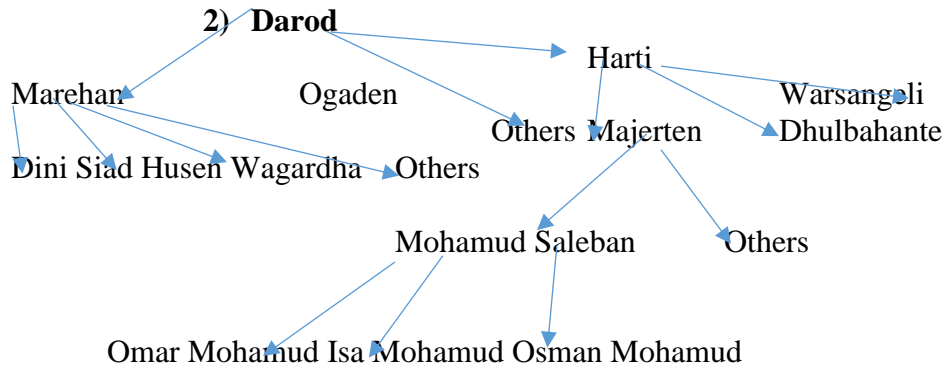
unique nation with one language, one religion, one culture, one lifestyle, and one descendent tracing their lineage to a father known as “Samale” (UNESCO, 2014). Internally, Somalia is divided into 5 clans: Hawiye, Darod, Dir, Rahanweyn, and a range of Minorities also known as 0.5 (Luis, 2011; UNESCO, 2014).

There are sub-clans and sub-sub-clans in each of these five clans. The former two have historically been combatants over territories for residing, grazing, watering, and protecting prestige. Yet, within the Darod clan, there are, at least, two rival sub-clans: Marehan and Majerten. Similarly, within the Hawiye, there are two major rival sub-clans: Habar-gidir and Abgal (Lowe, 2000). The hierarchies of the main Somali clan actors in the current conflicts and competitions⁴ are represented in the following diagrams⁵:



⁴Their lineage tree is neither authentic nor essential to this study, and would require an extended discussion and illustrations (Farah, 2008).

⁵ As special note, where stated “others” could be either minority under the major clan or passive and peasant.



In 1979, the first clan-based rebellion named as “SSDF⁶” rose against the government. It was defeated within a few years. From 1988 - 1989, two more clan-based war parties: SNM⁷ and USC⁸ emerged as open rebels. Each of the three parties largely served the interests of one particular clan or sub-clan of Somalia, while using the letter “S” standing for “Somalia” in their logos. Furthermore, each of these clannish war parties had its own agenda to dominate the other Somalis politically, economically and militarily.

One sub-clan of Dir called Isaq considers itself as the most civilized and most deserving one to lead the country, by making one of their members the President of Somalia. Throughout the 1980s, the leaders of the Isaq sub-clan argued that since they are the former British colonial region (Somaliland) that joined the former Italian-colonial region, they should be the ones to lead the union (Kaplan, 2010). Their major justification is that they were trained in administrative skills by the British (Lowe, 2000). They condemned Barre’s regime as a government representing Italian-Somaliland and not British Somaliland. In essence, they rebelled and formed SNM as their armed political party. After giving up leadership of Somalia, Isaq decided to secede and declare their region “Somaliland” as an independent state in May 1991.

Subsequently the Hawiye clan considered Barre’s regime as a government for the Darod only, and formed USC, an armed political party (Luling, nd; Luis, 1993; Kaplan, 2008). Later on, Hawiye split into Abgal and Habar-gidir and divided their political party into USC-SLA and USC-SNA (Kubiak, 2014; Luling, nd; Luis, 1993). Within the Darod, the Majerten sub-clan argued that Barre’s regime was a government for the Marehan only (Little, 2003). Accordingly, every clan or sub-clan began to fight for power, refusing the leadership of any of its former contestants. On 26th

⁶ Somali Salvation Democratic Front; a rebellious political and armed party which is exclusive for Majerten, sub-clan of Darod.

⁷ Somali National Movement; a rebellious political and armed party which is exclusive for the Isaq, sub-clan of Dir.

⁸ United Somali Congress; a rebellious political and armed party is exclusive for the Habar-gidir, sub-clan of Hawiye.

of January 1991, President Mohamed Siad Barre was ousted from power by the Hawiye-led rebels – USC, and the state quickly transformed to a war-torn society (Little, 2003). Unlike the Hawiye, Darod and Isaq (sub-clan of Dir), the rest of the population - Rahanweyn, Dir's non-Isaq sub-clans, and 0.5 (minorities) are peasants who are neither warriors nor politically-oriented. However, they have been dominated by the warrior clans.

Divisions and fragmentation of Somalia after the collapse of the state threatened national unity, as clan loyalty seemed to overtake loyalty to the nation. People sought protection, representation and legitimacy through the clan. Clan animosities continued to feed the culture of violence by causing unlimited chaos and long-lasting insecurity. Since the collapse of the Somali central government and through the civil war period devastating human rights abuses and environmental degradation have resulted from various factions and militias in engaging in atrocities against women, children, the minorities and unarmed groups.

Following the civil war, all forms of governance structures in the country collapsed at the local, provincial and national levels. After the regime's collapse, Somalia descended into clan-based communities, turmoil, factional fighting, and anarchy. Each of the clans and sub-clans named their own Warlord as their local political leader in order to defend their existence. Weak territorial groups and autonomies such as Somaliland, Puntland and several other names with the suffix of “Land” were established haphazardly.

At present, since these clans have been fighting for over 20 years, it is difficult for a clan to trust any of its former and current rival clans. The mistrust is not limited to the clan level, but extends to both the family and individual levels. For instance, the Darod clan does not trust the Hawiye clan, and vice versa. Within the Darod, however, no sub-clan trusts the other, and the same applies to the Hawiye. This atmosphere of mistrust is not confined to the clan or group level alone.

Mistrust also trickles down to the individual and family levels as well. It is rare to find a member of a political, social, religious, or economic assemblage who trusts their colleagues, and it is also rare to find a family member who puts trust in their family members or siblings.

Thus a clannish culture has covered all parts of social lives -politically, socially, emotionally, and economically (Cleghorn, 2005). As a result, most of the citizens postulate that administration and leadership roles are similar to those of private businesses owned by individuals and kinships. They may perceive that each of the public institutions belongs to its leader and his kinsmen. As such, if a minister is ousted or transferred the majority of the ministry's employees may quit their jobs, and follow the minister who initially employed them through nepotism.

In short, the most practical policy for current government in Somalia is that clans participate in governing themselves in regions while also having full representation in a national government. The fact is there are multiple clans, some big and some small in numbers, in any given region and district. While diversity can create a constructive culture and social strength, that is unlikely in the case of Somalia. Somalis are in the process of either creating clan-based diversities or uniformity in one tribe which is one nation. It is hard to tell which of the two the polity will form, until warring behaviour ends.

1. 3: Maritime Geography and Climate in Somalia

Somalia's coastline is the longest shoreline in Africa (Ham, 2010) and the longest in the Western Indian Ocean [WIO] (Encyclopaedia Islamica, 1978) stretching up to 3,330 km in length of 183,500 miles (Lalieu, 2010; Schofield, 2008; Tylor, 2015). Its strategic location on the Horn of Africa extends to the Bab-al Mandab route and through the Red Sea to the Suez Canal (Horn, 2012). In linguistic and traditional terms, Somalia is an Afro-Asiatic country situated in the Horn

of Eastern Africa (Diamond, 2003). Somalia's coastal shoreline borders both that of the Western Indian Ocean and the Gulf of Aden in the Red-Sea. Thus, it has been one of the busiest arcs for marine traffic in the world (Hassan, 2009) connecting the world from East to West and from Africa to Asia (Megalommatis, 2008). In terms of global trade and economic development, the Somali coast connects the South to the North – poor to rich. In 2004, over 3 million barrels of oil passed every day the Red Sea's Bab-al-Mandab route (Schofield, 2008). However, it is currently the most dangerous spot in the world⁹ and its local problems have turn into global ones.

The country's recognized territory stretches over 638,000 km², (246,201 sq mi), comprising a population of 8.5 million according to the latest official census conducted from 1986 to 1988 (Ministry of National Planning, 1988). This was based on the estimate of a population increase in 1975, which suggested the population grow around 3.3% per year. However, the World Bank estimates the average population growth to be 3% per year. In detail, the Somali population consists of 50% nomads, 34% urban and 16% rural dwellers (Lewis, 1993). The mainland of Somalia is characterized by three main topographical features; a mountainous highland called "Oogo", a rainforest and pastureland called "Hawd", and moderately barren land called "Guban" (Lewis, 1993). Each of these topographical features discharges the waters of seasonal rains (Gu' season particularly) into lakes, valleys, streams, and rivers that drain to the sea.

Traditionally, Somalis move from location to location within the Horn and Eastern Africa and the Middle-East Asia as well. In terms of culture and lifestyle, they are closer to the middle-eastern than African countries.

They have a strong seafaring tradition, and for many years provided large numbers of crew for international ocean-going vessels. Perhaps this, together with their strategically situated coastline, which is the longest in Africa, helps explain why they are so well placed to have become the world's most active twenty-first-century pirates, who, by the

⁹ In terms of land, Somalia is the 4th of the most dangerous place in the word (Dentshop, 2008).

late 2000s, were seizing dozens of ships and hundreds of hostages every year. It is not only Somalia's geography which points it away from Africa. There is of course great diversity within the continent, but the difference between Somalis and most other Africans are especially acute. This makes it difficult, even impossible, to apply to Somalia most models, theories or "ways of thinking" about sub-Saharan Africa. (Harper, 2012, p. 14).

The entire land inhabited by Somalis is unique by nature and resembles its seawaters. It is endowed with special plantations, vegetation, climates, water, and air, which are completely different from those of its immediate neighbours. If one travels from Kenya – either via Mombasa or from Nairobi to Somalia, one would recognize the land inhabited by Somalis as one reaches Garasanyi in Southern Garissa characterized by its hot climate, short trees with thorns, and its people's features and lifestyle. The same thing applies if one travels from Ethiopia to Somalia anywhere along the border between the two countries.

The land of Somalia, be it coastal or interior, the trees are short and full of thorns, shrubs decorate the land, herds of mixed goats and sheep are abundant, lakes flowing to the sea are copious, flocks of she-camels are grazing nearby shifting huts and wigwams made of shrubs namely "*Aqal Soomaali*" (Somali styled house). In the world, there is no community other than the Somali one that constructs their houses in such a style. These huts are usually installed separately at a distance from each other. A mother piggybacking a child and young boys with he-camel caravans are also among the outstanding signs. There are two dry seasons and two rainy seasons which are moderate and allow the possibility of agricultural and marine activities being undertaken year-round. Thus, it is an ideal place to make money because manpower, climate, and market are available at all times.

The climate of Somalia ranges from tropical to sub-tropical and from arid to semiarid. The average temperature usually is 27.8 °c (82 °f), but sometimes decreases to as low as °c (32 °f) in

the mountain areas and as high as 46.7 °c (116 °f) along the coast. From September to December, the monsoon winds bring a dry season. Due to its powerful upwelling of nutrient-rich cold waters (UNEP, 2005) associated with constant current marine ecosystem, the coast is productive and attractive. Since the country is less developed and less industrialized, air quality is comparatively good. There is minimal air pollution, but marine and land pollution are at astonishing levels. The average rainfall has been terribly reduced to 200 mm (Hadden, 2007; UNEP, 2005). Thus, a large area is facing deforestation and if this is not stopped, dust pollution cannot be controlled.

1. 4: Somalia's Economy in the Context of Socio-political Instability

The discussion under this heading encompasses dynamics of social, political and economic instability and their consequences in coastal communities' lifestyle alongside with the impacts of the civil war (Africa Renewal, 2013). The country is rich in both land and marine natural resources, including a variety of livestock, wildlife, agricultural products, minerals, salt, and forestry resources. Natural gas, oil, uranium, iron ore, tin, gypsum, bauxite, and copper are also available but not yet exploited (Deen, 2012).

Currently, the basis of Somalia's national economy is petty trade and casual labour. Citizens are normally buyers and sellers in market interactions with little conflict and dispute.¹⁰ Somali businesspersons have adopted one particular source of moneymaking, which is importing foreign products. Though some of them may have the title of "import and export," less is exported hitherto. Although Somalia is full of natural resources, to a large extent business people do not

¹⁰ Yet, it seems that their trade system lacks a means of comparing the profit against the loss on one hand, and their activities' negative impacts on environment and security on the other. For instance, decisions related to free trade and oil production may have some side effects on both the country's environment and security, which should be contrasted against their benefits.

exploit them. However, since 1991, they started exporting a most valuable asset which is charcoal (Africa Renewal, 2013).

The maritime environmental degradation caused by charcoal exportation is changing the color of the coast and seashore from its natural colours to black ink. This seawater and coastal degradation is not limited to the country's main seaports, but has been spread all over the country's coast. Many temporary ports have been constructed to serve for charcoal export and weapons import (Hirsch, 2001). Among the most active ones are: Brava, Elma'an, Eil-Adde, Elayo, Eyl, Marka, Mareeg, Maydh, Harardhere, Hafun, and Hiis (Haji-Abdi, 2014; Little, 2003; Hadde, 2007). Several others are temporarily and occasionally used. These forms of informal harbors have a real impact on the ground (Kibert, nd) and may "result in weakening social and environmental capital" (Wilson, 2012, p. 196). These play a significant role in destroying and poisoning marine biodiversity.

When it comes to food security, there is sufficient food in the country, but its sustainable production and consumption are challenging. For instance, in the agricultural sector, pre-war, in Somalia, there were various forms of agricultural products such as fodders, human foods, herbal and chemical medicines, cottons, rubbers, gums, perfumes, and many other products. Since the land of Somalia is mainly arable and fertile, albeit with infrequent rain, cultivation systems and fruit production may differ from region to region. Yet, people used to harvest several types of foods and fruits from each of the respective regions and districts. For example, maize, sorghum, rice, sugar, cassava, beans, sesame, bananas, mangoes, fig, onions, varieties of vegetables, and

wild-sweat fruits can be harvested from various zones of Somalia (Haji-Abdi, 2014). Today, almost all these agricultural products are scarce due to the political instability¹¹.

An uncountable number of former pastoralists have changed their lifestyle from pastoralism to farming by residing near the rivers, while others have joined in fishing communities. Indeed, many former farmers and fresh-water fishers have also become sea-fishers, alongside former pastoralists. Due to a lack of appropriate land tenure to prevent and resolve land disputes, there are recurrent community disputes, which lead to physical conflicts. Indigenous people of the riversides would claim ownership of the land, even in those areas that they never developed. On the other side, newcomers will develop some uninhabited, undeveloped or even unmarked areas. Here there can be contentious issues, which ultimately impair the communities' social, political, environmental, and economic stability, both on the land and in the marine environment. A frequent scenario will have one side arguing that a particular piece of land is located in or near his region or hometown, while the other argues that they found a no man's land and have the right to be the first developer of the area. (Farah, 2012)

Barre's regime remapped the entire land of the country and changed the former 8 regions to 18 regions. The purpose of the new topography is based on the country's four basic economic sectors; agriculture, aquaculture, livestock, and trade (Lewis, 1996). Each was mapped as one economic block that had access to all the four sectors. Thus, each of the regions of the country were endowed with at least one town forming a commercial gateway¹², one town next to a sea-

¹¹ In this global world that attracts rapid urbanization and economic pressure, most of the world's communities are economically competing in residing riversides and seashores. In Somalia, as a part of that competition, local farmers predict how people will compete in habitation near rivers for economic purposes in the future. Some traditional anecdotes and proverbs regarding this prediction have already become true. As an example, one of the popular proverbs in the Somali Bantu community states "*La joogoo jiin webi lee waaye*", which means "In the end, everybody will be found at the edge of the river". The same applies to the coastal communities and conflicts over marine resources.

¹² Located at the centre, the main intersection or one of the borders of Ethiopian, Kenya or Djibouti with Somalia.

port or sea-shore, one town by a river bank or major lake, and open areas of fertile arable and grassing land. Therefore, every region of the country could be an agricultural hub, commercial hub, fishing hub, and pastureland (PERSGA, 2002). For instance, in terms of the agricultural sector, the entire country is a breadbasket that can produce maize, sorghum, beans, sesame, onion, potatoes, cassava, and varieties of fruits such as papayas, mangoes, watermelons, bananas, varieties of wild fruits, and many others (PERSGA, 2002).

Somalia is uniquely endowed with numerous economically valuable natural resources, such as Arabic gum, franksine gum, habag, malmal, yicib, myrrah, beeyo (especially with types of mohur and maydi used in perfuming), and many more (Samatar, 2011). In terms of marine natural resources, the sea-grasses growing in the Somalia's Exclusive Economic Zone (EEZ) are the most valuable and quantitative sorts of sea-floras in the world (Lori, 2012). In terms of biodiversity, there are over 5,000 million of various species with 10,000 per acre, which grow in most of the seasons year around (Lori, 2012). Most of these land-based commodities of gum and gum-led items as well as sea-grasses are used for pharmaceutical purposes and are in high demand. However, without a proper orientation on the resources Somalis remain the richest, but also the poorest nation on the face of the earth, whose citizens are thirsty while sitting on top of wells of fresh water (Africa Renewal, 2013).

In Somalia, there are several species of animals being raised in a traditional manner. Among them are chickens, ducks, sheep, goats, cattle, and camels. Depending on the given animal, these are used for food, milking, medicine, furniture, cloth, hides, feathers, horns, utilities, and shelters. Besides the tremendous livestock available in Somalia, there are many types of wildlife such as deer, oryx, ostrich, gazelle, dikdik, rhinoceros, giraffe, and many others. In the sea, even though most of the Somali coastal communities are familiar with fish per se, there are hundreds if

not thousands of marine animals, which are all of the most important species in the world. Most popular of these species include shrimp, shark, crab, lobster, oyster, octopus, aragosta, whales, turtles, zebra muscles, sea snakes, sea birds, and sea fox (Deen, 2012; Fielding, 1999). There are also numerous types of vertebral and non-vertebral species, most of which are not fish, but are crustacean, reptiles, omnivores, shellfish and other kinds of scallops (Ministry of Environment, 2005).

1. 5: Measuring the Economic and Moral Impacts on the Civil War in the Context of Instability

Over two decades, Somali territory has been under the control of warlords, religious extremists, illegal resource exploiters, highway robbers, and warring clan factions. This has virtually endangered both flora and fauna in the country. The prolonged civil war, drought and starvation have dragged the citizens into a miserable situation. Both rural and urban areas have been brought to an anarchic condition. In response, citizens resorted to a business that they may not have been familiar with: the harvest, consumption and trade of marine resources.

Harper argues that one of the successes of the Somali traders is that they created an environment of an economic boom regardless of the country's statelessness and chaos. The general economy has "shown an extraordinary resilience, adapting to and sometimes taking advantage of the lack of strong central government" (Harper, 2012, p. 111). But these traders radically increase their wealth while drastically decreasing others' wealth. They manipulate the country's marine and land natural resources by using their private armed forces. This manipulation has created a new form of bourgeois-economic class which had never existed in the country before the civil war. Approximately, less than one percent of the citizens became wealthy via this type of illicit

business. Local people call these individuals “*xaaraan ku naax*”, which means “unlawfully self-nourished”, and their money is called the “blood-money”. Some commentators on Somalia such as Lindley (2009; 2010) call this type of money “dirty money” because it was made quickly, illicitly, illegally, and with a lack of self-consciousness. Obviously, almost all these new wealthy individuals were neither known as a wealthy nor as business people before the civil war. They are the product of the civil war. Local business networks usually have close networks with foreign corporation. Harper states:

“On a flight I took to Mogadishu during the civil war in the early 1990s, the only other people on the plane were two Philippine businessmen from multinational Dole Fruit Company. They were coming to discuss possible trade deals with faction leaders who controlled the banana plantations and other fruit-growing areas (Harper, 2012, p. 117).

In this context, it is noteworthy that some commentators have taken a short-sighted impression of Somalia’s economy when analysing the less than one percent enjoying the economic boom in Somalia. They argue that Somalia has seen economic boom even in war time by quoting individuals or groups who are either member of the one percent or were rebels against Barre’s regime. Harper (2012) and Lindley (2010) are among these authors. The former highlights these contradictions in analysis by discussing the effects of the prolonged hunger and starvation suffered from by Somalis, while also stating that urban business, animal husbandry and international corporations have shown progress in stateless Somalia so that Somalia is equal or superior to many other African nations.

Lindley has written, “one positive side of ‘statelessness’ is that Somalia has benefited from the absence of restrictive and over-bureaucratic business laws and other regulations that are so prevalent in other parts of Africa, setting the spirit of entrepreneurship and inhabiting growth” (Lindley, 2010, p. 258). Nevertheless, Lindley’s statement is a direct contradiction to the titles of

her two works: (1) *Between Dirty Money and Development Capital* and (2) *The Early Morning Phone Call: Somali Refugees' Remittances*. The fact on the ground is that throughout the last two and half decades, the vast majority of the Somali people living in Somalia survived with allowances sent to them by family members or friends who live in abroad, and the main national remittance in the country (Harper, 2012; Samatar, 2011). However, prior to the civil war, there was not even a money wiring system in the country, and nobody knew what money wiring was about. During the civil war and starvation, people died from hunger daily if not hourly. Humanitarian aid in the form of food was the main source of living, yet extant marine resources became income for many Western and Eastern countries and non-state economic motivated mafias (hereafter Economic-Mafias). Harper states:

I remember arriving at the airport in Mogadishu during the height of the civil war; people were starving, but box after box of seafood was being loaded onto planes bound for Saudi Arabia, where it was sold for high prices as a delicacy. Although increasing numbers of Somalis are eating fish, the maritime industry faces another problem (Harper, 2012, 54).

In Somalia, marine sector has always been facing negligence and underestimation. This situation has not only seriously affected the people's survival, but also the Somali ecology and the environment. The country's marine natural resource became the property of foreign trawlers and this created harsh conflicts between Somali local communities and foreign seafarers. The issues of ecological and environmental concern have hitherto been unpopular in Somalia. Pre-war, the issue was not given full attention; although the environment had blatantly deteriorated, the major disturbances faced by Somali fishing systems are a product of the civil war (Africa Renewal, 2013; Deen, 2012). Not only did the security situation impede healthy fishing activities, but also the maintenance of equipment and supply of spare parts. Tackle, equipment and fuel became virtually

non-existent. Those ice and freezer plants that had previously been in operation have mostly become obsolete, providing another major impediment to finding healthy and clean fish. Various types of disease-causing bacteria affect most of the fishes caught for local consumption. The capacity to control foreign incursions into the EEZ of the Somali region does not exist, hence other nations are likely to, and indeed are reported to, exploit Somali marine natural resources.

Government officials are not in a position to control the country's sovereignty and economy. Not only do they lack financial and technological capacity, they also lack moral responsibility. They have been enticed by corruption and self-interest. These officials even compete over recovering the national assets left before 1991 by the Barre's regime. For instance, in 2014, non-state individuals who claimed to be representatives of Shulman Rogers claimed to be working to recover more than \$1.5 billion assets on behalf of the Somali government from European banks (Bahdur, 2014). The matter has caused serious disputes, not only among the various politicians and allied companies, but also among economic stakeholders, where each is trying to collect the highest share¹³. Besides the production of natural resources and trade, a new service economy and diasporas' remittances are also important economic factors. Some Somali citizens, for instance, have become experts in building and repairing ships and other important machines to the extent that other countries manufacture and repair their ships in Somalia¹⁴.

¹³ This indicates that the corruption has been transforming to daylight looting over time. Foreign companies and Somali origin individuals create networking groups and engage in corruption, public looting, dumping, and political boycott.

¹⁴ The New Service Economy is to make the citizens well-skilled to the extent that other countries send their technologies to Somalia for mechanically related repair and other possible services.

1. 6: The Marine Ecological Situation in Somalia

During the early 1990s, some surveys conducted by UNEP indicated, despite uncontrolled plundering of Somalia's rich sea resources, no serious negative environmental effects on marine life have been recorded due to the abundance of Mesopelagic fish in the country's coast (UNEP, 1995; 97). However, the reports indicated that should excessive poaching continue at this rate without enforcing effective environmental policy and law, Somalia's marine environment and its ecosystem would, definitely, be at great risk (UNEP, 1995).

The arid to semi-arid nature of the Somali climate results in limited and highly variable flows of nutrients from land-based sources to the marine environment. This contributes to the generally low level of primary productivity of the continental shelf on the North coast and Southern-East Coast of Somali seashores. The monsoonal regime also has a direct bearing on primary production. The Southern monsoon generates up-welling of cold, nutrients rich waters, which spread into the water along the Northeast coast, primarily between Rasmabber and Rashafun from May to August (UNEP, 1982). This up-swelling can be highly variable and can create extreme variations in the marine environment and its ability to support living marine resources.

The mangroves provide critical habitat as nursery grounds for the shrimp, which form an important economic resource for the country with extensive mangroves (Sommer, et al., 1996). Nevertheless, the mangroves in the country are threatened by various activities. They are excessively harvested for poles and firewood without any restriction. Any plantation of mangrove that may produce wood that is more valuable than wood in inland is in high demand by illegal loggers, because they only have to cover the costs of harvest, processing of charcoal, a short trip, and marketing. Almost all the energy consumed in the country is from trees constituted to charcoal

and firewood. From 1991-1996, an estimate of 14 Trucks of different sizes of which each was carrying nearly 80 tons of charcoal came daily into the big cities (Herzog, 1996).

Somalia is known for its tropical coral reefs (Schofiel, 2008; Scuba, 2014). Generally, coral reefs provide shelter, food-webs and oxygen for marine animals. They are also known for providing medicine, food, beauty, income, and construction materials for humans. They support a huge community of life such as varieties of fishes, mammals, algae, corals and many other organisms. Coral reefs begin the process of providing marine habitats from sheltering tube sponges, and then transforming them to marine habitats for fish (AllSopp, 2009). Coral reefs and mangrove swamps also create calcium carbonate, oxygen, food, habitat, and shelter for living ecosystems (Allsopp, 2009; Valentine et al., 2005). Coral reefs, sea grasses, mangroves, lagoons, swamps, and other plantations are dependent on one another.

Corals are categorized into hard coral and soft coral. Hard corals have hard limestone skeletons, which form the basis of coral reefs (Skinner, 2005), while soft corals do not build reefs. Coral reefs grow in shallow, warm water, mostly in the tropics where the temperatures may be between 70 and 85 ° F (21 - 30 °C) (Okemwa, 1995). They are quite common off the eastern coast of Africa, off the southern coast of India, and in the Red Sea, exactly the location of Somalia (Skinner, 2005; Reveron, 2009). Nearly a quarter of corals in the Red Sea starting from the Somali border all the way to the Mediterranean coasts of Jordan and Israel cannot be found anywhere else in the world (Scuba, 2014).

Besides illegal logging and coastal construction coral reefs are threatened by siltation of near-shore marine areas due to terrestrial erosion. They are also exposed to chronic oil pollution in some areas, especially in the vicinity of harbors. Coral reefs are sometimes subject to turbidity, due to dredging in connection with port improvement and maintenance, or land development.

Coral and its associated marine life are collected as souvenirs, especially near tourist areas. Reefs can be affected by over-fishing of certain species. Changes in reef ecosystems can lead to the depletion of fisheries and the loss of aesthetic and recreational values. The vitality of mangrove swamps may be threatened by fluctuations in the amount of fresh water and sediment reaching them due to upstream hydraulic works. Mangrove areas are sometimes reclaimed and converted for salt ponds and occasionally to make way for other economic activities such as port expansion (UNEP, 2009). Mangroves can also be threatened if the siltation from rivers degrades protective reefs and exposes the shore to increased erosion (Valentine, et al., 2005). Loss of the extent and vitality of mangrove forests can reduce marine biological productivity of dependent species especially shrimp.

Severe loss of habitats could seriously affect associated populations of coastal and marine animal species and related aesthetic values (Valentine, et al., 2005). No doubt, in the decade of 1990s, there have been several types of harmful effects to the marine living ecosystems. To date, studies of the condition of such species and their habitats in the coast of the country have been inadequate or untouched. Second, national regulations and protective programs have not been effective. Third, concerted action has not been taken. Fourthly, Somalia has no formal central government connection with the rest of the contemporary world that would allow it benefit from the relevant international conservation conventions.

There are hundreds of species of fish in the seawaters, but a very small number of them attract the majority of the fisheries. These species include herring, cod, anchovy, tuna, salmon, flounder, mullet and squid. Others such as shrimp, shark, crab, lobster, oyster, zebra muscles, sea snakes, sea birds, sea fox, and scallops are not fish (they are crustacean, reptiles, omnivores, or shellfish respectively). Nevertheless, when dealing with the fisheries harvesting some of these

species in the name of fish, these fishes may be considered as a part of the fish community. Because those who seek marine natural resources are mainly attracted by a very few parts of its rich natural resources and biodiversity, people mainly know about the fishery part of marine ecosystems. They may concentrate on a particular type of fish, areas of coral reefs, sea-grasses, and mangroves around the coasts, which provide rich feeding and breeding grounds for fishes. This limited knowledge leads people to neglect the vast majority of marine lives and ecosystems, while targeting only a few of them. For instance, commercial fishery operations target fish species while destroying coral reefs and sea grasses out of ignorance of their values.

In Somalia, numerous species of fauna and flora, of which some are not particularly targeted in many parts of the world, are subject to extinction, including aragosta, sharks, whales, turtles, molluscs, dugong, and several others (Ministry of Environment, 2005). Flood plains, coastal marshes and lakes, and animals like rhino, crocodiles, hippopotamus, antelopes, sea-birds, shells, and, other kinds of marine mammals are rapidly endangering species (Valentine, et al., 2005; Sommer, et al, 1996). Although none of these species appear to be directly hunted, turtles are caught as a by-product of fishing activity. Collection of shells, turtles for stuffing, search of meat and medicine, and exploration for oils are among the top sources exacerbating the threat (Somali National Fishing Enterprise, 1989; 2009). Likewise, coral heads and benthic fauna are collected for sale to tourists and export to the Middle East.

Notwithstanding, there is a remarkable catch of game. There is also intentional harassment and killing of the female species, by some careless swimmers and fishermen, before they have a chance to reproduce. Due to the large numbers caught, there is ground to suggest that several types of marine life such as turtles may be overexploited. Prior to the new millennium, reports released by UNEP (1987; 1993) indicate that the demersal fish stocks, turtles, lobsters or sharks, in general

were not facing extinction. However, the situation of these species has quickly changed since 2000, where almost all of these were reported by traditional local fisheries as species facing extinction (UNEP, 2004). There are other problems associated with the marine environment and sustained production of marine resources. These include excessive external pollution sources such as toxic dumping, debris, oil spillage, and domestic sewage. This pollution coincided with a full scale Illegal, Illicit, Unreported, Underreported, Unregistered, Undocumented, and Overfishing (IUUUUOF) that led to marine insecurity (Valentine, et al., 2005). All these problems are concurrently taking place where there is a lack of proper fishing methods and management, due to a lack of a functional governance system.

Marine environmental degradation and insecurity could have been reduced if sufficient funds were allocated for such a purpose. Funding is the key instrument to effectively protect the coast and sea of the country which provide habitat for several rare or endangered species. To date, even the locations, behaviours and the kind of food-chains for these species cannot be known, due to lack of effective technology. With sufficient funding, critical habitats could have been identified and preserved, and human activities adversely affecting them would have been controlled to the extent possible. It could also have been facilitated to provide actions for the national administration on coastal management to be able to evaluate the extent of environmental damages caused by either domestic traditional activities or foreign forces. Before indicating anything else, it should be noted that information concerning living marine resources other than fish is relatively limited. However, to begin with, the definition of marine ecosystem, after all, is a self-contained system in which the biotic and abiotic components interact within and between each other to produce a unique, dynamic, but stable unit (Udvardy, 1975). Generally speaking, it is common that the

coastal environments of Somalia contain complex marine habitats but some of them are at risk of being endangered (UNEP, 1987).

Indeed, even if the federal system has become a failure, Somalia seems to be exercising a sort of a traditional federalism, where every community will be self-administered. This fundamental progress opens a new window of opportunity for Somalia to become a stable state socially, politically, economically, environmentally, jurisdictionally, and in policy terms. As a result, it is conceivable that Somalia will be able to establish and implement a community-based environmental policy that is workable in each of its sociopolitical stages such as during instability, during a transition to stability (post-conflict), and during full stability.

Conclusion

Pre-colonialism, Somalia was comprised of clan-based small territories of largely nomadic communities competing over resources and brides. Their main tensions were limited to controlling the land's resources. Each of the Italian, French and British colonies controlled a region of these territories. In the transitional period to independence, the British annexed the biggest region to Ethiopia¹⁵, next to Kenya, while granting independence to the other two. The British handed the mainly Somali Populated Islands called Socotra to Yemen. French territory, Djibouti, got its independence in 1977.

After 30 years of independence, it seems that the rebels against Somalia's revolutionary government preferred to resume the old clan system via a corresponding formal governmental system. The traditional tensions based on bride and resource competitions which existed pre-independence were politicized. Many Somali intellectuals and clan chiefs tried to disentangle the

¹⁵ Which is divided into three regions; Ogaden, Liban and Harar.

newly mounted clan conflicts by resorting to the pre-governmental traditional procedures for conflict resolution, but to no avail. In the past, Somali clans fought over pasture and water-wells, but presently they are shaped by political control over extractive economic exploitation which requires a different approach to the peace process.

From 1993 to 2012, there were tremendous efforts to reinstate Somalia's governmental system which were largely unsuccessful. The federal government which is currently active was established in 2012. Throughout the last 25 years, there have been numerous complex networks of instability that have impaired the country's security, sustainability, and environmental protection. These networks include warlords, money-lords, clergymen, religious extremists, illegal resource exploiters, highway robbers, and the warring clan factions (Gebrewold, 2009). These internal networks of instability cooperate with external networks who create excessive pollution sources (i.e. toxic dumping, debris, oil spillage, and domestic sewage) as well as IUUUUOF that caused marine insecurity and unsustainability. Thus, even though the country is rich in agriculture, livestock, trade, and marine resources, the vast majority of the citizens survive with remittances sent to them from abroad.

Chapter Two

Theoretical Approach

Introduction

Marine environmental degradation (pollution, ecological instability and insecurity), is the most pressing maritime problem in the Somali basin. In this dissertation, I use a “Policy Actor and Network Analysis” approach to understand the relationship between socio-political and economic instability and marine environmental degradation in the Somali basin. I identify, describe and examine both the existing and emerging “networks of instability, stability and potential stability” at work at the global/regional, national and provincial /local scales in marine environmental management in Somalia.

Any local information about government institutions, NGOs, civil societies, pirates, terrorists, and clan militias will be analyzed in the light of my working experience in the field as well as my personal observations during my presence therein and after. In this effort, I will be utilizing my knowledge of the area obtained from previous work as a former Permanent Secretary for the Ministry of Environment and Natural Disasters, Secretary of a local NGO, academic researcher, and as an observant Somali citizen who has been an insider of the most of the incidents under discussion. With this experience, I seek strategies of altering instability and unsustainability and rather to foster stability and sustainability. The analysis is informed by reviews of the literature on environmental management and recovery in post-conflict situations.

This chapter begins by identifying a research question, followed by a description of the literature reviewed for analysing a means of formulating networks of potential socio-political and economic stability, contributing to environmental sustainability. Thereafter, I provide a general

introduction to networks and how they work in Somalia. Finally, I explain my research methodology and conceptual framework.

2.1: Research Question

The question guiding my research is: “Who are the socio-political and economic networks of instability and environmental unsustainability in Somalia? Can stability be achieved in the absence of sustainability or can sustainability be advanced without stability? What strategies could advance both stability and sustainability in marine environmental management in mutually reinforcing ways? I explore these three questions through the case study of marine environmental management in Somalia.

2. 3: Contemporary Literature on Resource Management and the Case of Somalia

My literature review consists of books, peer-review journals, governmental and non-governmental reports, newspapers, and magazines. Reports on International and Regional Maritime Conventions and Treaties in the archives of both state and non-state institutions are also relevant. I also examine archived public documents such as press releases, meeting communiqués, and newspaper reports by both the local community and foreign stakeholders to trace the political and security discourses around maritime resource usage and environmental protection. Specific policy procedures related to the resolution of disputes over marine borders, security, shared natural resources, fishing, and other marine activities are considered. I also reference certain academic lectures and official hearing presentations in order to understand some networks’ motives and visions.

There are numerous works on environmental policy, social policy, environmental conservation, maritime resources, policy network analysis, community engagement, and other relevant topics, but many of them may not be helpful to my research, due to their inapplicability to the case of Somalia. The mainstream literature on marine environment and/or policy network analysis focuses on situations where there is political stability and governmental systems are in place. Many researchers believe that the capacity to address policy and management is only present where there is security and stability. It is generally assumed that policy network studies and policy-formulation processes are undertaken in stable contexts. Even among the researchers focused on analyzing 'policy networks' rather than policy formulation and decision-making, a stable governance system is assumed (e.g. Kraft, et al., 2013).

A considerable volume of material (Kraft, 2007; Desai; 1998; Payoyo, 1994), argues that effective environmental policy is impossible without active, effective and stable governmental institutions. Following that view, much of the policy network literature written prior to the new millennium (e.g. Stone, 1988; Daughbjerg, 1998; Kakonen, 1992; Wondolleck, 1990) pays little or no attention to networks of instability.

Furthermore, most of the literatures on maritime ecosystems, ecology, biology, oceanography, environment, specific types of pollution, and so on, focus on science rather than examining the connection between human activities and marine environmental degradation. On the other hand, the literature on non-scientific fields such as marine transnational resource exploitation, navigation, policy, and ports pays little attention to war-torn and post-conflict situations (United Nations, 2011). However, recently, some scholars have begun to examine networks of instability (e.g. John, 2011; Kahler, 2009; Dunion, 2003; Pellegrini, 2011; Dingo, 2012) for the purpose of

stabilizing them. Some of these materials (e.g. Pippard, 2005; Whelan, 2012) explore the potential for transitions from instability to stability in an environmental and resource management context.

Most of the traditional environmental policy literature describes environmental problems rather than the underlying social problems that caused them (Coglianese, et al., 2001). In contrast, my study focuses on the social and environmental problems as intertwined problems so as to encourage voluntary change. For instance, UNEP (2007) highlights the institutional framework in post-conflict Lebanon. There are certain similarities between Somalia and Lebanon in terms of policy networks of instability/stability. The factions in Lebanon are as various as those in Somalia. The most common motives of the various stakeholders in Lebanon are: economic interest, power, prestige, and religious competitions. These are more or less similar to the motives of the stakeholders in Somalia. On the other hand, when it comes to state responsibility in policy-formulation, the two countries differ in many ways. Lebanon has a constitutional central government with long governmental experience. In contrast to Lebanon, Somalia's governmental system is a preliminarily federal, but decentralized, fragmented, and familiar with dictatorship. Therefore, the institutional aspect of this framework cannot be adopted in Somalia.

Hoeffler, et al. (2004), who examined over 73 war torn societies between the 1960s and 1970s, states that that it takes a long time to restore peace and security in a war-torn nation, especially where there has been a prolonged civil war. Jordan (2010) argues that since its independence Africa has experienced regimes of continental instability and insecurity that lead to non-sustainability. In Somalia, networks of instability take advantage of socio-political instability, leading to rapid administration changes and collapses, to expand their illicit activities, while also adopting new tactics to challenge any new administration.

A few pieces of older literature (e.g. Adede, 1993; Kwiatkowska and Sons, 1993; Desai, 1998) provide historical context. When dealing with Somalia's national policy and socio-legal systems, most of the references are drawn on the two-decade period of military rule in Somalia, i.e. 1970-1990. Since 1991, there has been neither governmentally nor traditionally established marine environmental management systems in place, except a few decrees issued by the Somaliland or Puntland provinces. Somalia has been a war torn society since January 1991 (Little, 2003). From 1991-2000, there was no central authority to provide services for the population. Over the last 23 years, there were no less than 23 reconciliation conferences held outside the country, but most of them ended as failures.

Between the years of 2000 and 2012, three transitional governments were formed, but all to no avail as they made insignificant progress towards stability (Farah, 2012). In August 2012, the transitional system ended, and an officially recognized non-transitional government was formed (Great Britain, 2012). With this new government in place, Somalia has adopted a "federal governmental system" and has moved away from its former centralised system of government. This change opens a new window of opportunity for Somalia to become a stable state socially, politically, economically, environmentally and jurisdictionally.

Most of the literature written in the decade before the new millennium, which endeavours to find appropriate means of environmental conflict resolution, encourages top-down approaches starting from the United Nations' international conventions downward to the national level (Wondolleck, 1990; Marine and Renate, 1991; Kakonen, 1992; Blowers and Glasbergen, 1996; Daugbjerg, 1998; Stone 1988; Sabatier, 1999; Suliman, 1999). Literature written by other authors in this century (e.g. March 2011; Pellegrini, 2011; Margerum, 2011) encourages solving environmental problems from a global perspective. Others (Brown, et al., 2005; Meijer, 2010;

Coglianesi, et al', 2001), strongly recommend that the solution should be approached from the inside, at a local level.

Davis, 1990; Balton, 2004; and John, 2011, argue for the establishment of a new international environmental law based on a bottom-up approach. John (2011), states that “the very attractiveness of the top-down approach may lead to its downfall, since by specifying in advance the objectives, it can create resistance on the part of the general population” (John, 2011, p. 12). In order to reach a proper conclusion on all these discourses, I compare the works of (Lefferty, 2000 and Nijkamp, 1989) which encourage community participation, under governmental auspices with those of (Kraft, 2007; Rowland, 2000 and Nagel, 2002) which encourage unrestricted locally-based environmental policy.

To address the subject matter, having considered the current situation of the country, I scrutinize the activities and responses of networks of stability and instability at three scales: Global/Regional, National, and Provincial/Local (hereafter the three scales). One of the basic differences between creating a process for environmental rehabilitation in Somalia and similar contexts rests in the gap between financial power, infrastructure, capacity building, and the status of sponsorship. About the latter, when it comes to foreign aid and project sponsorship, the Somali case is unusual in that it has not received the levels of international support seen in many other post-conflict countries.

The Ogo land of Somalia and the Darfur region of Sudan have similar climates and ecology (UNEP, 2007; Ham, 2010), and both have experienced nearly a decade of war activities. However, the Ogo has never received any international aid to recover its environment and economy, while more than \$120 million has been provided for the rehabilitation of Darfur region (UNEP, 2007). Sudan's environmental recovery projects were funded and implemented by various NGOs, of

which each was specialized in one sector, but all of them operate under the auspices of UNEP (2000, 2003).

Similarly, US marine navy units frequently carried out missions to clean up wastes in the sea zones of Pakistan (UNEP, 2010). The US navy inhabiting the Somali basin has never carried out any activity of marine environmental interest in the territory they occupy, which is heavily polluted. Oil spills in Lebanon attracted the attention of dozens of state and non-state donors to halt the contamination and clean it up (UNEP, 2007). Somalia has never been a recipient or ever expected similar attention, even though there are recurrent oil spills in and around its coastal regions. It is also obvious that for each of the post-conflict countries, there were one or more countries which took the responsibility of financing their environmental sectors. For instance, Afghanistan and Iraq were funded by the US (UNEP, 2012).

Another challenge is that implementing projects around foreign humanitarian aid, governmental financial aid, investment, environmental sustainability, and sustainable economic growth, depends on sustainable security. The challenges of insecurity increase when insecurity also affects neighbouring countries through which aid could be channelled. Kabia (2010) notes that Sierra Leone and Liberia are not the only countries that suffer from the problems caused by recurrent wars. Their neighbours Guinea and Ivory-Coast are under the same threat, due to the instability in Sierra Leone and Liberia (Kabia, 2010). During their post-conflict situations, both Sierra Leone and Liberia have substantially benefited from the support of the deployment of large UN peacekeeping missions and donor support for peace-building programs. Yet, both countries have struggled in the areas of security reform, economic recovery, corruption reduction, employment, social reintegration and community remobilization (Kabia, 2010). This is similar to the effects that

socio-political instability in Somalia has had on Kenya and Ethiopia (UNEP, 2001a; 2008b; Casey-Maslen, 2013).

While circumventing environmental degradation in the Asian and Pacific region, the United Nations (2001) identifies the major challenges facing the region as overpopulation, poverty and excessive consumption by foreigners. These challenges are similar to the issues facing Somalia, but only a small portion of large detrimental factors. In terms of population, for instance, the Somali case is different from the descriptions in the report because in certain areas the Somali coasts are overcrowded, while other areas are deserted.

2. 4: Stability/Instability Dynamics in Marine Environmental Degradation in Somalia

Measuring the significance of environmental sustainability and that of social stability, Trémolières (2010) argues that even though the two should be simultaneously accomplished, each must be emphasized separately. She believes that environmental security, which is needed for sustainability, is necessary, but should not be a part of social security. The other components of national security (political, social, economic, military, and environmental) may play a role in environmental security and sustainability, but should not overshadow the challenges. Westra, et al. (2001) reaches a conclusion that neither of the two can be successfully implemented without the other. Based on my knowledge of the culture and lifestyle of the Somali local communities, I support the latter argument for establishing environmental and resource sustainability alongside socio-political stability, which can lead to ecological stability, without prioritizing one over the other.

“In the old era of ‘normal’ science, which was based heavily on mechanistic views of the universe, science functioned to improve production and was the servant of economic growth” (Prugh, et al., 2000, p. 91). Since the beginning of the new millennium, new initiatives of politics, economics and the sciences were based on ecological services developed (Prugh, et al., 2000; Mitchell, 2009; Miran, 2009; UNEP, 2001; 2006; 2009). These literatures point out the roles of socio-political and economic instabilities in marine environmental damage, and the linkages between economic exploitation and marine pollution threatening human health, livelihood, security, and safety.

Although some of these discourses emphasise economic recovery and regrowth (e.g. Tyagi, 2007; Sesabo, 2007; McPhee, 2008; Scott, 2008), the implications for environmental policy can be read between the lines. They inadvertently indicate how domestic and foreign illicit networks emerge from political and economic pressures and greed-based interests. This confirms that most, if not all, of the networks of instability in Somalia are the results of both internal and external conflicts. For instance, piracy became an issue only after the fisheries suffered from direct aggressions of foreign trawlers. Similarly, almost all the political networks of instability including the branches of Al-Qaida (Al-Shabab and Hizbul Islam) were born as a result of recurring Ethiopian invasions and assaults, which included a range of illicit activities such as kidnapping, arresting, torturing, indiscriminately bombarding, and shooting on sight (Caasimada, 2012; Wall Street Journal, 2016). All these unlawful and illicit activities plus long-rooted malfeasances created and contributed to ecological instability and marine security crises.

At a regional level, the writings of Suliman (1999; Ahmed, 2013; Ahmed, 1995; Vanderzwang, 2002; Torres, 2005; Seckinelgin, 2006) explore themes which contain analysis of ecological crises, causes, triggers, and the impact of politically violent conflicts in Sub-Saharan African countries.

In the Somali basin, the impact of toxic dumping is evident to both lay-persons and learned persons, where it harms both human health and ecological health. Consequently, local reactions towards disaster became more serious than degrading the environment and raiding resources as described in both locally (e.g. Mohamoud, 2006; Samatar, 2011; Farah, 2011), and internationally written works (e.g. Okemwa, 1995; Sherman, 2006; Jasper, 2012; Reddish, 1996). The subject matter of this problem is illuminated in the discussion of the relationship between various sources of marine pollution (debris, dumping, oil spills, and domestic sewage) and marine insecurity in chapter five.

Engel et al., (2005) as well as Warner, et al. (1998) stress resource management and development by clarifying the role of conflict management assessment in community-based natural resource projects. Their studies suggest assessing the degree of the conflict before engaging in resource-based projects for the sake of an integrative approach, while simultaneously managing conflicts and resources as complimentary to each other. It also highlights how to facilitate rival groups engaging in face-to-face negotiations beginning with indirect discussion, which can lead into the process of direct bargaining. This is an indirect method for engaging various stakeholders for institutional restructuring purposes. In order to improve that system, the authors used strategic options of do-nothing, do-something, force, withdrawal, accommodation, compromise, and consensus. Where appropriate in my study, I evaluate each or some of these options and analytically use them in my discussion.

Where peacekeeping missions are present in post-conflict environments, post-conflict environmental managers and policy analysts need to contribute to the peacekeeping missions by directly or indirectly cooperating with other managers as they are a part of these missions. “Peacekeeping agents can have imaginative empathy for conflicting agents who do not believe

there are alternatives to violence” (Muhlneckel, 2008, p. 21) through social reengineering and reintegration. Krause, et al., argue that “contemporary post-conflict operations rest upon the assumption that a sophisticated social engineering approach could replace, or accelerate, a process of state formation that otherwise occurs rather more organically” (Krause, et al., 2005, p.1). This argument is applicable where there are different opinions and aims in the minds of policymakers and practitioners, as is the case in Somalia, with regards to social reintegration and alternative development concerns in the practice of post-conflict peace-building (PCPB).

By applying the ‘systems thinking’ approach embodied in a “multi-dimensional’ approach, I focus on analyzing the problems, which can lead to the creation of a new framework of policy formulation. Indeed, when dealing with a poor nation which is recovering from the after-effects of civil war, environmental dispute resolution, policy mechanisms and management need to advance alongside reducing ongoing conflicts and facilitating peace processes. In this situation, Sidaway (2005) argues for the use of consensus building to control, resolve and prevent environmental disputes before proceeding to affirm environmental policy mechanisms.

2. 5: The Importance of Locally based approaches

Niekerk and Coetzee (2012) examine the role of local communities in a number of African countries, who assist in the prevention of environmental degradation caused by natural disasters. However, they conclude in their findings that little can be done by either local communities or NGOs unless they are being financed by national authorities or foreign donors. In my study, I challenge this idea, by proving that local communities can protect their environment without receiving funds from foreign donors.

Breton (2012) provides a lesson learned from Guatemala, which was able to restructure its coastal environment in the repercussion of climate change by setting forth strategies of prevention, intervention and rehabilitation to deal with unforeseen or unexpected occurrences. For instance, the local communities remobilized themselves and formed INGOs with volunteers to restore the damage to coastal zones and to replant mangroves (Breton, 2012). This lesson can be applied to Somalia in order to develop components and strategies to help prepare preventive measures both in the situations of war and natural disaster.

Mehta, et al. (1999) examine how resource management can be carried out in the context of uncertainty and instability. The first finding of their paper is the acknowledgement of the role of rural people in dealing with ecological and seasonal variations as well as complex forms of risk and disaster management. It also finds that the major challenges facing rural people are the maintenance of their livelihood and their resource management, which are often controlled by politically and economically-dominant regimes. However, the paper fails to distinguish between uncertainty and instability, which I do in my study. Identifying the uncertainties in local communities, they argue that rapid technological changes, especially the increase of modern information technologies, are a fundamental uncertainty in determining and perceiving risks. I argue the opposite is true; modern information technology is the most effective tool to forecast, prevent, control, manage, or cope with disasters, networks of instability, and many other harmful activities.

Finally, as a part of post-conflict community restructuring in resource management, the role of local customs/cultures regarding the use of marine natural resources must also be considered. One area of concern is women's position in the areas of the community-based policy formulation process, fisheries and piracy activities. The efforts of women's NGOs in responding to war and

post-conflict resolutions were recognized in many parts of the world such as Afghanistan, El-Salvador, Cambodia, and others (Pankhurst, 2008; Muhl nickel, 2008; Dawn et al., 2010). Women's participation has also been recognized as key to policy network stabilization (Dingo, 2012; Ault, et al., 2006; Beijing Declaration, 2005).

Therefore, the UNs complementary literature (e.g. Cahn, et al., 2011; UNEP, 2006; Castillo, 2008; Sorensen, et al., 1998) on regaining women's rights through environmental conservation and resource management is pertinent. This literature is among my main references for the identification of the role of gender and its relationship with environmental sustainability in post-conflict situations. Currently, in Somalia, women's position in maritime issues or involvement is often described as negative and not positive, and it is more or less similar to the Kenyan attitude known as 'sex for fish' (Binks, 2010; Lungu, et al., 2010).

In short, in my study, I will refer at some points to some of the traditional literature for information, rather than for policy guidance. Most of my guidance comes from post-conflict literature. However, even much of the post-conflict literature is inappropriate for this dissertation's case, either due to cultural differences or environmental differences.

2. 6: Policy Actor and Network Analysis: A Brief Introduction

Whelan (2012) argues that even though the concept of 'network' has been recently widely and frequently used across the social and political sciences, its usage varies. It is used for relationships between actors in societies including people, organizations and groups. It has also been used for methods of analysing how stakeholders are networked via inter and intra-connections, as both a unit of analysis describing a specific organization and as general concept. In my dissertation, I often use the term actor and network analysis, but I may only use network analysis where necessary

and actor/s where appropriate. This does not mean that my focus is network analysis per se or vice versa, but the discussion is on the intersection between the two terms for finding facts.

The term ‘actor’ is reflective to individuals, clans, public institutions, NGOs, government branches, and sociopolitical and economic groups. Actors are used as an expression of building blocks contained of complex networks in order to identify “the key actors whose activities should be analysed and assessed within each component of the policy cycle” (Hessing, et al., 2005, p. 113). Identifying “who the key actors are, what brings them together, how they interact, and what effect their interaction has on policy” (Hessing, et al., 2005, p. 114) is the fundamental of policy formulation. This concern facilitates researchers to understand the landscape of the problem in the field of study.

To understand how diverse and conventional actors fit together as networks, I describe ‘network’ as a ‘set of relationships, behaviours, characteristics, and activities of complex groups. These groups of actors can be described according to the connections between them which are based on shared motives, interests, goals, and natural similarities. I research these connections which could be legal, illegal, obvious, obscure, secret, sensitive, and or not mandated. For instance, when discussing AMISOM, I may identify it as a network of actors. In such a case, the concept of “network” is a dynamic interaction among actors (Larval, 2009). It provides the basis of a coherent small and large scale social system composed of interrelated units (Laumann, 1992). It also analyses human activities described under social behaviors (Scott, 2008).

By investigating these dynamic network activities, I can identify the actors in order to be able to categorise and find out their typology. Depending on the context, when describing complex networks by seeking a means of reconciling, managing and altering them to stability and sustainability, I may use the two terms ‘actor’ and ‘network’ as interchangeable or complementary

with each other. Each of the three most popular network management approaches: instrumental¹⁶, institutional¹⁷ and interactive¹⁸ combine the two terms (Kickert, 1997).

“The term ‘network’ refers to an analytical technique used in the social and behavioral sciences, or to an organizational form studied in disciplines such as economics, organizational theory, management and public administration” (Whelan, 2012, p. 11). Whelan argues that in order to analyze networks of security and stability, an interdisciplinary methodology is indispensable. It helps in reviewing, studying and properly analyzing the main approaches to address networks and the ways to apply them within a given field of study. “The objective of network analysis is to identify a set of actors in a ‘structure’ of relationships and the implications of such relationships” (Whelan, 2012, p. 13). The questions ‘who are the actors, what are their structures, what relationships do they have among themselves and with others, what are their activities, what are their interests/motives, what are their strategies, and in which area do they operate?’ are the basic concerns for policy formulation.

Since the onset of the policy network discipline various experts have given definitions and descriptions, with each researcher defining it according to their field of study. For instance, in the social sciences, it has been defined as new forms of social organization (Borgese, 1995) and in economics as network industries and network technologies. This indicates that the use of the term “network” depends on the context it is used in as it varies from discipline to discipline and even within a particular discipline. Social science disciplines involve the discussions of policy networks but in various forms. Most of them are interdisciplinary in one way or another. For instance, as

¹⁶ When focusing on altering dependency relations

¹⁷ When focusing on rules, incentives and culture

¹⁸ When focusing on communication and negotiation

(Scott 2000 and Castells 2000) indicate, social actor and network analysis can be created by employing new information systems which pinpoint various aspects with various methods.

In the contemporary literature, the term policy network has been generally used for political discussions, especially that between government and interest groups. It embraces different levels and types of policy relationships. Dryzek (2006) cites numerous activities that may fall under public policy actor and network analysis for the improvement of public policy. These activities start from data creation and data compilation, and lead to the engagement of evidence, testimony, argument, and interpretation in order to examine, evaluate, and improve the content and process of public policy.

Rhodes argues that "the term policy network is used in three main ways in the literature: as a description of government at work, as a theory for analyzing government policy making, and as a prescription for reforming public management" (Rhodes, 2006, p.426). In the context of instability and post-conflict, each of these three ways needs to be analyzed separately within the nation's circumstances. When comparing these three ways and systems, Rhodes seems to be supportive of the government policy-making network system. He projects that policy networks are subject to conflict, chaos, concussion, and incapability, due to unavoidable unlimited participation. This leads to fluctuating results, unstable interactions and access, interaction based on consultation rather than negotiation or bargaining, absence of consensus, and unequal power relationships. He also argues that such an unbalanced relationship creates conflict among large participants sharing a few resources, without alternatives, that they have limited access, or that some have more access than others.

Obviously, misunderstanding local customs creates policy complexities in the involved organization. Freedman states "the complexity in policy created complexity in the interactions

among the multiple organizations, which ultimately resulted in an ineffective policy" (Freedman, 2006, p.482). Freedman argues that it "is essential for policy analysis to consider not only what government does, but also what is done or not done outside of government. Taking this broader view, organizations may have substantial impacts both on the design of public programs and on the social policy environmental outside of government" (Freedman, 2006, p.483).

Most of the traditional literature and scholarly works on policy actor and network analysis focuses on institutional actors rather than non-institutional actors. There is less conceptualization and theorization towards instability and post-conflict situations, where there may be no functional institutions. In my findings, post-conflict discourses are the most relevant to the case of Somalia, especially when it comes to policy analysis. Thus, my analysis is mainly built on the concepts used in the newly emerging literature, which is potentially useful for post-conflict situations. Most of the modern discourses on network analyses (especially those of social/public policy), focus on identifying the key actors in a network, the most influential members of a network, the connections in the network, challenging forces, and the interaction between various actors and participants (or victims) in the network (Jordan, 2005; Hajer et al, 3003; Cohen, 2006; Kahler. 2009).

Normally, "policy network analysis attempts to take the work of sociological network analysis and superimposes it on the public domain" (Suskind et al., 2009, p. 106). As a result, the approaches of policy actor and network analysis take into account several forms of human behaviour, relations, interactions, and activities including formal, informal, individual actors, collective actors, and bargaining characteristics of policy actors. In the process of analysing each of these factors in post-conflict situations, the analyst needs to look at the transformation process in both formal and informal networks resulting from socio-political waves of chaos to transition to post-conflict peace and stability.

Any model developed to identify the above factors needs to be analysed “to the different phases of policy development such as issue definition, agenda building, policy formulation and implementation” (Marin, 1992, p. 43). In detail, each element of the networks needs to be defined “within three distinct forms of power: bargaining power, social power, and the power of existence” (Kahler, 2009, p. 12). The substantial concepts of these two authors are complementary to each other, and the combination of the two supports my ‘multi-dimensional approach - MDA’ to analysing theories of the policy-formulation process. Through such, I set environmental network analyses, “which provide explanations, and not simply descriptions, tell stories of why actors act and to what effect” (Sabatier, 1999, p. 234). The multi-dimensional approach is the best way to look at each of the factors from different angles, of which each potentially leads to stability and sustainability in its own way.

2.7: Application of Policy Actor and Network Analysis at three levels in the case of Somalia

In my dissertation, I thoroughly review a number of different policy actors and network concepts in order to find the one most suitable to the post-conflict situation in Somalia. Therefore, in order to cover all the major social and marine environmental/economic policy actors and networks in the country, I identify the number of stakeholders, including corporate and political activists that are involved in or may be involved in maritime affairs in the Somali basin. Then, I classify them into three scales: international/regional, national, and provincial/local. In this classification, I briefly study and analyze the documented and undocumented policy of each one of them. In this analysis, I look at the collapsed policy networks in Somalia and how current ones replaced them. In my analysis, I follow these steps to analyze the particular situation of marine

environmental policy actors and networks in Somalia at each of local, national, regional, and international levels.

Even though my analysis is on socio-political and economic networks which frame environmental networks, I frequently refer to 'social networks'. A social network system is the centre of all networks and organizational analysis, and as I analyse actors and networks, I discuss organizations, institutions, governments, and organized or unorganized self-styled groups. Marin (1991) argues that people form and implement organizational networks, but Kahler (2009) proves that social networks are implanted and operated within all organizations. This means that there are political networks, social networks, insecurity networks, policing networks, economic networks, pollutant networks, and community interpersonal networks.

In order to understand how these networks can be applied in the three domestic levels of the nation: local, provincial and national, there is a need for a brief description of the key actors and networks at each of the three scales. Yet, a policy analysis on these actors and networks should be linked with those of the region and the globe at large. I thus need to incorporate into the analysis two more significant levels which are the international and the regional aspects. Thus, I consolidate all the six scales into three which are: International/regional, National, Provincial/Local scales.

What is obvious is that poor capacity has contributed to misunderstanding of the complex policy actors and networks and the problems they cause. In this circumstance, in my analysis, the most direct sources to consult include certain professions of international law, policy, conventions, agreements, state-stakeholders' foreign policies towards post-conflict states, and memorandums of understandings. Military interventions undertaken in former post-conflict countries, for peacemaking/keeping, are also apparent references within this theme. After having gathered

sufficient materials regarding the area under analysis, and keeping in mind a consideration of what can be possible over what is legal and/or ideal, I analyse the possibility of altering these forces into efficient networks of stability.

In this chapter, I provide a brief introduction leading to a theoretical framework analysis, but in the subsequent chapters: three, four and five, I provide detailed information regarding the identification, definition, description, discussion, and analysis of the key networks. Specifically, I focus on explaining the key networks/stakeholders' names, backgrounds including the networks' origins, locations, causes/triggers, and brief histories; capacities including economic bases, revenues, legalities, and executive administrative capacities; manoeuvres as the networks' activities which are often skillfully and strategically managed movements; motives including the networks' interests and goals/objectives; dissections as the networks internal fragmentation, relationships with foreign networks and the local communities as the key terms of the horizontal and vertical alliances; and the typologies in which they can be categorized. Even though I analyse and categorize most of the actors and networks under these eight facets, some actors and networks may not be describable under them, due to their nature or nature of activities. In chapters 3, 4 and 5, I provide critical and comprehensive analysis, explanations and identifications of these networks.

Below is a sample of the table which are illustrated in the following three chapters to identify and describe the actors and networks of stability, potential stability and instability at the three scales of this study.

Name	Background	Capacities	Motives	Maneuvers	Dissections	Relationships	Typology

In Somalia, formal and cooperative policy networks collapsed along with the local political structure. Usually, “when a policy issue becomes politicized, the old policy community is broken up and an issue network emerges. This, in turn, creates an unstable and unpredictable situation within the policy sector” (Daugberg, 1998, p. 24). Formal actors are replaced by stakeholders who are opportunistic and interconnected in one way or another, willingly or unwillingly, and positively or negatively. They are competitive in most of their interactions with each other, however, there are certain occasions and issues such as defending or pursuing common interest that force them to be cooperative. Accordingly, in my study, I consider various stakeholders as the existing actors and networks, and will call them the networks of instability or potential stability, which leads to marine environmental degradation and insecurity at the three scales of global/regional, national, provincial/local (see triangle 2). On the basis of the three-scaled analysis, and informed by the literature on community-based environmental policy systems in former war torn societies, I make recommendations to build actors and networks of sociopolitical and economic stability in order to create marine environmental and resource sustainability in Somalia.

The purpose of this qualitative semi-structured case study is to examine the impact of the networks of instability on the country’s maritime environment and security during the governmental vacuum in Somalia. Identifying which of the actors are permanent, temporary, occasional, and understanding their motives and strategies will be essential to assessing which actors and networks may have the potentiality to become contributors to stability. I prefer to identify problems which are not limited to marine environmental degradation and insecurity per se, but extend to socio-political and economic instability that may cause/lead to turmoil and hinder environmental protection. The linkage between socio-political and environmental degradation, which has been increasing over time to time, needs to be understood in depth, because the solution

for one is the solution for the other. Some literatures opine that it is environmental degradation which mostly causes or contributes to socio-political instability (Lubchenco, 1998), while others opine the other way around (Fagan, 2007; Fisher, 2004). Throughout my analysis, I need to address each problem with its relevant issues and interdisciplinary subjects.

2. 8: Research Methods

In my research methodology, I adopt qualitative library work, in order to emphasize the importance of looking at variables found in the natural setting (Wolcott, 2008). It helps me to generally understand the origins and impacts of the problem, as well as its diverse motives and capacities, and to give it prominence. When analyzing data collected by ENGOs or governmental offices from the field, I apply a qualitative analysis based on a library work.

My goal is to examine stakeholders who are generally antagonists to each other, though some of them may enter temporarily alliances. One of the most widely conceptualized frameworks for formulating complex policy is to seek a degree of recognition, reconciliation, cohesion, and cooperation among the relevant actors. The important point of these concepts is that a network of stability can be established through consensus with and among the constructive stakeholders, while destroying the explicitly destructive ones. This leads me to scan the literature on negotiation, mediation and consensus. For instance, Stern's theory of coherence relies on "evidence on the factors that determine environmentally significant behaviours and that can effectively alter them" (Stern, 2002, p.1).

The combination of coherence and self-coordination theories assist in creating democratic and non-democratic policy networks in order to formulate local environmental policy linked to national, regional and international policies (Scharpf, et al., 1994). Self-coordination theory is

based on internal management experience (Katzy, et al., 2011; Polanyi, 2000). In this regard, the most appropriate method that I can employ is a combination of a cluster of environmental policy frameworks consisting of systems thinking, holistic, integrative, cohesive, and participatory approaches, which I call a 'multi-dimensional approach'. Within this approach, I identify and define policy networks, while recognizing the importance of all stakeholders, the interdependence of all activities, and the interdisciplinary needs of research. Whelan (2012) argues that the most appropriate framework to analyse national and international networks of security (in terms of their motives, goals, dynamics, and effectiveness) is to apply a multi-level and multi-dimensional methodology.

Utilizing theoretical framework aims to understand a specific subject in a specific zone in a specific time so that the researcher can learn what, when, where, who, and how to answer the research questions. To get the most relevant answers to these questions, I keep narrowing down the themes, and I consider the date, the objective, the approach, the target, and circumstance of the literature. I engage the problem from networked activities through a qualitative case study which is linked to global dimensions. In my study, I first search dissertation databases combining all the possible sources, then, I endeavour to figure out the most relevant groups of them, and thirdly select specific groups of databases.

I investigate the origin of conflict between foreign socio-political and economic-led forces and local communities/fisheries, and how their activities have impacted on the marine environment/ecology. This investigation leads me to analyze both the actors and networks of instability and those of potential stability with the aim of creating a stable network from the grassroots level. Somalia's policy has been based on a top-down approach, but due to the country's fragmentation into clan-based territories, critical circumstances have forced some of the coastal

communities to self-mobilize for their self-defence; thus bottom-up policy approaches are applicable in Somalia. In the context of instability, all the actors and networks are based on an opportunistic system motivated by greediness and self-enrichment and, thus, are out of control. Consequently, throughout my analysis, I review the literature on policy theories, and create a central framework for the activities based on the interactions of bottom up and top-down ideas. I will recommend policy strategies that can work in the country, both in the contexts of instability and stability. Even, in the context of socio-political and economic stability, a governmental administration may not be able to directly differentiate between stable and unstable (accurate from inaccurate) networks. Therefore, to set forth transparent and trust regulations, “policy networks are sets of formal institutional and informal linkages” (Daughbjerg, 1998, p. 21-22).

Conclusion

In chapter one, I found that due to governmental breakdown Somalis are not in a position to effectively use their own marine resources which have been exploited by foreigners. Similarly, they have no capacity to protect their environment which has been degraded by both internal and external polluters. On top of these two problems, there is no reliable security to prevent further deterioration and repair the damage. The complex actors and networks of instability engaged in each of the country’s politics, economics, and social issues are more vigorous than those of stability and potential stability. However, there is a window of opportunity as the country is progressively entering its post-conflict situation. At this stage, there is a strong need for marine environmental policy and security considerations.

Hence, in chapter two, I sought an appropriate methodology to answer my research question/s. Reviewing literature and seeking a theoretical approach, I found that most of the traditional

literature on resource management and policy analysis is not applicable to Somalia's present condition of instability and post-conflict situation. Instead, scholarship on post-conflict situations that aim to facilitate community-based policy in the context of instability at provincial/local level is rather appropriate. To understand actors and networks of stability, potential stability and instability related to socio-economic and political insecurity and marine environmental degradation at the local/provincial, national and international/regional levels, I apply a multidimensional approach to policy analysis drawing on a qualitative library work.

Chapter Three

International/Regional Scale Analysis on Foreign Actors and Networks of Stability, Potential Stability, and Instability in Somalia:

Who are they? What are their Objectives, and Strategies? What are their Capacities?

3.1. Introduction

The international and regional actors and networks of instability, potential stability, and stability in Somalia include regional and international lobbyists, militaries, navies, and intelligence agencies. There are also various state and non-state economically motivated actors and networks of instability. These networks exploit the country's natural resources and degrade its environment by unsustainably exploiting its natural resources.

In this chapter, I identify AMISOM, Ethiopia, Kenya, Turkey, Western Intelligence units, NATO, assorted foreign illegal marine poachers, and oil exploiters as the most notable networks of instability, potential stability, and stability. Ethiopian and Kenyan forces operate both as members and non-members of AMISOM, due to their multilayered missions directed by their countries. Henceforth, I discuss them as Ethiopian and Kenyan involvements in Somalia.

Under each of the nine headings in this chapter, with the exception of the last two, there are six sub-sections which each focuses on a particular network. In each of these sub-sections, the network's background, including its location, origin and geographical scope; administrative and economic capacities; maneuvers and challenges; motives and interests; minor-groups encompassed; relationships to both other foreign actors and networks and local stakeholders; and typology of whether it can be categorized under stability, potential stability or instability, will be described.

3.2.A: AMISOM

3.2.1: Background/Origin and Geographical Scope

The African Union Mission in Somalia (AMISOM) represents the main regional military network operating in Somalia. In 2006, the UN Security Council and the African Union's (AU) Peace Support Mission, under the auspice of the regional Intergovernmental Authority on Drought and Development (IGADD), had suggested authorizing the deployment of AMISOM in Somalia (UN Security Council Resolution, 2006). AMISOM was established on February 20, 2007 by the UN Security Council for the purpose of stabilizing Somalia (Kedir, 2013). It is a branch of IGADD, which is also a branch of the African Union (Kedir, 2013). IGADD was established in 1988 as a vehicle for sub-regional developmental integration among Somalia, Ethiopia and Djibouti (Paarlberg, 2002).

Uganda sent the first battalion to Somalia in 2010 (Horseedmedia, 2015). This battalion encountered severe resistance from Al-Shabab militants, who killed hundreds in different attacks (Horseedmedia, 2015). Burundian contingents joined the Ugandans to strengthen AMISOM's mission, but Al-Shabab took similar measures, resulting in the killing of hundreds of Burundian soldiers (Associate Press, 2015). Then, Djibouti and Sierra-Leone answered the IGADD's call for more regional forces, and contributed their troops to strengthen AMISOM. Later on, the forces of Kenya and Ethiopia, who were already hunting terrorist groups and individuals in the country, also joined AMISOM. Kenya did not, however, change its battalion's title, being the "Kenyan Defence Forces (KDF)," and nor did the "Ethiopian Troops". Depending on achievements and other interests, both Ethiopia and Kenya have participated in the AMISOM membership as they have found fitting. KDF made its base in Kismayo operating throughout Jubbaland, while Ethiopian

Troops are based in Mogadishu patrolling throughout South-central province. As such, I will discuss the latter two forces separately in this chapter.

Currently, AMISOM consists of military forces composed of Ugandan, Burundian, Ethiopian, Kenyan, Djiboutian, and Sierra-Leonean personnel. There are also limited police forces, consisting of Nigerian and Ghanaian troops. At this stage, Ugandan troops are devoted to training Somali military and militias to be self-sufficient (Radio Mogadishu, 2012). The rest of the AMISOM troops are stationed at their headquarters camp in Mogadishu. Their missions are limited to self-defence and self-protection. They occasionally assist the Somali military in attacking Al Shabaab's strongly-held towns and cities. AMISOM's geographical scope and missions are visibly active throughout the South-central province of the country in which the capital city and the federal administration are included. In emergency situations, forces have been deployed in both Puntland and Somaliland to conduct onetime operations (Radio Mogadishu, 2012).

3. 2.2: Capacity and Economy

AMISOM is accountable to the IGADD, AU, and the European Union, but the organization only infrequently answers to them (Mehler, et al., 2008). It seems that AMISOM's executives censor reports of the organization's activities, and report only those which are positive and monetarily appealing. This not only affects AMISOM's operational administration and execution, but also the financing of its activities. AMISOM is funded by a logistical support package, the EU Africa Peace Facility and the UN Trust Fund for AMISOM, through bilateral support (Global Humanitarian Assistance, 2012). Beyond this bilateral agreement, several states including the UAE, EU, UK, US, France, and China extend direct financial support to AMISOM (Global Humanitarian Assistance, 2012). Numerous other private international security companies and

international funders assist AMISOM in achieving its main goal, which is to wipe out the Al-Shabab terrorists from Somalia and its neighbouring countries. Its annual budget is estimated to be over 2.5 billion (AMISOM, 2015; Kraska, 2011), but this estimation fluctuates based on the operations undertaken (Kraska, 2011).

In terms of administrative and military capacities, to this date, the AMISOM forces which are over 22,000 soldiers (Brown, 2015) have been unable to clear the Al-Shabab even from the capital city. Apparently, there are at least three reasons for this failure:

- 1) Unfamiliarity with the local culture,
- 2) Unfamiliarity with the geographical nature of the land,
- 3) Carrying out state-individual-based missions rather than a coalition, and that each of the AMISOM member states pursues its own interests; mainly economic and political in Somalia rather than the coalition's mandates (Ulusow, 2014).

3.2.3: Motives

Ethiopia and Kenya describe AMISOM's motives and mandates as being: to protect the Transitional Federal Government (TFG), to prevent Al-Shabab from having access to the seaport and airport in Mogadishu and Kismayo, and to provide humanitarian support assistance for the impoverished Somalis (Cilliers, et al., 2010). Their main argument is that AMISOM's interest is to chase away Al-Shabab from the region even if it costs millions of lives. Al-Shabab has already taken the lives of approximately half a million people, of whom the majority are innocent civilians that are uninvolved in the conflict between the AMISOM forces and Al-Shabab (Cilliers, et al., 2010).

Although AMISOM's assigned mission is peacekeeping, it seems that its officials and personnel do not yet understand their role as preventers of conflict, peace-makers, peacekeepers, or peace enforcers. On several occasions, officials of AMISOM both directly and indirectly indicated that they did not want to defeat Al-Shabab, but want to scatter them to prolong their highly paid mission (Bujumbura, 2014). This affirms that AMISOM's explicit interest is to gain money, military experience, and intelligence (Kraska, 2011). AMISOM has already learned invaluable lessons from the Somali rival militias including Al-Shabab and civilians (Kraska, 2011).

AMISOM's divergent motives and self-interests override the coalition's original purpose. Instead of operating for the cause of creating a long-term stability and post-conflict reconstruction in Somalia, (Orakhelashvili, 2011) each battalion pursues its country's individual interest. The AU and EU believe that the stability of Somalia is in the interest of the international community. As such, AMISOM peacekeepers' interests are expected to be reflective to those of the world community at large. In order for AMISOM to achieve its security interest, the EU has assigned AMISOM to simultaneously enable the stabilization and distribution of humanitarian assistance (Cilliers, et al., 2010).

The implementation of AMISOM's mandates seems occasional for two reasons: the first is the lack of coordination among AMISOM's member states, and the second is a lack of clarity in IGADD's mandate, vision, mission, goal, and principles. In retrospect, IGADD's initial aim was to bring the war between Somalia and Ethiopia to an end, and consolidate peace by promoting economic development (Paarlberg, 2002). In 2002, this aim was transformed from economic development to politics and military concerns (Tavares, 2010), and IGADD's membership increased to include Eritrea, Kenya, Sudan, and Uganda on the list (Paarlberg, 2002).

The latter objectives are yet to be authorised and publicized. IGADD's expansion has, whether intentionally or unintentionally, resulted in depriving Somalian and Eritrean people of their rights to participate in the organization's activities, including consultation and information. Although AMISOM operates on the ground through the use of foot-soldiers, it is IGADD that usually has direct involvement in its political activities in Somalia. As such, AMISOM is primarily IGADD's military arm, but it is also active in the country's political and economic spheres. Publicly, Somalis complain about AMISOM's involvement in drafting Somalia's constitution, national jurisdiction, citizenship law (GaroweOnline, 2015), policy, planning, political agenda (Shay, 2006), humanitarian, and developmental programs (Kraska, 2011). Since its name 'AMISOM' is ambiguous and not restricted to a particular project, the mission of AMISOM is broad and open to every sector. In my research, I came to the conclusion that AMISOM can be divided into two: The Ethiopian and Kenyan armed wings that know what they are doing in Somalia, but are ill-intentioned. The rest of the AMISOM forces are unaware of their motives, but are using Somalia to gain experience for future interventions and invasions.

3. 2. 4: Manoeuvres

In 2015, AMISOM created the Formed Police Unit (FPU), alongside its military wing, to work with the Somali Police Force in executing joint security patrols within the capital city and its suburbs (AMISOM, 2015). Nigeria and Ghana contributed by sending police officers mainly for training the local police (AMISOM, 2015). This has reached the level where the country's national police stations are administered and controlled by AMISOM commanders (Huriwaa, 2014; AMISOM, 2015). In the AMISOM mission statement, none of these activities has ever been mentioned (Amisom-au.org. 2013). AMISOM's engagement is sporadic. Their forces are mostly

seated in their camps while Al-Shabab militants continuously wage war against them. It is only on rare occasions that the AMISOM forces wage war against Al-Shabab militants.

AMISOM contingents, especially those of Kenya and Uganda, have been recurrently accused of committing atrocious crimes, including sexual assault, rape, abduction, torture, and the killing of civilians in Somalia (Mkutu, 2007; Omar, 2012). After the media gave extensive coverage of these events, AMISOM issued 'Resolution 26' which stated that two multinational sectors will be formed, with one based in Kismayo and the other in Mogadishu (Makokha, 2015). The resolution decrees that criminal activities committed by AMISOM member individuals be reported to the headquarters of AMISOM, while notifying the concerned country.

3. 2. 5: Relationships

In its early years, AMISOM's operation was appreciated by the entire international community (Communiqué, 2007), but since then the credibility of AMISOM has been fluctuating. Currently, it has strong partnerships with certain EU states (such as the UK and Scandinavian member states) as well as the US (Global Policy Forum, 2009).

Ugandan forces entered Somalia with a shortage of troops, equipment, technology, and financial and human resources. They sought help from many Western and Arab states but obtained few responses. Many Western countries such the US avoided any military involvement in Somalia, and were reluctant to provide funding for such purposes (Global Foreign Policy, 2015; Radio Mogadishu, 2015). To this date, AMISOM's relationship with the regional states is not strong and reciprocal. The organization seeks financial assistance from mission to mission, but the responses are not prompt (AMISOM, 2012, 2013, 2014).

AMISOM has occasionally tried to consult with some of the local elders (Galgadud, 2013). However, most of the local elders and young politicians may not be sincere in their participation and collaboration with the AMISOM and any other foreign forces. Some wait for orders from AMISOM instead of advising them. They make assumptions that they are under occupation and they have no choice other than to act as sycophants (Kabukuru, 2015).

3. 2. 6: Typology

The vast majority of the Somalis are averse to the presence of any of the regional or international forces in their country. They anticipate that these forces will be permanent, and will continue to harass them and exploit their natural resources. Syrian peacekeepers that entered Lebanon in 1976 did not leave until Syria itself collapsed and fell into chaos (Forest, 2007). In Afghanistan, the US military forces that came there in 2002 largely employ foreigners, while citizens are considered to be belligerents (Abrahamsen, 2011). A justification was made that Afghans are not trustworthy and at the same time are not reliable enough to handle the tasks assigned to them (Abrahamsen, 2011). Similarly, in Somalia, most of the employees of the AMISOM, airport, seaport, and even government agencies are foreigners while Somalis are jobless and starving in the street. Moreover, due to its legality and official purpose, AMISOM can be considered to be an actor and network of potential stability.

3. 3: Ethiopia

3. 3. 1: Background and Geographical Scope

Ethiopia is politically known as the Federal Democratic Republic of Ethiopia. It is located in the Horn of Africa by the east of Somalia, with Eritrea to the north and northeast, Djibouti to the east, Sudan and South Sudan to the west, and Kenya to the south. In the pre-colonial eras, Ethiopia, Eritrea, Djibouti, and Somalia were historically one country called Abyssinia.

From time immemorial, Ethiopia and Somalia have been in conflict. There have been intermittent deadly wars triggered by either religious, territorial or political conflicts¹⁹ (Lefebvre, 1991). Dividing Abyssinia into several countries has contributed to existing conflicts in the region, and has also created more. These existing conflicts are among the major reasons for the current instability in Somalia and the region at large. For instance, Somali speaking people in the region are genealogically one unique tribe whose faith and culture is one (Wines, 1992). However, in 1945, the British colony divided Somalia into nearly 7 regions: British-Somaliland, Italy-Somaliland, Socotra Islands, Ogaden (Somali Western), Liban, NFD, and Djibouti²⁰. Somalis have been seriously irritated by this division. They relate the matter to the former religious and ethnic-based conflicts between them and Ethiopia, considering that the aim of the British colony was to empower the Ethiopians against the Somalis. They question why Ethiopia is the only country never to be colonized in Africa, while Somalis have been colonized by each of the Portuguese [1920],

¹⁹ Before Somalia's independence, those wars were purely based on religious and cultural conflicts, but since independence, they became territorial and political wars.

²⁰ The British Somaliland is the current Somaliland province of Somalia, while Italy Somaliland is the rest of Somalia, Socotra Islands are under the control of Yemen, Ogaden and Liban are under the control of Ethiopia, NFD is under Kenya, and Djibouti is an independent country.

Ethiopians (pre and post-European colony) (Ferdinands, 2011), French, Italians [1924, 1926-1960] (Fretter, 2008), and British [1880-1960] (Cahnman, 2009).

The British divided Somalia into 7 regions and assigned each to one of its neighbouring enemies. It is not only Somalis that live with such kind of resentment in the region. In another instance, when Eritria gained its independence from Ethiopia in 1993, it physically attacked seven of its neighbour states including: Ethiopia (Negash, 1997; Murphy, et al., 2013), Sudan, Djibouti, Saudi Arabia, and Yemen (Negash, 1997; Murphy, et al., 2013). Eritria did not limit its attacks to the immediate neighbours, but also extended them to Somaliland, the state of Somalia, and Qatar who share no border with it (Mehler, 2008; Carillet, et al., nd; Tesfagiorgis, 2011). It has claimed that each of these countries annexed some parts of its legitimate lands or islands.

The latest political and territorial war between Somalia and Ethiopia was from 1976 to 1988 over the Ogaden region²¹ of Ethiopia, which Somalia considers as its own. In this war, more than the 10 socialist states mentioned in chapter one sided with Ethiopia and bombarded Somalia. Ethiopia and Kenya renewed their 1964 mutual defense accord, at least, three times; 1978 (Kabukuru, 2015), 1980 and August 28, 1987 (Globalsecurity, nd). The deal calls for the two countries' armed forces to jointly counterattack Somalia in the event of an attack by Somalia (Globalsecurity, nd).

The traditional land and religious conflicts have transformed into conflicts surrounding political and marine resources (Abir, 2006). Ethiopian warships and fishing vessels were frequently found in the Somali EEZ, ostensibly for economic and military purposes (Huriwaa, 2012; Mehler, 2015). Politically, Ethiopia set up its provocative embassy inside Somalia's presidential palace where the flag of Ethiopia is draping over that of Somalia (Arman, 2015). Add

²¹ an ethnically Somali region also known as Somali-Western

that Ethiopia has embassies and consulates in each of Puntland and Somaliland provinces of Somalia without the permission of the Somalia's federal administration. Moreover, it signed military and diplomatic treaties with each of these two provinces (Arman, 2015).

Out of precaution, Somali citizens are suspicious of Ethiopian manoeuvres. This made Somalis paranoid, bewildered, and susceptible to terrorism. The impact of this war is still visible in the minds of Somalis who envision to recapture the Ogaden and Liban regions from Ethiopia. In 1991, Ethiopia renamed the two regions as "Region 5" of Ethiopia (Human Rights Watch, 2008).

3. 3. 2: Capacity and Economy (legal, administrative/executive and revenue)

As of July 1 2014, the population of Ethiopia is estimated at 96,506,031, which is equivalent to 1.3% of the total world population (Global Fire Power, 2015; Worldometers. info, 2016). Approximately a quarter of the Ethiopia's population are government forces in operation including various types of federal and provincial military, police, intelligence, snipers, or other related forces operate either in the ground or underground (Global Fire Power, 2015; Editorial Staff of African Globe, 2014; Dewar, 2008).

In the Horn of Africa, Ethiopia has the strongest military, and is politically, socially and economically strong as well, and at a continental level, it has been recognized as the second or the third-strongest military power (Mehler, et al., 2015; Editorial Staff of African Globe, 2014; Global FirePower, 2015). In 2015, the Ethiopian National Defense Force (ENDF) service was estimated 38,794,315 equipped with a huge number of modern sophisticated shelf propelled guns, towed artillery pieces, tanks, armored fighting vehicles, rocket projectors, and all kinds of war aircrafts (Russel, 2016).

Therefore, the Ethiopian forces are the most powerful stakeholder in the political affairs of Somalia. This power compels Ethiopia not only to manipulate Somali politics, but also to usurp the entire region's activities towards Somalia's politics and resources. Most of the regional states, particularly those of the frontline states, being Ethiopia, Kenya and Djibouti, do not dare to exercise their political interests in Somalia without the consent of Ethiopia, because it is Ethiopia that controls IGADD (Bereketea, 2012). Even though the Ethiopian administration claims to be a democratic system, their forces still operate in an autocratic system (Editorial, the Guardian, 2015).

Ethiopian forces in Somalia fluctuate between 40,000 to 70,000, which are always in and out of the country (Mehler, et al., 2015). For instance, in 2009 these forces temporarily withdrew, but their withdrawal was described as a political retreat and military tactic. They came back after a year as a member of AMISOM pursuing Al-Shabab terrorists, but later on announced they are not a member of AMISOM (Tefera, 2011). It is the Ethiopia's Ministry of Defence that executes these military undertakings (Tefera, 2011).

In terms of legality, Ethiopia initially took unilateral action in invading Somalia, as the Union of Islamic Courts (UIC) emerged and declared that they would rule Somalia with Sharia Law in 2006 (Bereketea, 2012). Several states, including the USA, as well as human rights organizations condemned the Ethiopian invasion in Somalia, considering it to be a violation of Somalia's sovereignty (Bereketea, 2012). Later on, the US Under-Secretary of State for African Affairs, Jendayi Frazer convinced the US to support the Ethiopian invasion of Somalia (Prince, 2010). She also pressured Ethiopia's Prime Minister, Meles Zenawi, to fully invade Somalia and deal with it aggressively (Prince, 2010). In one of her instructions, she told the titular TFG's President, Abdullahi Yusuf, and the Parliament Speaker, Adan Madobe, that it is not fair that a

population of 7 million control the largest coast in Africa, while the neighbouring over 80 million do not have access to the sea (SomaliNet, 2007).

Political analysts argued that the invasion of Somalia was illegal under international law, involved violations of human rights, was immoral to the international community, a political mistake to the region, and not in the interest of Ethiopia (Prince, 2010). However, within a few months, the Ethiopian forces conquered the capital city of Somalia, Mogadishu, and the coastal cities. This is the first time Ethiopia gained access to the Somali seawaters.

Ethiopia's economy is mainly based on agricultural production of coffee, honey, wheat, teff, and maize (Todd, 2014). Ethiopia is also rich in gold, iron, civet, ivory, and livestock (Todd, 2014). However, it seems that the government relies on foreign donations more than its own resources. This indicates that the country's natural resources of economy are only a conducive to the expected foreign donations and diplomatic deals (Mehler, 2015; Todd, 2014). Moyo (2009) argues that aid constitutes more than 90% of the Ethiopian government budget.

3. 3. 3: Manoeuvres

Ethiopia is fully engaged in Somalia militarily, politically, socially, and economically. Each of these engagements affects Somalia's and the region's security, socio-political stability, and environmental sustainability. As such, even though these three sectors are intertwined, I discuss Ethiopia's military and political manoeuvres while pinpointing its economic concern from the sea and fresh water resource's perspectives.

Omar (2014) argues that, in Somalia, the Ethiopian armies had been engaged in mass killing, bombardment, shooting, torturing, terrorizing, imprisoning, robbing, and raping since their full incursion in the middle of 2006 up until January 13, 2009. Most Somali political observers

view Col. Gabre, an Ethiopian military commander, as the most powerful authority in South-central Somalia and the federal administration (Arman, 2015; Fox News World, 2013). Ethiopia's intervention of Somalia has created fiery social tension and political turmoil at the domestic level, and political divisions full of doubts among the regional states (Bereketea, 2012). Sudan, Eritria, Djibouti, Tanzania, and other states oppose Ethiopia's invasion of Somalia (Mentan, 2010). Politically, Ethiopia, sometimes acting under the guise of AMISOM, with the help of the federal executive branch of Somalia, has endeavored to divide the South-central province into at least four provinces. The effort has already established the administrations of Jubbaland, South-West Somalia, Hiiraan-Shabelle, Galmudug state, and Mogadishu which should be administered by a federal law. However, none of these administrations have become effective (Ulusow, 2014).

3. 3. 4: Motives

Ethiopia's original justification for invading Somalia was to defend the Somali interim government and the warlords from the Islamic Courts Union (ICU) (Mehler, 2015). As the most permanent stakeholder in the region, it seems to be promoting its own political agenda, which is to prevent or frustrate the resurgence of a strong Somali state (Moi, 2002). Ethiopia is sceptical about accepting a stable Somalia because it is worried that Somalia may renew its claim concerning the Ogden region in Southern Ethiopia. Garad describes Ethiopia's interest/motives in three pillars:

- 1) The potential threat of a strong Somalia that can lobby for (or fight for) the Somali Ogaden region that is currently part of Ethiopia,
- (2) The Ethiopian leadership of the IGADD regional organization in the absence of a Somali state that can counterbalance it, and,
- (3) Ethiopia's privilege in the west as the region's favourite bulwark against Islamism (Garad, 2015, p. 4).

These three factors are commonly known as Ethiopia's policy towards Somalia as they have been followed since Somalia's independence. A fourth factor exists due to the fact that Ethiopia is a landlocked nation which needs access to Somalia's seaports (Adeyemo, 2000). The historical conflict between the two nations which could erupt over religious and cultural differences is also evident as the fifth factor.

In terms of the importance of marine resources, even though Ethiopia is a landlocked country, it is a signatory to almost all of the agreements and other affairs on both the Indian Ocean and the Red Sea (Gatsheni, 2013; AFP, January 30, 2009). It is not yet clear whether Ethiopia represents Somalia in these agreements/conventions, intends to secure regional security, or has its own agenda. Ethiopia argues that her fishing vessels harvest from the international seawaters off Somalia's EEZ, but the Somali fisheries argue that they have witnessed them fishing in the EEZ (AFP, 2009). This economic interest has not been limited to seawaters but also to freshwaters.

Since 1995, Ethiopia has been constructing huge dams on the Shabelle River²². The river's water has been blocked and diverted from Somalia to Ethiopian bushland (Calas, et al., 2010). In short, Ethiopia's interests are a combination of political, social, cultural, military, territorial, and economic considerations. She is taking advantage of Somalia's lack of an effective government. Political analysts believe that Ethiopia's Prime Minister, Zenawi, had the vision of a "Super cop" mini-empire in the Horn. To succeed in this, he claims to bring peace, freedom and stability to Somalia, even though, he failed to bring this to his own country (Prince, 2010).

3. 3. 5: Relationships

In the case of Somalia, Ethiopia has a close relationship with the US and other Western states. It is strongly supported by these powerful states in their fight against serious terrorists in

²² Shabelle River Basin is over 307,000 sq.kms shared by Ethiopia and Somalia (Mohamed, nd).

the Horn of Africa (Tefera, 2011). Ethiopia, as well as some other neighbouring countries such as Kenya, take advantage of the US's political agenda by meddling in the politics of Somalia. As such, Ethiopia is able to interfere with any peace process intended to bring Somalia back to a state of stability and prosperity (Ahmed, 2013).

Ethiopia also has a relationship with the executive branch of the Somalia's federal administration as well as each of the provincial state presidents. The terms and reciprocity of these relationships are still unclear. What is obvious is that neither the federal nor any of the provincial administrations make their own decision without the consent of Ethiopia (Tekle, 1994; Somali Current, 2015). All the political disputes in Somalia, be they federal or provincial, are solved in Addis Ababa, Ethiopia (Ulusow, 2014). If the federal president and one of the provincial presidents have a dispute over any issue, one reports his adversary to one of the Ethiopian Ministries or directly to the presidential palace, depending on the case's gravity (Wahab, 2007). Even though the Ethiopian administration has repeatedly advised Somali leaders to independently manage their own affairs (Somali Current, 2015), they are still devalued. This makes the presence of the Ethiopian forces in Somalia highly welcomed by the Somali federal and provincial governments, but not the citizens.

Ethiopia's relationship with the local Somalis is very bitter and based on force and subjugations against Somalis at each of national, provincial, institutional, clan, group, and individual levels (Hoby, 2014). The presence of Ethiopians in Somalia is not limited to military and intelligence forces. There are numerous groups and individuals who are in the country for trade, employment and travel through the sea to Europe or Saudi Arabia. Recently, Ethiopians started migrating to Somalia by the hundreds in search of a better life. Even though Somalia is below poverty line, Ethiopian nomads consider it a land of opportunity. The number of Ethiopian

youth entering the Bosaso city of Puntland for jobs is more than those who enter it in transit. These Ethiopian migrants join both local fishers and pirates, but they face xenophobia and hostility from some locals who want to see them leave (Aljazeera.net, 2015).

Ethiopia was suspected of arming and commissioning Al-Shabab terrorists to destabilize not only Somalia but also Kenya (Juma, 2015). Some internal and external political analysts condemn the Ethiopian forces for having a hidden relationship with their opponents, Al-Shabab. Al-Shabab militants wage wars against the AMISOM bases except those of Ethiopia. The local media and civil society groups searched for the relationship between Ethiopia and Al-Shabab, in search of an explanation for why Al-Shabab has never attacked the Ethiopia contingents in Somalia. They concluded that Al-Shabab is a product of the Ethiopian intelligence and a tool to destabilize Somalia. They destabilize the region, create job opportunities for the Ethiopian military, justifies Ethiopia's security presence, and creates an open-ended environment of socio-political crisis which attracts humanitarian aid into the Horn of Africa (Weintstein, 2008).

3. 3. 6: Typology

Taking into consideration the historical wars between Somalis and Ethiopian administrations, it seems that vast majority of the Somali people have no confidence in the Ethiopian forces in their country. Regardless of these forces' aims, Somalis consider them to be invaders and colonizers. Ethiopian forces could hardly trust Somali citizens and their traditional leaders, and vice versa, for three major reasons:

1. The long-rooted wars were followed by a newly emerged economic interest on marine resources
2. Each of the two countries have been controlled by a dictatorship with an iron governance system that has intensely influenced citizens' behaviours

3. Both Somalis and Ethiopians are religious fanatics by nature. Since the old Abyssinia became a hub for both Christianity and Islam, each of the two faiths struggle to make their religion the only one recognized and believed in. As a result, the majority of the Christians in the region have adopted the radical interpretation of Orthodox Christianity, while the vast majority of the Muslims adopted the radical Islamic interpretation called Wahhabism²³ (Mohamud, 1970).

Due to such reasons, Somalis either directly attack the Ethiopian forces or are disloyal to them, showing them outward obedience while secretly plotting against them. This sustains retaliatory conflicts between Somali civilians and Ethiopian forces. Therefore, I conclude that the Ethiopian forces currently fall under the actors and networks of instability.

3. 4: Kenya

3. 4. 1: Background and Geographical Scope

Kenya is located in Eastern Africa, bordering the Indian Ocean to the east, Somalia to the northeast, Ethiopia to the north, South Sudan to the northwest, Uganda to the west, and Tanzania to the south. Kenya shares both land and marine borders with Somalia. It has a coastline consisting of an estimated 536 kilometres (333 miles) bordering with Somalia²⁴. Since the two countries' independence, there has been a land dispute over the NFD region of Somali inhabitants under Kenya's rule (Emmanuel, 2015), but no war has occurred.

Since 1991, there have been hundreds of thousands of Somalis immigrating into Kenya (Moret, 2006). To this date, Kenya hosts approximately 140,000 Somalis in 6 different refugee camps: Kakuma, Hagardheer, Dhagahley, Ifo one, Ifo two, and Dadab (UNHCR, 2014; Human

²³ As usual, the radicalization behavior goes in seven stages which are: suspicion, fear, contempt, hatred, conflict, and crime.

²⁴ This estimation may be subject to the delimitation of the disputed maritime boundaries

Rights Watch, 2009; Mogire, 2011). There are also approximately 20,000 unregistered Somali refugees living in the Kenya's capital and second capital city, Nairobi and Mombasa respectively (Moret, 2006; Human Rights Watch, 2009).

3. 4. 2: Capacity and Economy (legal, administrative/executive, and revenue)

Administratively, Kenya has been in transition to democracy since president Moi was ousted from power in 2002 (Wendoh, 2006²⁵). The country's governance is based on a democratic parliamentary system which accepts only a limited number of political opposition parties (Wangala, et al., 2007). Even though Kenya is a democratic state, there is no clear-cut job description among the executive, legislative and judicial branches of government (McMahon, 2006; Wendoh, 2006). This makes the country's administrative system vulnerable to corruption. The parliament consists of 222 members. Cabinet ministers should come from the parliament. Moreover, cabinet members also serve as chairs of the parliament committees (Belda, 2006). Unlike the Prime-Ministerial systems in the developed states like Canada, in some parts of Africa, if the ministerial cabinet members are also members of parliament the executive system could be susceptible (even though it is liable) to corruption, conflicts of interest, and negligence (Nichols, 2015; International Commission of Jurists, 2015). This kind of political system impairs the enforcement of transparency and accountability.

In terms of economic status, Kenya's economy is based on agricultural products led by coffee, tourism, industry, transport, communication, foreign exchange, macro-economic service, and aid (Hope, 2012). Kenya's economic growth amounted to 6.9% and 5.7% in 2012 and 2013,

²⁵ Stakeholders Conference. Cape Town, South Africa Conference on Separation of Powers in Sub-Saharan Africa for leading stakeholders from South Africa, Namibia, Malawi, Tanzania, Burundi, Rwanda, Uganda, Kenya and Ethiopia (Trick, 1999).

respectively, while the 2014 estimate and the 2015 projection show economic expansion of 5.3% and 6.5%, respectively (IMF, 2015, p. 302). The World Bank, IMF, Global Environmental Facility (GEF) and several other international institutions and UN bodies generously assist Kenya in the implementation of coastal developmental projects. They continuously implement projects for enhancing the capacity of rural micro, small, and medium-sized enterprises, fisheries capacity building, and tourism projects (World Bank, 2014a; 2015b).

Some economic analysts argue that, for the last two and half decades, Kenya's economy has been surviving and booming as a result of the influx of Somalis (Leonard, nd). The Western and Arabian donations to Somalis have been treasured in Kenya, but often end up in the hands of the Kenyan government and Kenyan citizens (Teff, 2012; Kabukuru, 2015).

3. 4. 3: Manoeuvres

The case of the conflict between Somalia and Kenya over the continental shelf is an explicit example of how Kenya exercises its power over Somalia. In 2007, Kenya unilaterally redefined its "EEZ limit that runs due east along the 1° 38' south parallel and thus substantially to the north of a theoretical equidistance line" (Schofield, 2008, p. 105)²⁶. It argues that the demarcation should be running in a perpendicular line from the land boundary into the sea (Mutambo, 2015). Kenya justifies its claim in referring to the UNCLOS' method of measuring the outer delimitation of the continental shelf.

On the other side, Somalia defines its border as being equidistant to the south-easterly direction. It stretches its line from its coast baseline and small Islands in the vicinity of the terminus of the land boundary. This border, then, reaches the sea in a perpendicular form that gradually

²⁶ To claim others' seawaters, some States may take an advantage of the apparent technological complexity and legal loop holes.

declines to the eastward Kenya, by running on top of the Lamu basin. In this case, Somalia obeys the UNCLOS' definition stating that the continental shelf of a coastal State is "of the seabed and subsoil of the submarine areas that extends beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin" (UNCLOS, Article 76). Unlike Kenya, Somalia is the second state, after Canada, which has announced its seawater territory as its EEZ which extends up to 200nm (Schofield, 2008)²⁷.

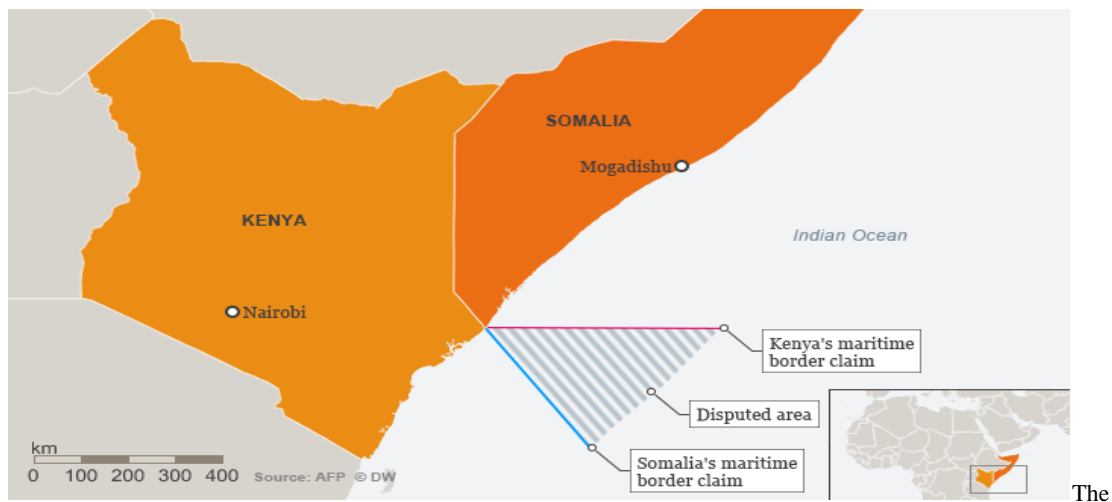


image of the disputed continental shelf (Somalitalk.com).

On April 7, 2009, without legal interpretation, Kenya convinced Somalia's Prime Minister, Sharmake, to sign a Memorandum of Understanding (MoU) stating that the delimitation between the two coastal states be considered a "maritime dispute," which now remains in an unresolved status. The two parties have already failed to settle their disputes peacefully as guided by section 1 of UNCLOS (IMO, 2012; UNEP, 2007).

Since Kenya is stable and has the necessary means, it has quickly made its submission to UN Convention on the Law of the Sea (UNCLOS), attaching a copy of the MoU signed by the

²⁷ Article 1 (1) of the Somalia marine law No. 57 as well as law No. 37 of 1972, state that Somalia's territorial sea includes portions of the sea to the extent of 200 nautical miles. Somalia also influenced Benin, El Salvador, Ecuador and Peru to announce the same.

Somali Prime Minister. On August 9, 2009, Somalia's Parliament revoked the MoU and condemned Kenya for invading its 1.2 million breadth square sea waters (Somali Parliament, 2009). On August 5, 2014, Somalia filed a court case against Kenya to the International Court of Justice (ICJ). The International Court of Justice (ICJ) required the two sides to submit their positions within 4 months, and Somalia had submitted it on July 13, 2015.

On September 19, 2016, the first round of the ICJ court hearing was opened in the Hague, but the final decision was deferred until September 2017. In the first round, Kenya argued that the Court lacked jurisdiction since the two parties have an alternative dispute settlement before resorting to the court (Mutambo, 2016). On the other hand, Somalia argued that there were several attempts to solve the dispute through bilateral negotiations, but all bear no fruit. Kenya counter-argued that "all the meetings between the two countries over the issue were only preparatory and were meant to draw up an agenda for the discussion" (Mutambo, 2016, p.1). Somalia insisted on arguing the ICJ to define the boundary as laid down by the UNCLOS and other international sea laws where Kenya wants to legalize the 2009 MoU (Müller-Jung, 2016).

It seems that the UNCLOS has insufficient information about the marine definitions and demarcations of Somalia, because Somalia has not made an updated scientific submission (UNCLOS, 15 July 2011)²⁸. Given both sides of this conflict, it may be said that Kenya seems more professional, persuasive, prepared, and competitive than Somalia, and in the ICJ many maritime disputes seem to have been won due to persuasiveness. The case of the dispute between Nigeria and Cameroon over the oil-rich Bekassi peninsula was taken to the International Court of

²⁸ This could cause the ICJ decision to be subjective to the information available, definition submitted, scientific analysis, and clarity of the two sides' arguments.

Justice in 2002, and Cameroon won. Besides legal evidence, Cameroon was more persuasive than Nigeria during the court process (Fisher, 2012).

Kenya has political, economic, military, intelligence, and knowledge capacities which allow it to play a significant role in either stabilizing or destabilizing Somalia. But unlike Ethiopia, Kenya often respects international conventions and laws. As a result, it tries to intimidate both Somali leaders and civilians until they submit themselves to Kenya's guidance and instructions. Kenyan politicians instruct those of Somalia by convincing them to accept their guidance by reasoning that Kenya is knowledgeable and has a close connection with the contemporary world. Thereby, they may outwardly help Somalia politically, economically, socially, and security wise, but focus on pursuing their own interests.

UNCLOS, using its technical assistance provision, is in charge of resolving the disputes between these two countries by not limiting it to a case of sovereignty, such as measuring the seabed and sea-boundaries (Murunga, 2009). The cases of resource exploitation, fish quota, shared natural resources, pollution, and penalties should be resolved alongside the sovereignty case. Here UNCLOS would employ its Section 2 of Part XV which concerns the provisions of compulsory dispute resolution procedures. The Convention places the onus on the coastal state to establish the outer edge of the continental margin wherever the margin extends beyond 200nm from the baselines not to exceed 350 nm (UNCLOS, Article 76).

3. 4. 4: Motives

Kenya has both political and economic motives, which are explicit in the conflict between Kenya and Somalia over the maritime dispute referred to above. The economic concerns seem to be prioritized. Kenya obtains financial support from the Western and Arab world for two main

reasons; detaining and prosecuting Somali pirates and hosting Somali refugees (Horn, 2012). While all the state and non-state financial assistance and investments going to Somalia for any purpose are deposited and managed in Kenya, Kenya is the primary beneficiary while Somalia is the secondary one. Kenya enjoys tremendous financial gains from hosting Somali refugees (Betts, 2013). Kenya's main agenda is based on annexing 1.8 thousand Km² (over 37,000 square Miles) of Somalia's continental shelf (AllAfrica.com, 2013). This area is rich in fish, minerals, oils, gases, and aquatic vegetation (Hussein, 2013). Kenya's objective is to obtain these resources. Initially, Kenya's justification of the occupation was security, but finally it turned to claiming that the area is its own:

Kenya's original rationale for invading Somalia was to protect its citizens and tourist-based economy from al-Shabab's predations. For many this argument seemed reasonable as al-Shabab was accused of kidnapping several expatriates from Kenya. According to a U.S. official who spoke on condition of anonymity, there were credible reports that the Kenyan government had planned on gaining a strong sphere of influence in the lower region of Somalia long before the al-Shabab-affiliated incidents (Samatar, 2013).

In the media, Kenya announced that the Somali region adjacent to its border is a buffer zone for the protection of Kenya (Garad, 2015). But the extensive developments and military excursions disclosed Kenya's hidden agenda which is to conquer Somalia's both land and marine zones adjacent to its borders for economic purpose. Kenya played strategic games to access the Somali rich coast of Kismayo, Somalia. It signed an agreement with the Ras Kamboni clan-based militia stationed off Ras Kamboni seashore which has been designated as a sub-branch of Al-Qa'idah by both Somalia and the USA (United States Congress, 2010). The terms of the agreement were Kenya to lobby for excluding Raskamboni militia from the list of terrorists, and helping it

relocate into Kismayo city (Stewart, 2012)²⁹. Indeed, Kenya's game became noticeable as it occupied the base of the militia, and started exploring for gas and minerals on the coast of Somalia (Journalist for Justice, 2015). Kenya has given military, medical, material, technical, and financial assistances to the military to capture Kismayo (the third capital city of Somalia) from another clan's militia led by Colonel Barre Hirale (Garad, 2015). The deal was successful and the militant group turned into a provincial government ruling the Jubbaland semi-state.

Recently, Kenya has also started advancing on the land border with Somalia (SaadaalNew, 2015) and also constructing dams on the Dawo Lake of Somalia's Juba River³⁰. Kenya's military forces, known as Kenyan Defence Forces (KDF), have been repeatedly accused of exporting charcoal, wildlife, fish, sugar, and other Somali-owned properties from the Kismayo port which they control in the name of AMISOM (Makokha, 2015; Mareeg Media, 2014; Journalist for Justice, 2015). This has escalated instability both in Somalia and Kenya by allowing Al-Shabab to carry out a chain of attacks and suicide-bombings in both countries. Al-Shabab has briefly captured several towns in Kenya, and launched multiple attacks against military camps, schools, universities, malls, mosques, and churches in the main cities of Kenya killing thousands of military personnel and civilians (Journalist for Justice, 2015).

Many of the operations carried out by Al-Shabab in Kenya were undertaken by Kenyans who might have used locally made equipment. This takes into consideration that Al-Shabab's network is not limited only to Somalia, but also has bases in Kenya (Throup, 2012). A large number

²⁹ The scheme began by releasing and commissioning the deputy leader of the militants, Mr. Ahmed Madobe who was captured by the Ethiopian foot soldiers after being injured by US helicopters in 2008 (Throup, 2012). After imprisoning him, the Ethiopians and Kenyan forces not only released him, but selected him as the President of the Jubbaland Province of Somalia²⁹ headquartered at Kismayo (Hansen, 2013; Garad, 2015)²⁹. This was the result of an open agreement between Ethiopia and Kenya based on the two country's 1976 alliance against Somalia (Thompson, 2015)²⁹. In order to weaken Madobe's power, Ethiopian intelligence worked to separate Ras Kamboni militants from Al-Shabab and weaken their leader's clan-based power. Madobe's clan, Ogaden, were chased away from the Ethiopian border by pushing them against the Kenyan border so that they would seek help from Kenya.

³⁰ Basin is 233,000sq. Km, 65% in Ethiopia, 30% in Somalia and 5% in Kenya (Mohamed, nd).

of Al-Shabab members are not Somalis but from many different countries (Hansen, 2013). The KDF, the national military, the police and the Kenyan intelligence agency, known as the National Intelligence Service failed to prevent, detect or defeat most of these deadly attacks, until the Recce-Squad and Kanga Squad Companies came to assist (Nation Media Group, 2015). Recce is an expressly force trained at military colleges in Russia. They are administered by the General Service Unit of Kenya which is independent from the Ministry of Defence (Nation Media Group, 2015). Unlike Recce, Kanga Squad Company is a private security company owned by Kenyan and Non-Kenyan business individuals.

3. 4. 5: Relationships

Kenya has diplomatic and economic relationships with numerous Western, Arab, Asian, and African states as well as non-state actors and their networks. In East Africa, Kenya has a sympathetic reciprocal relationship with most of the Western states including the US (Bureau of African Affairs, 2015). As a result of this consistent and trustworthy diplomatic relationship, Kenya is the first beneficiary of Western developmental aid and political support. For instance, the Canadian embassy to Eastern Africa's eight countries is located in the capital city of Kenya, Nairobi. If any of the citizens of these countries want to apply for an entry visa to Canada has to come to Kenya in person. Some of the UN world headquarters, such as that of UNEP, are located in Nairobi. As such, Kenya is the only country in Africa that almost all world states respect.

In the case of the maritime boundary with Somalia, for instance, Kenya has contracted with various oil and mineral companies to explore the contested territory which is rich in oils, gases, minerals, and biodiversity (Moss, 2013). These oil companies include: Africa Oil Corp., Anadarko Petroleum Corp., Black Marin Energy, CAMEC, CNOOC Ltd, CPC Corporation Taiwan,

Dynamic Global Advisors, Flow Energy, QAFCO, Lion Petroleum Corp., Parx-Continental Oil and Gas, Lion Energy Corp., Somken, Vangold Resources Ltd, Swiss Oil Company, and White Nile Ltd. The companies are the most complicated foreign networks of instability and unsustainability in Somalia, creating socio-political, economic, and environmental issues in the area, and having already drilled over 40 wells (Amina, 2013).

Several Western states, such as Norway, whose oil companies are among the above-mentioned, have an economic relationship with Kenya and support it in any way possible (Pedro, 2013). Recently, Kenya signed a bilateral agreement with the Qatari government for farming a large precinct of its border with Somalia and the Ras Kamboni's mainland, which is a region of Somalia. The two parties are still negotiating the rental price (The Telegraph, 2008). Kenya has approached some other Arab states about renting or buying hectares of its coast and mainland bordered with Somalia with the intention of adjusting hundreds of kilometers of the Somalia's coast and mainland (Aburawa, 2012). This is an explicit sign of that Kenya has already considered both Somalia's land and sea to be its own.

3. 4. 6: Typology

Had there not been this conflict over maritime boundaries, Kenya could have been deemed as a network of stability. Given their current situation, Somalis feel that Kenya is trying to adjust their continental shelf by intimidating and subjugating them, instead of through diplomatic means. Secondly, there has been no historical physical confrontation between the two nations or between the two states. Thirdly, Kenya complies with the international law compared with Ethiopia. This makes Kenya flexible, democratic, trustworthy, and negotiable. Therefore, as soon as the case over the continental shelf is solved, both Kenya's ill-intention and Somalia's ill-feeling will be ended.

Maritime boundary delimitation removes the problems caused by jurisdictional uncertainty, reduces the potential for disputes and conflicts, and facilitates a long-term approach for the management of all maritime issues including fisheries, research, continental, baseline, coastal, and ocean management (Degan, 2007). Certainty, “equity, and stability are thus integral parts of the process of delimitation” (Degan, 2007; UNCLOS, para. 244). In short, since Kenya does not frequently violate international law and human rights conventions, in post-conflict Somalia, it can be categorized as an actor and network of potential stability.

3. 5: Western Intelligence Forces

3. 5. 1: Background and Origin

The Central Intelligence Agency (CIA), Federal Bureau Investigation (FBI), Military Intelligence Section 5” (MI5), Military Intelligence Section 6 (MI6), and their coalitions of local informants/infiltrators are the most complex networks operating in Somalia, due to the sensitive nature of their operations. The CIA first came to the country after the first brigade of Islamic extremists emerged in 2005, but had been observing the area since 1992 (Scahill, 2013). After approximately a year, the FBI of the US and MI5 and MI6 of the UK joined the CIA’s mission in the country (Wayne, 2013). All these operative agencies made their regional office in Mogadishu. This was in response to the decisions made by the US post 9/11. In order to take tough new measures, the Pentagon transferred the Horn of Africa region including Somalia, Djibouti, Eritrea, Ethiopia, and Sudan from CENTCOM³¹ to AFRICOM³²(Holoway, 2008).

31 CentCom is the US central command military facility headquartered in the Middle East, but also controlled several African States from Morocco to Djibouti.

32 United States Africa Command, (U.S. AFRICOM) is one of six of the U.S. Defense Department's geographic combatant commands and is responsible to the Secretary of Defense for military relations with African nations, the African Union, and African regional security organizations. A full-spectrum combatant command, U.S. AFRICOM is responsible for all U.S. Department of Defense operations, exercises, and security cooperation on the African continent, its island nations, and surrounding waters.

3. 5. 2: Capacities and Economy (Legal, administrative/executive and revenues)

In terms of legality, like any other actors operating in Somalia, neither CIA nor FBI has ever sought permission from the host country. The same is true of the M15 and M16. They neither consult nor share actionable intelligence information with any of the national or provincial administrations. Instead, they conduct their operations directly relying on their agent networks on the ground. In their operations, they do not distinguish between government officials and lay persons. Administratively, both the CIA and FBI branches in either the US or any other parts of the world are governed by the US' Homeland Security and Department of Defence (Krouse, 2003; Theoharis, et al., 1999). The equivalent applies to the MI5 and MI6.

Economically, each of these intelligence units is financed by their government (USA and UK). Phil Mudd, a former CIA counterterrorism officer, indicates that the budget and executive efforts extended to FBI intelligence is higher than that of Minneapolis state (Graff, (nd.). The CIA is funded under the Act of 1949, but any annual or occasional project budget allocated to it must be processed through the Department of Homeland Security and Department of Defence. Procedurally, the funding must be passed by the Congress and approved by the President (the Guardian, 2015; Darling, et al., 1990). Yet, the nature of any information about a given operation's funding, be it ordinary, extraordinary, special, or emergency must be confidential (Darling, et al., 1990).

AFRICOM began initial operations on Oct. 1, 2007, and officially became an independent command on Oct. 1, 2008. (US Africom, www.Africom.mil).

3. 5. 3: Manoeuvres

The CIA is directly involved in the pursuit of and targeted attacks on Al-Shabab, Al-Qaida's networks operating in Somalia. In pursuing Al-Shabab leaders, the CIA targets terrorist suspects in various complex networks of instability in the country. It has deterred numerous security intrigues before they were undertaken by terrorists (Central Intelligence Agency, 2009). Those insecurity plots were chiefly a threat to the entire world, particularly to the Western interests. The CIA collaborates with the FBI for physical implementation of anti-terror measures inside Somalia. The FBI carries out 'Operation Rhino,' which was to investigate and follow up on Somali youths who leave the US for Somalia to become suicide bombers³³ (Comey, 2013). These activities can have a stabilizing effect, but they have negative implications too. Parents reported that the FBI tortured their kids and forced them to declare that they were members of Al-Shabab, even though they were not (Chomsky, et al., 2013). Many Somali youth and mothers fear the FBI in Mogadishu more than anybody else (Dailymail, 2014).

Since the formation of the non-interim government, the US has moved more military and intelligence (CIA) personnel into Somalia (Garaad, 2015; Scahill, 2014). The CIA, in collaboration with FBI, has built a special house called the "Pink-house" near Mogadishu's international airport, which is divided into a prison similar to that of "Guantanamo Bay³⁴" and residential apartments. Most of the prisoners therein have never been or heard from since the day they were captured. The few released prisoners testified that they were severely tortured and forced to serve as unpaid informers for the CIA or its agents (Gettleman, 2011; Scahill, 2014). The CIA was also condemned for acting as sharpshooters who kill on sight (Caasimada, 2013). They use the

³³ With the intention of committing suicidal war tactics of killing oneself alongside with a number of rivals.

³⁴ In Cuba as well as the Abu-Ghuraib of Iraq.

Ethiopian forces called Liu-Police who were authorized to kill suspects on sight (Caasimada, 2013), but often kill innocents in clan-based reprisals.

3. 5. 4: Motives

The US's motives, as demonstrated by the CIA and FBI, are always linked to its regional political agenda, starting with the prevention of Islamic terrorists emerging in Somalia, who can take advantage of the country's lawlessness and feeble economy (Caraley, 2002). Therefore, in order to stabilize Somalia, the US seeks to help re-establish governance by enhancing Somalia's federal process and eliminating the terrorist groups (Ahmed, 2013). Yet, it seems that the US is losing public confidence. Local informants/infiltrators are in charge of spying and following up on individual and group activities. Most of these infiltrators are Somalis by birth, but hold American passports. The approach of the US is always twofold; the use of Ethiopia's military and the use of Somali-American intelligence.

Due to the long conflict that has transpired between Ethiopia and Somalia, Somali citizens have a well-founded fear of anyone who is allied with Ethiopia. This situation helps Islamic terrorists to gain popularity, and to continue destabilizing the region. When youth were personally tortured or hear of others being imprisoned and tortured, they have incentive to join either the pirates (see chapter 4) or the terrorists when they get a chance. The same happens when they are impaired from working or restricted from education. Usually, the US uses Ethiopian foot-soldiers, military experts, intelligence, and political organs to defeat insurgents in Somalia. Nevertheless, it is evident is that the US-Ethiopian policy of occupying Somalia has backfired:

“Somali Islamists, particularly, Al-shabab, in fact resemble the battle-hardened and ideologically uncompromising Taliban of 1996, ready to rule a country. In this sense, the anti-Islamist propaganda of 2006 has fulfilled itself. Somalia since 2006 is possibly the

clearest example for the failure of US (and Ethiopian) counter-terrorism policy, which actually has produced what it was supposed to counter” (Hoehne, 2009, p. 12).

On December 7, 2007, the US introduced a resolution to the UN Security Council, which would authorize the African Union peacekeepers to defend the TFG (Gettleman, 2011). Many Somali politicians, spiritual leaders, traditional elders, and academics interpreted this resolution as giving license to an Ethiopian incursion aimed at wiping Somalia from the map of the Horn of Africa. It created resentment in the hearts of the moderate Somalis, while increasing animosity and cruelty in the hearts of the extremists. In the South-central, there were a number of organized and unorganized protests against the resolution. In relation to this matter, the International Crisis Group (ICG) warned that this move in the Security Council could trigger a regional conflict (ICG, 2008). Instead, the ICG proposed that the UN should avoid favouring one rival over the other, and instead pressure both sides to negotiate (ICG, 2008).

Since 2007, the US forces have been conducting drone and helicopter attacks against Al-Shabab, resulting in many civilian casualties, without notifying the government of Somalia (Qaranimocom, 2015). Furthermore, in 2013, the US and the UK (the latter having a go-ahead from the European Union) have tried to establish federal member states in South-central Somalia, while ignoring the country’s Federal Government³⁵(Ulusow, 2014). These activities indicate that the US and UK consider Somalia to be a failed state. From 2002 to 2008, the US has been reconsidering its policy towards conquering an active state. It realized that conquering only increases the number of failed and problematic states who will only become a burden and security

³⁵ Parliamentarians and Independent Commission on Constitutional Review were already undertaking this onus of theirs. (hard to understand this footnote, re-word).

threat to the US itself (Harper, 2012). Following this assessment, the definition of ‘failed state’ was modified as any state that is:

“...a potentially serious security threat: the inability of many states to police themselves effectively or to work with their neighbours to ensure regional security represents a challenge to the international system ... If left unchecked, such instability can spread and threaten regions of interest to the United States, our allies, and friends” (Harper, 2012, p. 106).

The Crisis States Research Centre at the London School of Economics describes a ‘failed state’ as one that can no longer perform its basic security and development functions and that has no effective control over its territory and border (John, et al., 2008). According to one of the main policy institutions of the UK, a ‘failed state is that which is tense, deeply conflicted, dangerous, and bitterly contested by warring factions and hospitable to and harbouring non-state actors – warlords and terrorists’ (Walls, et al., 2009). In their missions, the MI5 and MI6 imply these definitions but never evaluate or update the country’s situation. Even though MI5 and MI6 were established to defend the UK from both internal and external plots by collaborating with military forces, it seems that neither of the sections collaborates with the UK’s main intelligence agency known as Secret Intelligence Service (SIS) (Spence, 2002), let alone cooperates with the Somali government³⁶. In the case of Somalia, however, its operations are ambiguous and unpredictable.

3. 5. 5: Relationships

Even though the Western intelligence forces begin their operations in the country without seeking permit from any of the Somali governments, they have occasional cooperation with each

³⁶ It is not yet clear whether generally the UK considers Somalia as a country in a war situation or in a post-conflict situation. In a war situation, MI5’s onus increases, entailing the form of an advent order by coordinating government policy concerning alliances (Great Britain, 2013).

of the governments and traditional leaders. The CIA and FBI have provided military and intelligence supports, including finance, equipment, technology, training, and advice to the Somali National Security Agency and federal military troops (Krouse, 2003; Gentleman, et al., 2011). The CIA-trained Somali commandos are outfitted with new weapons and flak jackets, and are given sunglasses and ski masks to conceal their identities (Gentleman, et al., 2011).

Due to a lack of proper information and self-confidence, the US navies have played a major role in both starting conflicts (Gentleman, et al., 2011) and increasing their complexity. Their actions have created further discrepancies and conflicts. Other times, they attract belligerence. For example, since the terrorist attacks on September 11, 2001, the US naval and cargo ships have been targeted by pirates and marine terrorists such as Al-Qa'idah and other related terrorist groups (Chalk, 2005). In this regard, the US seafarers are prey to diverse enemies, simply because their navies are known and regarded with hostility (Murphy, 2007). Most of these terror acts were undertaken by relatively well-armed and well-planned groups, and this demonstrates the existence of a close connection between pirates and political terrorists operating on seawaters.

3. 5. 6: Typology

As a result of the Western attitude towards the country's national and professional leaders, the US and UK intelligence and military forces have never had a positive relationship with the Somali citizens. Yet it seems that a considerable number of the Somali citizens are sympathetic to them, due to their counter-terrorism goals. To a reliable extent, Western states are democratic and defend human rights. Secondly, their activities are not overwhelmed by corruption and malfeasance. Thirdly, they adopt effective and efficient means of accountability and transparency. Fourth, they do not have a history of hostility and resource rivalry with Somalia. Fifth, since they

are not neighbours of Somalia, they are not suspects of planning land and sea grabs. These positive qualities categorize them as potential actors and networks of stability.

3. 6: Turkey

3. 6. 1: Background and Origin

Turkey is the only Non-Western and Muslim state that is a member of NATO. It is also one of the top ten strongest states in the world. On October 17, 2015 the Global Fire Power (GFP) has recognized Turkey as the 10th world super military power (GFP, 2015). Turkey has always supported Somalia's restoration and reconstruction (Kirişci, 2001). Some of the most effective institutions and companies involved are: Turkey international cooperation and coordination Agency (TIKA), Disaster and Emergency Management Presidency (AFAD), Presidency for Turks Abroad and Related Communities (YTB), Red Crescent, Directorate for Religious Affairs (Diyanet), Office of Public Diplomacy, Ministry of Health, Ministry of Education, and other ministries as well as a large number of Civil organizations and business companies (Özkan, 2014).

3. 6. 2: Capacity and Economic Status (legal, administrative/executive and revenues)

Turkey is the second most active state in NATO's mission in Somalia, after the US. It was a part of the UN & US-led military operations "Restore Hope" in the early 1990s (Lyons, et al., 1995). It is currently involved in Somalia's affairs through several channels including humanitarian, development, political, social, educational, economic, business, governance structure, infrastructure, and state-rebuilding initiatives. Most of these projects are run through ministry to ministry cooperation, where each Turkish ministry extends its work to Somalia as if it

was a district in Turkey (Shay, 2014). The Turkish institutional networks (ministers and NGOs) operating in Somalia are under strict control by the Turkish government.

3. 6. 3: Manoeuvres

When the AK Party won and Erdoğan became Turkey's head of state, attention was given to the advancement of Somalia. This effort was given even more support when a severe drought hit Somalia in 2011 (Aynte, 2012). On September 11, 2011, in the 66th UN General Assembly, Recep Tayib Erdoğan forcefully drew attention to the humanitarian catastrophe in Somalia (Shay, 2014). In Somalia, Turkey has distributed over 201 million tonnes of food, drink, medicines, and clothes since 2011 (Özkan, 2014). It has built numerous feeding centres and refugee camps for the internally displaced people (IDPs). Turkish NGOs such as AFAD played a significant role in this task. As droughts lessened, Turkey has begun development projects, which focus on reconstructing destroyed government buildings, and constructing new ones. It has renovated and expanded the main hospital (Digfeer)³⁷, the main international airport, the main seaport, the main highway, and the presidential palace. Furthermore, it has built many new public offices, centres, playgrounds, hospitals, and educational institutions.

Several hundred Somali high school graduate students are sent to Turkey annually for post-secondary education. Turkey also opened secondary and post-secondary schools in Somalia. Almost all of these activities are based on assistance extended to Somalia, even though some of them are also beneficial for Turkey's economy, future development, political position, and prestige.

³⁷ Digfeer hospital is concurrently renamed as Erdoğan Hospital in honour of PM. Erdoğan.

Turkey has been progressively working on creating an environment of good governance and strong political power in Somalia through diplomatic missions, representations, and lobbying. It condemns political meddlers, security spoilers, and boycotters of peace processes (ICG, 2015). On March 6, 2012, the Turkish Airlines became the first international flight to land at Somalia's International Airport since 1991 (Turkishairlines.com, 2013), and the Turkish embassy was the first to reopen in Mogadishu in April 2013³⁸. On August 18, 2011, Erdoğan became the first head of state to visit Somalia, since 1991 (J.L., 2011).

3. 6. 4: Motives

Turkey's primary motive for assisting Somalia stem from trade interests to be commenced in Somalia and extended to Africa at large. In this case, for Turkey, Somalia is the gateway to the market for natural resources in Africa. Secondly, Turkey's interest is to create a favorable and permanent environment in Africa, so that it can establish a reliable market for its products thereby securing political influence among Africa's political and economic decision makers.

Thirdly, Turkey is seeking to gain confidence for future dealings with the continent (Özkan, 2014). Fourth, Turkey's motive seems to be exercising its power in the world as the 8th most powerful country in the world, militarily and politically (Bender, 2014). Fifth, being the most powerful of all the predominantly Muslim populated states and the descendants of the last Muslim Empire, Turkey considers itself as the head of the Muslim world. Turkey annually allocates \$18.2 billion budget for its ministry of defence (Bender, 2014, p. 8). In this context, Turkish government manifests interest in re-building the Ottoman Empire. The Somali ancestors were a part of the Ottoman Empire in the name of Adal Sultanate or Abyssinian Muslims from 1529 until 1543

³⁸ after all the foreign embassies in Somalia were closed in July 1990, i.e. several months prior to the breakout of the civil war

(Encyclopaedia Britannica, 2005). It is worthy to note that the name Somalia was applied to this area at a later day, in the middle of the 19th century.

Even though the Erdogan's government has shown remarkable economic and diplomatic progress, it is facing some political and security challenges. Erdogan has been repeatedly condemned for being an authoritarian leader. "He established himself as the single most powerful Turkish politician since Kemal Atatürk" (Cornell, 2014, p. 8). As a result, there are both armed (Kurdistan Worker's Party - PKK) and unarmed (religious civilian movements led by Fethulahi Gulen) oppositions intending to overthrow the Erdoğan's administration. Environmental protestors seeking to preserve Gezi Park national heritage in Istanbul transformed to political strikes against Erdoğan's heavy-handed repression of demonstrators (Cornell, 2014). There, a political crisis has begun and Erdoğan was considered as one of the actors of the Arab spring political movement undertaken by civilians with the religious background against the long-rooted military rulers in the Arabian and other Muslim states. This political concept started to grow when Erdoğan openly condemned Sisi's³⁹ coup d'état, in which Sisi overthrew President Muhammed Morsi, and started to meddle the Egypt's politics directly and indirectly (Cornell, 2014).

3. 6. 5: Relationships: Turkey has a reciprocal relationship with each of the EU (Chiva, 2014), the US, and UK, as well as states in the Arabian Gulf and the Horn of Africa (Great Britain, 2012). As a member of NATO, Turkey has guaranteed physical protection, moral support, financial exchange, and diplomatic respect from the vast majority of contemporary communities. Turkey has a long relationship with Somalia which can be traced back to the Ottoman Empire

³⁹ Sis, Abdilfatah is the current President of Egypt who overthrew the democratically elected President Muhamad Morsi.

(Melton, et al., 2010). In 1548, Somalia was one of the leading nations that allied with or became a member of the Ottoman Empire (Fretter, 2008).

3. 5. 6: Typology: Turkey has developed a positive relationship with the Somalis to the point where many Somalis are ready to die in the defence of Turkey. They are not involved in corruption or malfeasance. It can be described as the most outstanding of the foreign actors and networks of stability.

3. 7: North Atlantic Treaty Organization (NATO)

3. 6. 1: Background and Origin

Other than the direct involvement of regional and international states, there are a number of inter-state and non-state organizations playing significant roles in shaping Somalia's internal political, security and economic dynamics⁴⁰. NATO is among the leading actors of mysterious and multipurpose operators in the Somali basin. To patrol the marine intersection of the Red Sea and the Indian Ocean, NATO has headquarters in Djibouti which is the most geographically strategic location (NATO, 2013).

3. 6. 2: Administrative and Economic Capacity

NATO is self-sufficient in terms of administration and economic capacities. It is a state-funded and state-governed organization which means “individual NATO member states and partners set up trust funds to provide resources to help partner countries implement practical project” (NATO, 2015, p. 2). NATO is the one that supports numerous regional and international

⁴⁰ The United Nations Political Office for Somalia (UNPOS), United Nations Development Operations Office (UNDOS), United Nations Development Programme (UNDP), United Nations Environment Program (UNEP), International Maritime Organization (IMO), and Food and Agriculture Organization (FAO) are among the considerable number of networks of stability, while illegal poachers are mother-networks of instability. In this theme, I focus on the North Atlantic Trade Agreement (NATO), the EU Naval Force (NAVFOR) while combining the IMO and the above stated UN branches under one sub-heading.

bodies. “Since 2007, NATO has accepted to assist the AU mission in Somalia (AMISOM) by providing strategic airlift and sealift support to AU member states willing to deploy in Somalia under AMISOM” (NATO, 2015). It provides logistics, technologies, finance, experts, advice, instructions, and guidelines to its counter-parts including AMISOM. It has repeatedly extended assistance to Burundi forces of AMISOM by air and sealift, or by escorting them from Bujumbura to Mogadishu. NATO is the most powerful of the actors involved in Somalia’s political and social landscape, as well as economic and marine resources. At the same time, there are several states such as Norway and Sweden that collaborate with NATO in assisting AMISOM in diplomatic endeavours through Ethiopia (NATO, 2015).

3. 6. 3: Motives

Generally, the central objective of naval arms control has been to reduce instability and uncertainty resulting from naval weapons and operations (Rauf, 2005). Specifically, in Somalia, its mandate is to monitor the transnational movements in Somali waters. Both the US and UK have been constantly issuing warnings on the instability in Somalia and the necessity of sending NATO there. “In September 2011, the head of the British intelligence agency MI5, Jonathan Evans, warned that Somalia now was suspected of harboring as many terrorist plots against the United Kingdom as Pakistan” (Moyar, 2015, p. 188). More than one hundred youth were reported to be undergoing terrorist training in Somalia (Moyar, 2015).

Since the end of the Cold War, NATO’s policy responses have been unilateral and ad hoc rather than integrated and involving international consensus. At the beginning of the new millennium, NATO revamped its air forces, inventories, and navies (Heffernan, 2008). Sophisticated aircraft and sea vessels were added to the ocean surveillance system (Sokolsky,

2005). Its missions include complex marine, land, national, regional, and international security protection, but due to lack of clear boundaries, NATO does not always have a clear-cut policy towards maritime security. Having transformed itself from a collective defence union to a collective security agent, NATO not only plays multiple roles, but also has multiple identities (Moyar, 2015). Consequently, NATO had become a two-tiered and unreliable alliance. Moyar argues that the members of NATO can be divided “between those willing and able to pay the price and bear the burdens of alliance commitments, and those who enjoy the benefits of NATO membership-be they security guarantees or headquarters billets-but don’t want to share the risks and the costs” (Moyar, 2015, pp. 183-184).

Recently, the US State Department designated over 28 organizations, to deal with foreign terrorist groups which may operate inside or outside the US (Sam, 2008). All of these organizations expect funding or technical support from NATO. In fact, allies under the NATO umbrella do not have a collective agreement about most of the missions that have been emerging one after another (Byers, 2005), even though many innocent lives and livelihoods are lost every year in counter-terrorism wars.

3. 6. 4: **Relationships**

NATO collaborates with the EU Naval Force (NAVFOR) Operation Atlanta off Somalia as a part of the international naval operation to prevent piracy (Tharoor, 2009). Somalis and some political commentators argue that NATO’s operations are often based on neutrality and targeting criminals, but have been degraded by that of the NAVFOR. It has been repeatedly reported that NAVFOR’s presence in the Somali basin is more about protecting the operation of foreign fishing vessels than preventing piracy (Hussein, 2013). This is contrast to the aim of the Global Maritime

Partnership (GMP) which has been closely allied with NATO. GMP's primary purpose was to achieve security in the maritime domain on a reciprocal global relationship, regardless of political differences among the states of the world (Heffernan, 2008).

NATO also collaborates with Oceans Beyond Piracy (OBP) which is a privately funded and independent non-profit organization headquartered in Colorado, USA. OBP was developed by One Earth Future Foundation in 2010, during the peak of piracy activity in the Somalia's Gulf of Aden in order to support NATO in the achievement of its assigned maritime missions. Rather than focusing on armed forces, OBP takes a stakeholder driven approach by "mobilizing stakeholders from the maritime community, developing public-private partnerships to promote long-term solutions at sea and ashore, and sustainable deterrence based on the rule of law" (OBP, 2010, p. 2). It operates in the Gulf of Aden, Gulf of Guinea, Morocco, and Malacca Strait by subcontracting local organizations.

Nevertheless, OBP remained stuck to the Strait of Malacca of Southeast Asia⁴¹ where 170 seafarers were held as hostages, 67 attacks were waged, and over 185 attacks and counterattacks took place in 2014 (Zho, 2015). This caused a lack of reciprocal coordination between the two organizations, and made NATO navies less effective. Murphy, commenting on Admiral Mullen's idea of creating the "Thousand-Ship Navy-TSN" strategy, states that the idea was that "navies and other users of sea such as shipping companies should, regardless of their capabilities or technical sophistication, work to promote global maritime security by cooperating to confront problems such as arms smuggling and terrorism" (Murphy, 2007, p.74).

At the local level, NATO cooperates with neither the federal government nor provincial administrations. Instead, it occasionally communicates and negotiates with non-state actors such

⁴¹ It also randomly operated at the Gulf of Guinea, West Africa.

as local elders, fisheries, warlords, and even pirates (Dunidaonline.com, 2015; Hoby.com, 2012). It seems that they do not care about the foreign poachers and toxic polluters in the country's EEZ. When Somalia's national and provincial governments submitted complaints, NATO brushed them aside, and other times insisted that they have no evidence or satisfactory information about the matter (Bennett, 2012).

In the Gulf of Aden, NATO, NAVFOR, joint military operations, coordination across stakeholders, and regional prosecution and incarceration initiatives have tackled piracy. However, the relationship of these forces with either the OBP or IMO is obscure. It seems these forces are country-based efforts which cannot solve piracy. Every country is suspicious of others and cannot voluntarily allow their foes to patrol their rightful seawaters. For instance, Indonesia and Malaysia have rejected the Americans proposal to patrol the Strait of Malacca. Instead, they resorted to China and ASEAN's joint patrols for counter-piracy measures and sea situation monitoring (ReCAAP, 2014)⁴². Besides legal procedures, there must be effective modern technologies and tools to prevent criminal acts.

In the case of Somalia both politically and militarily, NATO collaborates and assists the Peace Support Operations Division (PSOD), AU, IGADD, AMISOM, Contact Group on Somalia, and other concerned agencies. It shares information and knowledge in "studying, planning, programming, executing, managing, monitoring, procurement, marine and air movement coordination, communications, IT, logistics, human resources, military manpower management, and contingency planning with them" (NATO, 2015, p. 2; Douglas, 2008).

⁴² The Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia, 2014.

3. 6. 5: Typology

By simultaneously addressing two problems; foreign illegal fishers and marine security in the Somali basin, NATO could be a fully reliable actors and network of stability. NATO directly fulfils its mandate, which is to deter terrorism activities entering and exiting Somalia along its full coast. Its operations are free from corruption and any other form of ill-intention, and there are no personal interests involved. Since the organization was structured as a network of stability, it adjusts its activities to both international law and the tactics of marine criminals. All in all, NATO member states are open-minded, and can be communicated and negotiated with. Therefore, NATO could be among the networks of stability, provided it gives fair respect to the local fishers' interests in the sea. Given the current situation, however, it falls under the category of potential stability.

3. 8: Contact Group on Piracy off the Coast of Somalia (CGPCS)

3. 8. 1: Background: CGPCS was formed on January 14, 2009, based on the UN Security Council Resolution 1851 (2008) voted on by over 60 countries and international organizations⁴³. It is funded by the United Nations International Trust Fund to prevent and combat piracy (Mazurek, 2015; Oceans Beyond Piracy [OBP], 2012). CGPCS is a global forum whose objective is to reduce and ultimately eradicate piracy off the coast of Somalia. It is registered as a joint venture company with the federal government.

3. 8. 2: Manoeuvres: CGPCS is a forum to facilitate the discussion and the coordination of actions among states and organizations to combat piracy in Somalia. It seems that CGPCS was established to act as a Somali coast-guard unit. However, its roles and responses are not clearly visible in the field. In 2011, the CGPCS claimed that they reduced the number of successfully

⁴³ Which contains both members and non-members of the Security Council

pirated ships from 47 in 2010, to 25 in 2011 (thecgpcs.org, 2011). Most of the commentators do not know what caused the reduction of piracy, however. OBP and independent researchers believe that the newly recruited pirates who have no experience in either sea operation or captive treatment outnumbered the former fishers who turned to piracy for a purpose. As a result, the business was spoiled (Horn, 2012).

3. 8. 3: Relationship: CGPCS has close relationship and cooperation with NATO and Blackwater rather than Somalia's federal government. Since the CGPCS is a foreign initiative, founded, funded, governed, and utilized by foreign states, some of which have been suspected of illegal fishing and toxic dumping in Somalia, the pirates gained remarkable support from the public for the continuation of their illicit activities.

3. 8. 4: Typology: In order to categorize the typology of this global forum in terms of stabilizing or destabilizing the marine security, its pros and cons should be weighed against each other. It is quite difficult to definitively know let alone monitor and evaluate, the CGPCS's day-to-day activities, however. Since it is based on the UN Security Council's resolution, and it has been recommended by over 60 states, the CGPCS is a legitimate international organization. Therefore, it is regarded as an actor and network of stability, provided it improves its collaboration with the federal government.

3. 9: Clandestine Regional State Actors and Networks

3. 9. 1: General Background

In this section, clandestine regional and international state-networks consisting of certain African, Asian, and European who exploit Somalis' marine and human resources will be discussed. At the regional level, I focus on Egypt, Eritrea, Seychelles, and Yemen while focusing on Spain,

Italy, France, and a cluster of Asian states at international level. All these states, except Eritrea, are motivated by economic interests. Egypt is motivated by Ethiopia's Blue Nile fresh water and the rest of the states by Somalia's marine resources. These networks are neither formal nor officially active, and as such, their impact is less significant than those stated above. Accordingly, I collectively annotate their capacities, manoeuvres, motives, relations, and typology rather than detailing each one of these factors separately.

3. 9. 2: Regional Networks' Manoeuvres and Motives

Each of these states has underground forces whose objective is to restrict the roles of some of the AMISOM member states' forces. Egypt and Eritrea have parallel agendas, which is to use Somali clan forces and organized militias for a proxy war against Ethiopia. Egypt mobilizes Somali militants against Ethiopia with the aim of diverting Ethiopia's focus from constructing the Grand Ethiopian Renaissance Dam on the Blue Nile (Ayeb, 2013), which discharges from Ethiopia's highlands. Given this situation, Ethiopia is ready to fight both Egypt and Somalia, and in this effort, they try to subjugate Somalis. TesfaNews of Ethiopia wrote "If not Bewilderment, it is Paranoia! Ethiopia's ruling party affiliated media strangely surprised by Egypt's Mistral warship purchase and sees it as a threat to Ethiopia. Although land locked, it advised the government to prepare itself for any eventuality" (TesfaNews, September 27, 2015).

Eritrea created a conflict between Somalia and Ethiopia to weaken Ethiopia's military and economic capacities. The two countries have been engaged in a war since 1991. In 2010, the Eritrean officials made it their mission to give training and other mechanical support to Al-Shabaab in Somalia's Lower Shabelle region. Its motive was to fortify Al-Shabaab's power in battling against the TFG, the African Union troops, and particularly to counter Eritrea's enemy - Ethiopia

(AMISOM, 2012, the Associated Press, 2013). The “Security Council specifically asked Eritrea to refrain from “harboring, financing, facilitating, supporting, organizing, training, or inciting terrorist groups in Somalia” (AMISOM, 2012, p. 12). Recently, it seems that the involvement of Egypt and Eritrea in the area is weakening due to internal political and economic incapacities, while Ethiopia’s is burgeoning as an authoritarian regime (Tefagiorgis, 2011; Woube, 2005).

The Seychelles Islands only have limited economic interest in Somalia. Their desire is to continue freely fishing between the marine boundaries of the two states (Hussein, 2013). Similarly, Yemeni fishing fleets illegally fish all over Somalia’s EEZ on a daily basis. In terms of terror networks, Yemen is the bridge connecting the Afghanistan-based Al-Qa’idah to Somalia by sea. It is also a safe transit route for individual volunteers and logisticians from other parts of the world to join Al-Shabab in Somalia.

3. 9. 3: International Networks’ Manoeuvres and Motives

Spain, France and Italy have a clear economic interest in Somalia’s marine resources (Neumann et al., 2012). Spain illegally catches thousands of tonnes of fish from the Somali basin every year (Balton, 2004; Mazurek, 2015). Fishing companies from France have also been illegally harvesting fish and other marine resources from the Somali EEZ (Waldo, 2013). Italy has economic and political motives in Somalia, despite its assertion that its primary objective is to bring Somalia back to a degree of political stability. In terms of economic motives, Italian fishing vessels make up the largest group of European vessels illegally fishing in the Somali basin (Goth, 2009; Greepeace, 2009).

Politically, Italy, as a former colonial power in Somalia, tries to exclude other states from Somalia’s political affairs (Samatar, 2003). In addition, Italy is the first and most frequent dumper

of illegal toxic wastes in the coasts of Somalia (UNEP, 1998). The fishing vessels of Russia, Greece, Ukraine, and Portugal are also participants in illegal fishing activities in the Somali basin (Waldo, 2013; Mwangura, 2010). The presence of these European state-actors/networks of illegal fishers has encouraged Asian non-state and state illegal fishing activity as well. Asian illegal fishing vessels from Yemen, Japan, Singapore, Taiwan, Thailand, and India have been harvesting fish and other marine mammals from Somalia's EEZ alongside with those of the Europeans (Waldo, 2013).

The foreign fishing vessels' aggression is reflective of a particular part of the Somali's behaviour and culture that is based on 'never forgive and never forget'. This sustains feelings of revenge and the prolongation of agony among Somalis. In this context, it is worth noting that in 2013 the Belgian government invited a delegation headed by the President of Hubin and Heeb, a semi-state under Galmudug state, to Belgium. However, the government arrested the president and his dignitaries upon arrival (Aljazeera, 2013). The local community has agreed to seek revenge by beheading any Belgian citizen on sight anywhere in the world (Hoby, 2013; Aljazeera, 2013). The local spiritual leaders were determined to convince the henchmen to seek legal-based solution instead of using violence, yet, many of them were not convinced (Aljazeera, 2013). When spiritual leaders preach about forgiveness, the elders and the youth attack them both verbally and physically (Hoby, 2013).

3. 9. 4: Relationships

Somalia was under Egyptian rule from 1875 to 1884 and both states were under the coalition of the Turkish-led Ottoman Empire (Fretter, 2008). Since then, Egypt has been intimately involved

in Somalia's social and religious activities (Fretter, 2008). Almost all of the religious schools in Somalia have been instructed and managed by Egyptian teachers.

Egypt and Eritrea have requested that Iran, Libya, Hezbollah, and Syria extend arms and logistical assistance to various Somali warlords, Islamic extremists, provincial administrations, armed rebels, and other belligerent factions. From their side, they provided training, uniforms, weapons, and military advice to the Islamic Courts Union (ICU) which sought to attack and destabilize Ethiopia, and encouraged their allies to reciprocate (Hiiraanonline.com). When the ICU won the power struggle and ruled the country with the help of the US (Hiiraanonline.com), they immediately diverted this support to the opposition to the ICU, being Al-Shabab. They realized that the ICU has made it their mission to restore Somalia, but Al-Shabab continues to destabilize the region. This only prolongs instability in Somalia.

3. 9. 5: Typology

In short, these states that operate secretly and illegally are not in a position to be considered anything other than networks of instability. Egypt and Eritrea destabilize Somalia and Somali citizens in order to destabilize Ethiopia, while the rest have no interest other than stealing Somalia's marine resources. The bottom line is that these actors and networks operate based on what is economically known as "survival of the fittest," where every network struggles to possess as much of Somalia's resources as possible, especially those of the sea. Therefore, all of these clandestine regional and international states fall under the actors and networks of instability. They steal marine resources, dump hazardous chemicals, and negatively influence Somalia's political dynamics.

3. 10: Illegal, Illicit (Immoral), Unreported, Underreported, Unregistered, Undocumented, and Overfishing (IIUUOF) (Networks of Insecurity, Instability and Unsustainability)

The networks of illegal poachers consist of a myriad of illegal actors, each of whom targets one or more of the resources in the Somali marine territories. Some of the fish exploiters hunt large pelagic fish while others target the small pelagic fish. The intention of others is to hunt lobsters, sea-lions, shrimps, crabs, and turtles, while others harvest only seaweeds for medical and decoration purposes. On top of that, there are illegal toxic dumpers and other forms of sea polluters. Due to their illegal operations, these networks act like thugs and thieves. They strictly hide anything about their identifications and activities. Their operations are often based on hit and run tactics. Therefore, it is hard to identify them and distinguish their backgrounds, let alone to learn their administrative and economic capacities. Moreover, since they originate from various countries and private companies, their capacities vary from one to another.

In this section, I discuss these complex networks in an interrelated way by focusing on “IIUUOF” activities as basic triggers of maritime insecurity and unsustainability. The Organization for Economic Co-operation and Development [OECD] (2004) has published “Fish Piracy: Combating Illegal, Unregulated and Unreported Fishing (IUUF).” The document explains how illegal fishers turn into pirates. It argues that the need to fish illegally is what leads fishers to hijack, re-design, re-model, and re-flag vessels by operating in other jurisdictions. Reviewing the global problems caused by IUUF, the OECD anticipates the diminishing effectiveness of the fisheries management, local economic opportunities for legitimate fisheries and reductions in food

security. In reality, the problem extends beyond these three factors, but these are the causes of instability, insecurity and unsustainability⁴⁴.

Many academics (e.g. Weber, 1993; Viders, 1995; Helfman, 2007) have focussed on overfishing and its effects on the world's fish stocks. They conclude that stocks are heavily overfished and marine ecosystems are increasingly under pressure from pollution, sea traffic, global warming, loss of biodiversity, and acidification of the seas. Markus (2010) reports that after one and a half decades of both legal and illegal overfishing (2000-2010), general food shortages and environmental disasters have drastically increased in the world. In addition to these threats, the activities known as: "Illegal, Unreported, and Underreported - Fishing - IUUF" notes that fish stocks have been devastated over time and such devastation weakens developing countries' food supplies (United Nations General Assembly Resolution 62/177. 2007).⁴⁵

As sea-food supply is jeopardized, marine security is also jeopardized because the fact is that hunger leads to anger, which is followed by violence. Currently, fish provides animal protein to more than 2.9 billion people, and fishing employs more than 200 million people of different occupations (Helfman, 2007). The percentage of the world population dependant on fish either for food or for employment is increasing on a daily basis. At the current rate of over-fishing, forecasters predict that the ecological systems that support the fish population could collapse by 2045 (FAO, 2007).

In addition to the loss of vital protein sources, illegal fishing attracts and facilitates piracy and armed marine conflict that allows criminal organizations to traffic people, narcotics, and

⁴⁴ Proven, et al. (2008) argue that efficiency does not depend on effectiveness, because the latter is always analyzed with a positive achievement which could have never been accomplished by individuals.

⁴⁵United Nations General Assembly Resolution 62/177. (2007), deplored the fact that "illegal, unreported, and underreported [fishing] constitutes a serious threat to fish stocks and marine habitats and ecosystems, to the detriment of sustainable fisheries as well as the food security and the economies of many states, particularly developing states.

weapons throughout the world. Consequently, confrontations among seafarers and coastal communities may overlap with illegal fishing. The question which then arises is how can the IUUUF be controlled? In order to measure the security threat of illegal fishing, one needs to examine it through the lens of overfishing and its effects. This means the main tragedy resulting from illegal fishing is overfishing, which in turn causes conflicts, piracy and marine terrorism.

If one reads closely, the UN Convention on Straddling Fish Stocks and Highly Migratory Fish Stocks in the year of 1995 entails that illegal fishing cannot be controlled by navies due to the limitations of their legal mandate and training systems⁴⁶. In fact, heavily armed navies may not have a clear mandate to control illegal and or over fishing, and several other fishing related illicit activities carried out across the seas and oceans. Even where there is a mandate at the national level, know-how could be missing. Navies have never been trained for fishery-oriented tasks; neither have they engaged in struggles to combat smuggling and stowaways (Nijhoff, 2000; Murphy, 2009).

It is only post-cold war that navies that have started to engage in tackling piracy activities, while their main focus has been to engage in military attack and counter-attack operations (Middlemiss, et al., 1991). Even though they have heavy weapons and satellite information, navies rarely stop crimes on the oceans or seas (Murphy, 2007). Thus, it seems they are not yet ready to challenge the rise of marine insecurity, neither partially nor fully. Given the presence of unprepared navies, new waves of heavily armed illegal fishing vessels owned by privately operated economic mafias that are neither licensed nor registered under any state have emerged. The newly arisen

⁴⁶ This convention seeks to lay down a comprehensive regime for the conservation and management of fish stocks, and it is full of clauses to combat illegal fishing; yet it remains short of finding means of overcoming illegal fishing.

illegal fishers use false documents, names of temporary companies, and the flags of weak states that may not even be aware that their flags are being used by these fishers.

Illegal fishers and mineral pursuers increasingly hunt resources within the EEZ of independent states. In their illegal and illicit operations, they mostly target tuna, shark, and turtles. These are the primary foods of many communities in the world,⁴⁷ especially communities in the tropical zones such as Sub-Saharan Africa, where 80% of world's tuna is harvested (FAO, 2000). Since most of those illegal fishers are experts in marine natural resources, they target regions where they can find the type of species or minerals they are seeking at a particular time. For instance, if they are hunting species that do not need high nutrients, they know that it is likely to be available in shallow waters, rocky areas, coral reefs, and tropical marine zones (Rahmstorf, 2009). They exploit these resources, regardless of whose territory it is. Local fishers also have the same knowledge and experience, and cannot be cheated. As a result of the over exploitation of these areas for income and, thus, marginalization of normal subsistence activities, marine conflicts and piracy arise more quickly and frequently.

Even though the civil war has had serious consequences for Somalia's marine resources, it has been a victim of external powers. Madema (2004) supporting Henry Sidgwick's theory of externalities and following assessments, argues that the primary reason for overfishing is that fish availability is declining to a state of complete collapse. Fish shortages in almost all the seas and oceans play a significant role in the increase in illegal foreign fishing fleets who overfish in Somalia's EEZ.

⁴⁷ The FAO estimates that about one billion people world-wide rely on fish as their primary source of animal protein (FAO Annual Report, 2000).

In its post-conflict state, Somalia's marine resources may become a target for irrational management and a lack of conservation, as was the case in Sierra Leone and Liberia (Richards, 1996). These illegal fishers and related companies exploit Somalia's marine resources, entailing the equipment of scorched-earth tactics. Some of them constantly approach members of the local communities and officials of the government institutions. They invite them to be partners/stakeholders by giving them some allowances and bribing them. This reaches the level where local police may confiscate private property and hand it over to foreign companies⁴⁸. At this stage, local fishers resort to piracy and marine terrorism. Their fishing zones were exploited and or confiscated by armed foreign fishing trawlers with the help of some local leaders and agent militias. Some of the local communities were disenchanted with fishing and turned to agriculture as a means of sustenance. However, there were also other foreigners restricting their advancement in agriculture with the assistance of some local leaders. As a result, some local communities engaged in piracy⁴⁹ and or marine terrorism (Harper, 2012). Therefore, all forms of foreign illegal fishers are categorized as actors and networks of instability.

3. 11: Oil Explorers as Networks of Instability, Insecurity and Unsustainability

Like the preceding section, this section addresses numerous multidimensional oil/mineral exploiters whose activities are strictly secret and not available to researchers, unless one is privy to their dealings. In this context, I provide a general description on their profiles and their activities. Oil exploration, excavation, extraction, and exploitation has already affected several countries in

⁴⁸ In Vietnam, local police took over local private farms and gave them to wealthy Chinese companies.

⁴⁹ Expecting either to be imprisoned in one of the western countries, especially in the US or be captured, but find no law to arrest and try them, then, ultimately will be released. If being arrested in any of the Western countries, they will definitely seek asylum there in after the completion of their prison term. Other two possible scenarios are either to get killed or become a millionaire with in dawns and dusks. In the case of the former, which is the worst scenario case, they are prepared to take the risk, having in mind the Somali old so-called wisdom which says: "death is better than humiliation."

the world in terms of environmental, social, political, the economy, and security. Notable among these are Ivory Coast (Richard, 2003), Nigeria, Algeria (McLeish, 2010), Kenya (Bliss, 2015), Yemen (Rise, et al., 2010) and Brazil (Odell, 2013). Some of these countries understand the effect of oil companies on their resources and environment. As a result, they have confronted them. For instance, the Rondonia region of Brazil formed an anti-oil network which was expanded throughout the country to expand advocacy for a new economic direction away from oil exploration and exploitation. This network invited multi-national oil corporations and other private sectors into discussions of transnational environmental activism (Guadalupe, et al., 2004).

Somalia has been trying to extract oil from its land and seas since pre-independence, but has never been successful. The current federal government promised to produce oil within six years from 2012-2018 (Hussein, 2013). Currently, there are dozens of oil companies searching for oil in Somalia, particularly in the Puntland and Somaliland provinces. Among the companies that are already drilling the coasts and main-land of Somalia are: Africa Oil Corp, Agip, BP, Chevron, Conoco, Exxon Mobil, Kilimanjaro, Royal Dutch Shell, and Somali-Oil & Gas. Italy's Eni, Petronas of Malaysia, China's National Offshore Oil Corporation (CNOOC), Black Marlin Energy, London-based Tullow Oil, and Texas-based oil company Anadarko Petroleum Corp., and British Petroleum are also planning to join (Huriwaa Media Network Share, 2010).

Furthermore, the media promotes oil availability in Somalia even where there is no basis for this claim. The Guardian's Editor, Solmon, argues that Somalia's marine and coastal land are as rich in oil as Kuwait's (Editorial of the Guardian, 2012). This kind of freelance promotion attracts oil companies to compete for the country's land and sea, ultimately resulting in environmental degradation, socio-economic conflicts, insecurity, instability, and unsustainability in resource management. Environmentalists, socio-political analysts, and economists argue that

exploring and exploiting oil in any part of a war-ravaged nation like Somalia will only initiate and intensify conflict and economic destruction rather than act as a catalyst for peace and economic development (Balthaser, 2014).

In Somalia, oil and mineral explorers caused various forms of pollution and insecurity, including deforestation, coastal area clearance, soil erosion, toxic dumping, oil spillages, community conflict, political disputes, reconciliation impairment, and civil war prolongation. Most Somalis are eager to see oil and gas produced and exported from their country. The economic benefits of oil extraction for economic purposes may, however, inadvertently pave the way to greater human suffering, increased foreign military intervention and, ultimately, the partitioning and presaging of land resulting in a definitive disintegration of Somalia as a sovereign state.

Oil companies in Somalia highlight four interferences: 1) difficulties in accessing oil, 2) poor infrastructure and processing capacity, 3) insecurity, 4) and the absence of functioning institutions in the country. As a result, oil companies will depend more on individuals than institutions and governmental contracts (Balthaser, 2014; Clapper, 2014). This forces Somali youth to react negatively in two ways: 1) to attack oil companies in any way possible and, 2) to join other illicit actors and networks such as violators, robbers, terrorists, pirates, drug-traffickers, human-smugglers, and oil/mineral exploiters. Consequently, both foreign and local actors precipitate instability, insecurity and unsustainability. Therefore, all the oil and mineral industrial actors in Somalia are categorized as actors and networks of instability.

2. 12: The Role of the Somali Diaspora

The origin of the term ‘diaspora’ goes back to the Jewish population dispersant during the world war one and earlier (Sheffer, 2003). The Jewish communities were dispersed both in the region of their country and continents beyond. Following that identification, Somali diasporas can be divided into ‘shadow diaspora’ and ‘diaspora’. The former can be described as those who inhabited or temporarily live in some of the Africa states,⁵⁰ while the latter can be described as those who adopted the citizenship of the Western countries.

Even though the gap is shrinking, the shadow diaspora is socio-politically more influential than the diaspora, while the latter is economically more influential than the former. Unlike diaspora, the shadow diaspora is quite organized and close to its culture. Somalis living in the diasporas are more individualistic and motivated by personal interests. However, they strongly contribute to the country’s economy by sending huge remittances either to their family members or for the reconstruction of some parts of the public infrastructure. In 2013, UNDP referring to the estimate released by the Human Development Report in 2012 estimates annual remittances sent by Somalis in the diaspora back home to the amount of \$ 1.6 billion (UNDP, 2013), and in 2014, Haji-Abdi estimates it \$ 1.9 billion (Haji-Abdi, 2014). The remittances have saved the lives of millions of Somalis, initiated and maintained developmental projects, repaired damaged infrastructure, and saved the country’s economy from collapse.

Nevertheless, portions of the remittances fall in the wrong hands including pirates (Eichstaedt, 2010), warlords (Ember, et al., 2004), terrorists (Shay, 2014), and political and security destabilizers (Haji-Abdi, 2014; Shay, 2014). The impact of the lack of income,

⁵⁰ The Somalis who temporarily live in the region include those who are in the process of travelling to the Western countries in Nairobi, Addis Ababa, Khartoum, Johannesburg, and Cairo.

employment, funding, and stable livelihoods makes people untrustworthy and unreliable creating piracy and terrorism activities. This demonstrates how economic capital has been an important indicator for community well-being. “Social capital refers to the ability and willingness of community members to participate in actions directed to community objectives, and the process of engagement” (Magis, 2010, p. 22).

The Somali federal government vigorously invited Somalis in the diaspora to return to their country with their knowledge, investment, and experience. However, the risk involved in their return became well-founded. Many of them came back with developmental projects but were killed upon arrival or after they established their projects (Haji-Abdi, 2013; Shay, 2014). As a result, most diaspora academics are reluctant to risk death in Somalia. In its place, the diaspora and shadow diaspora members who failed to achieve any progress abroad have hastened to fill the gap.

The majority of those who solicit political and executive/administrative positions in Somalia are deemed to be mostly the unsuccessful ones of the diaspora communities. More than half of the government responsibilities were occupied by these incompetent diaspora individuals. Another critical mistake, that has become the norm, is the appointment of unskilled, inexperienced, and unprepared individuals from the diasporas only because they hold university degrees. In the modern governmental system, an educational background is not enough to make one competent to hold a senior technocratic or political position without any experience. The best choice is to employ those who have in-depth local working experience from the Ministry’s lowest to highest levels and, who have also gained the required educational qualifications in the field.

The major obstacles to implementing environmental and resource management in Somalia are individuals’ political ambitions and material greediness. There, mostly warlords and money-lords collaborate with diasporas. Most of the federal executive, judicial and legislative members,

of whom nearly half are from the diasporas, are busy in political campaigns and money-making by any means possible. They have little or no time for environmental protection, resource management and the country's stabilization. The collaboration between the diaspora members and the local activists who lived in chaos for 25 years can barely depict the country's post-conflict situation. Both groups should be provided with specific awareness on good-governance and how to brainstorm and distinguish between negative and positive administrative actions. Particularly, they should be encouraged to study the country's collective values and interest, public protection, proper resource consumption, environmental sustainability, and local knowledge. In short, to make Somalia's institutions free from maladministration, negligence and corruption, there must be good governance which requires not only avoiding the brain drain but the return of qualified and skilled Somalis who left the country and adopted other citizenships. The government must take effective initiatives to protect these returnees' lives and properties.

13. Conclusion

The foreign actors and networks of instability in Somalia are Ethiopia, Spain, Italy, France, Seychelles, Eritrea, Egypt, IIUUUO foreign fishing vessels, and oil exploring companies. Their motives are based on looting Somalia's resources and keeping it in chaos and conflict situations. These networks employ selfish strategies executed with both military forces and conspiracies. Unlike this list, AMISOM, Kenya's non-military diplomacy, NATO, and US/UK Intelligence Agencies are networks of potential stability. Turkey demonstrates sincerity and earnest effort to rebuild Somalia both politically and economically. Therefore, Turkey is only and most outstanding foreign network of stability in the country.

Table 1: International/ Regional (Mainly Political and Economic Networks).

Name	Background	Capacities	Motives	Maneuvers	Module	Relationships	Typology
AMISOM	South-Central Somalia	Powerful to local Networks	Peacekeeping	Mostly Self-defiance	7 African State	Reliable Associations	Potential Stability
Ethiopia	South-Central Somalia	Financially rich, militarily strong, morally poor, administratively volatile	Security, Political and Economic Pursuing Al-Shabab	Random military intervention	LiuPolice and Military	Reciprocal relationship with foreign state-networks and Somali leaders	Instability
Kenya	South-Central Somalia	Medium	Multidimensional motives led by economic	Operative military forces	KDF, Special Branch & Support Forces	Unclear	Diplomatically Potential Stability, but KDF instability
CIA, FBI, MI5, MI6	All over Somalia	Strong enough	Counter-Terror/Piracy	Criminal investigations	Complex intelligence units	Secret foreign/ local agencies	Potential Stability
Turkey	South-Central Somaliland and Puntland	Strong	Restating Somali state	Aids on social, political and economic sectors	Several NGOs and Ministerial projects	Good relationship with both local and foreign stakeholders	Stability
NATO	Indian Ocean and Red Sea intersection	Very strong	Counter-Terror/Piracy	Surveillance	Navies from all NATO member states	Mostly secret partnerships	Potential stability
Clandestine State Networks	South-Central Somalia and Puntland	Economically Strong, morally very poor	Economic opportunists	Theft based hit and run, and also robbery	Eritrea, Egypt, Yemen, Seychelles, Spain, Italy and France	Some allied with local groups, but most of them among them	Instability
IUUUO Fishing	Somalia's coast to coast	Medium	Economic	Theft-Fishing & Toxic Dumping	Numerous Asian & European	Foreign and Local Networks	Instability
Oil Exploiters	Somalia's Land and Sea	Medium	Economic	Drilling and degrading	Western & Arabian Companies	Occasional operations	Instability
SomaliDiaspora	Outside Somalia	Strong	Economic, Developmental, and Socio-Political	Unorganized political and economic interferences	Westerners, Middle-Easterners, and Africans	Unorganized local and foreign relationships	Potential Stability

Chapter Four

4: Status and Role of the National Institutional and Non-Institutional Networks of Stability, Potential Stability and Instability

4. 1: Introduction

Somalia is under the control of complex domestic networks allied with foreign networks⁵¹. There are divergent motives and goals motivate different actors to exploit the country's natural resources unlawfully and unsustainably, which leads them to engage in physical conflicts resulting in political instability. Focusing on the national jurisdiction, the Constitution on the National Legislative Procedures (CNLP)⁵², is the most suitable tool to define and describe the roles, responsibilities, and powers of Somalia's three government branches, Legislative, Executive and Judiciary⁵³. Courts arrive at their verdicts regarding political powers and administration issues based on the Somali National Charter written in Mpagathy, Kenya in 2004 and the CNLP. When dealing with environmental, social, civil, and criminal matters, however, the Somali national law set forth in 1960 with the birth of the country, or that of 1987, are referred to.

This chapter is organized into 3 sections, each of which contains 3 headings (3X3). The first section discussed Legislative, Executive, and Judicial matters; the second War-lords, Money-lords and Faith-lords; and the third discusses the 3 key non-state actors pertaining to fisheries and coast-guards. Under each heading, there are at least six sub-headings. The identification and categorization tools are separately highlighted in the first and second sections, but briefly and collectively addressed in the third section.

⁵¹ see the end-noted map titled "who runs Somalia by BBC.com.

⁵² also known as the Harmonized Draft Constitution.

⁵³ Even though it is still being drafted, the latest constitution is being implemented alongside the country's original constitutions from 1960 and 1987, but in an ad hoc system (the Federal Republic of Somalia, 2013).

4. 2: Legislative Branch/Parliament

4. 2. 1: Background

At a federal level, the Legislative Branch (Parliament) is divided into the House of the People of the Federal Parliament (HPFP) and the Upper House (UH). The latter is yet to be established. It is only the HPFP that is active (CNLP, Article 55 (a, b)). Due to the absence of the Upper House and extensive corruption in practice, the HPFP works in the form of an unofficial ad hoc system. In the CNLP, there are four chapters on the duties specified to each of the two houses either jointly or individually (Article 56, 2012), but they are loosely defined.

Article 111G of the CNLP requires the establishment of the National Independent Electoral Commission (NIEC), which is mandated to conduct Presidential and Federal Parliamentary elections as well as to register voters and review the voter's roll. It states that the members of the HPFP must be elected by the country's citizens through a direct, secret, and free ballot system (Article 64 (1), p. 15) in a balanced manner (Article 64, 3). This law is intended to take effect in 2016. The current Members of Parliament (MPs) were selected by clan chiefs supported by traditional elders. Any government post, especially a ministerial post or its equivalents, must be similarly filled through a clan-based quota known as 4.5 clans. Four of Somalia's five clans share power in an equal proportion, but the fifth one gets half because it is considered to total in number half of each of the other four (Hersi, 2015). Even though the constitution does not clearly mandate such a system, the 4.5 formula is a practical phenomenon in employment systems of all the political and technocrat government institutions (Hersi, 2015). The holder of any government post is considered to be a representative of a particular clan.

4. 2. 2: Administrative Capacity

In terms of administrative capacity, the Federal Parliament internally divides into 14 Committees⁵⁴ of which each is assigned to specific duties besides the collective tasks of the house. Even though the number of the Committees is large, there is no specific Committee for environmental protection or resource sustainability. Furthermore, even though the country is sitting on the largest coast in Africa, which is under attack from all the corners, there is no Committee for marine affairs. This limits the Federal Parliament's tasks to general socio-legal and political affairs. Had these Committees conducted their duties regularly, the house's administrative capacity would have been sustainable and reliable. However, currently, the house's administrative and power capacities are fragile. The most outstanding obstacle is a lack of competent MPs. Since the current MPs were selected by clan elders rather than constituent voters, the majority of them do not have formal education or experience.

In terms of eligibility, the constitution requires a parliamentary candidate to be a Somali citizen. At least one particular sub-clan of the citizens called "Isaq," being the Somaliland secessionists, renounced their Somali citizenship. The constitution also requires a candidate to be a registered voter, but there has never been a voter registry in the country, and it is not easy to establish one. Furthermore, the article stipulates that the candidate's citizenship must be valid, updated, and unrevoked by a court. In practice, during the last 25 years there has been no authority that suspends or revokes one's citizenship. Moreover, even though the article indicates so, there is no NIEC that

⁵⁴ These Committees include: 1) Oversight, Review and Implementation Committee; 2) Rules of Procedure, Ethics, Discipline and Immunity Committee; 3) Judiciary, Religious Sites and Religious Affairs Committee; 4) Internal Affairs, Regional Administration and Security Committee; 5) Truth, Reconciliation and Restitution Committee; 6) Committee on Budget, Finance, Planning, International Cooperation and Financial Oversight of Public Institutions; 7) Foreign Affairs Committee; 8) Defense Committee; 9) Human Rights, Women and Humanitarian Affairs Committee; 10) Social Services Development Committee; 11) National Resource Committee; 12) Information & Media, Public Awareness, Culture Post and Telecommunication Committee; 13) Committee for Roads, Ports, Airports, Energy and Transport; 14) Committee for Economy, Trade and Industry.

is able to verify whether the candidate meets the criteria set out in this article (chapter 57 (a, b, c, d). Article 64 (2) also states the number of the HPFP total 225 members, but in practice there are 275 members⁵⁵.

The conditions for removal of one's HPFP membership are simple, more natural than preventive measures, not based on the contemporary civilizations, and not democratic. For instance, it states that membership to the HPFP can be lost as a result of death, consistent failure to perform duties, and an acceptance of resignation (Article 59, a, b, c, d, e, and f). In terms of Legislative powers, the HPFP represents all the people of Somalia, and the legislative duties assigned to the HPFP are:

- (a) To participate in amending the Constitution in accordance with Chapter 15;
- (b) To pass, amend or reject legislation tabled before it in accordance with this Chapter and Chapter 15 of the Constitution;
- (c) To study laws passed by the Upper House of the Federal Parliament;
- (d) To delegate to the Upper House of the Federal Parliament legislative duties, with the exception of its duty to participate in the procedures for amending the Constitution" (Chapter 65, (a – d).

4. 2. 3: Economic Base

The HPFP has been consistently financed by Norway, Belgium, Sweden, the European Commission, UN Development Program (UNDP) (UNDP, 2012), Department for International Development (DFID)⁵⁶, and UNDP's Bureau for Crisis Prevention and Recovery (BCPR)⁵⁷ (IPU.org, 2012). These donors grant both monthly payments and project-based payments⁵⁸. The

⁵⁵ The current parliament does not focus on the unresolved issues on the ground, but it may be useful in the near future when the country is in a post-conflict situation. From the 275 Members of Parliament (MPs) in the Federal Parliament, 14% are women. Surprisingly, the federal government is extremely broad of giving an effort to 14% women in its parliament which they see it stepping towards gender balance.

⁵⁶ The *DFID* is a leading foreign development project which is a part of the UK's work to end extreme poverty.

⁵⁷ The *BCPR* was established to support innovative approaches to crisis prevention.

⁵⁸ The Project has also been integral in facilitating implementation of the Somalia New Deal Compact in relation to Peacebuilding and State Building Goal 1 (PSG1). It focused on developing law-making, oversight and representation skills, building functioning parliamentary administrations and infrastructures, and facilitating parliamentary outreach and civic engagement. In fact, it is an apparent example of how the HPFP is financed by foreign sources (IPU.org, 2012).

HPFP has also been financially supported by the governments of Sudan, Turkey, Qatar, and United Arab Emirates (UAE) upon requests (UNDP, 2012; Bureau of Counterterrorism, 2015).

4. 2. 4: Manoeuvres/Activities

The HPFP divides itself into committees that carry out different duties (Article 68, 2) through various procedures⁵⁹. The legislative duties assigned to the HPFP include: preparing, passing, amending, or rejecting any law tabled before it; approving the Independent Commissions (IC), monitoring institutions and holding them accountable; summoning the PM, the CMs and the Chairmen of the IC giving a vote of confidence or no confidence in the PM and the CMs, and electing and dismissing the FP as accounted for by the Constitution (Article 69, 1 &2). The HPFP has the authority to initiate, draft, reject, and send draft legislation to the federal president for his signature and publication (Article 81). Due to diminished efficacy and efficiency, the HPFP is still weak and unorganized internally. It is yet to even make an address change since its formation in Kenya in 2004. To this date, the HPFP's main address is in a foreign country, being Kenya⁶⁰.

It seems that the constitution currently being drafted is being influenced by both foreign actors and networks of instability and domestic warlords and faith-lords and, as such, being overwhelmed by political manoeuvres based on corruption, selfishness, greediness, clannish interest, group interest, nepotism, and deception (Zho, 2015). As a result, every check and balance is implemented through clan calculation. Therefore, neither Article 58 nor Article 64⁶¹ is

⁵⁹ These procedures include: "when draft legislation is brought before the House of the People of the Federal Parliament, it shall task it to the relevant House committee so that it may be studied... The House of the People of the Federal Parliament and its committees shall sit in public, in accordance with the general principle of transparency in government. The rules of procedure shall define when it is necessary for the House of the People to have a closed door session" (Article, 81& 82).

⁶⁰ Federal Parliament of Somalia, c/o Somali Embassy in Kenya, Likoni Lane, Off Dennis Pritt Road, Kilimani P. O. Box 623-00606. Sarit Centre, Nairobi, Kenya.

⁶¹ Defining the Membership Criteria for the Federal Parliament and the Number of the Members of the House of the People respectively.

practically implemented. This entails that both houses are inactive at the present time, but remain a potential asset for the upcoming governmental administrations. Yet, another concern is whether this parliament will obey Article 60, which restricts the term of office of the HPFP to 4 years from the day of the announcement of the election results (Article 60, (1)). The HPFP can propose the dismissal of the President of the Federal Republic of Somalia (FP) if he is accused of treason, or gross violation of the Constitution or the laws of the Federal Republic of Somalia (Article 92). Motions against the president were brought forward twice, but none of them has been successful. The UN's Special Envoy to Somalia, Mr. Kay frankly declared that the president bribed the majority of the MPs and was not held to account as a result (Anadolu, 2014).

Within the federal parliament, there are several blocks of conflicting networks based on self-interest, warlords' interests, clan-interests, and the interests of religious groups (somaliamediamonitoring.org, 2013). Firstly, among the Parliamentarians there is a block/network of religious groups, who, despite sitting in the name of their respective clans, are more loyal to religious cults than the clans they officially represent. This block is internally divided into sub-religious cults, but in certain circumstances, they may collaborate and act as a unified network.

The second block consists of retired or defeated warlords whose main objective is to prevent the establishment of any effective government in the country, even though they are the national legislators. The third block of MPs consists of individuals who collaborate as a special network while each one of them pursues his or her personal interest. The fourth block consists of those who are loyal to their respective clans who selected them for the membership of the parliament. Thus, the representatives of each clan are an independent network. This block is still divided into clan-based members where the representatives of each clan (instead of constituency) defend and pursue the interest of their clan.

4. 2. 5: Motives

The constitution ascertains that an MP's responsibility is to prioritize the national interest over personal and group interests. Article 61 states that: "When fulfilling his or her duties, every member of the Federal Parliament shall be guided by the best interests of the nation as a whole... has a special responsibility to represent the constituency he or she has been elected from, regardless of their political or party affiliations" (Article 61 (1 & 2)). However, the faith-motivated block of MPs protects the interests of the religious group, which they unofficially represent, by leaking government information to them, and planning socio-political and economic programs and tactics with them. The retired and defeated warlords block effective governance. This occurs out of fear of losing the immunity they currently enjoy as MPs (Article 70), so as a result they deter any strong governmental administration in the country. The third network's motivation is based on personal interests such as money graft, power, self-promotion, and resource exploitation. The fourth network's motive is to defend a clan's rights while depriving others' rights.

Worse yet, the vast majority of the Members of the Parliament (MPs) are greedy, and intend to accumulate money regardless of legality. For instance, due to these complex internal blocks/networks, the country's biggest challenge has often come from within the government's two executive divisions, the Prime Minister (PM) and the Federal President (FP). Upon the intensification of conflicts, the legislative branch hastily intervenes. However, the majority of the MPs side with the FP by carrying out a motion of no-confidence against the PM, after receiving a sum of cash from the President (Anadolu Agency, 2014; Haji, 2014). That is why they are busy serving votes of no-confidence against the executive branch. This has resulted in the appointment of three Prime Ministers, one after another, before the federal government celebrated its second

anniversary. Two of these PMs have been dismissed before they executed their first fiscal year work plan. Each of these PMs has stepped forward with a clear agenda, but they were unexpectedly dismissed (Nickolas Kay, 2014).

Politicians and academics can determine that MPs are not in a position to work on environmental sustainability in post-conflict Somalia. Most of the journalists, academics, and political analysts conclude that the reasons for dismissal of the PMs are twofold: Firstly, the president determined to work only with a PM who is obedient to him and serves his interest before the country's interest, and secondly, most of the MPs have been eager to receive cash bribes given by the FP from the government's treasury (Hersi, 2015; Ulusow, 2014). This allows them to buy their voices in votes of no-confidence (Anadolu, 2014). As a result, the current federal government is facing numerous challenges which are more or less similar to those which have hindered the transitional governments, who all ended up being non-functional.

Since the motives of the 275 MPs are divergent and the other two branches of the government are lagging both inter and intra-regulated as well as internal reciprocal relationships, they are open to interference and influence from the networks of instability. Any networks of instability can use their wealth to influence a group of MPs, because the majority of the parliamentarians are susceptible to bribery (Anadolu, 2014; Nickolas Kay, 2014). Corruption plays a significant role in promoting networks of instability, as demonstrated by the fact that "There have been consistent reports of the Islamists [sic] group Al-Shabab recruiting fighters directly from the government army and vice versa by offering them higher wages" (Harper, 2012, p. 23).

Presently, the illegal blocks and networks lack the time, intention, interest, motivation, and expertise necessary to protect the country's natural resources and environment. Their main motives are to protect the interest of a particular group or to seek self-interest rather than serve the national

interest. Still, this does not mean that the country's parliament is one of the networks of instability. There are influential individuals who have the necessary education and spirit to serve the interest of the country's post-conflict situation in the interest of socio-political stability and environmental sustainability (Hersi, 2015).

4. 2. 6: Relationships

Since Somalia is an Afro-Arab state and has been a party to all of the relevant unions and conventions, its seats in both the African and Asian Arab states, have been reserved during its absence and weakness (UNDP, 2012). Only Arab Inter-parliamentary Union temporarily suspended Somalia's membership due to its civil war and the dissolution of its parliament, but later on reactivated in 2012 ((Arab, IPU.org nd.). Therefore, the House of the People of the Federal Parliament (HPFP) has a good relationship with the African Parliamentary Conference (APC⁶²) (APC, 2004), Arab Inter-parliamentary Union (AIPU⁶³), IGAD Inter-Parliamentary Union⁶⁴ (IGAD, 2012), and East African Legislative Assembly (EALA) (EALA, 2014). It also has a friendly relationship and recognition-based interaction with Caribbean nations and European parliaments.

In terms of the MPs' internal conduct, in order to advance their interests each clan representative establishes liaisons with one or more of other clan representatives. Such liaisons are always based on clan compromises involving a degree of give and take. Moreover, over half of the

⁶² APC, Cotonou, Benin, 1 - 3 June 2004

⁶³ The Arab Inter-parliamentary Union (AIPU) is an Arab parliamentary organization composed of parliamentary groups representing Arab Parliaments. It was born in the wake of the October war of 1974, as a result of the atmosphere of Arab solidarity and Arab joint action, which encouraged Arab cooperation through political, professional and other institutions (<http://www.arab-ipu.org/English>).

⁶⁴ The Protocol establishing IGAD Inter -Parliamentary Union came in to force on 28 November 2007 after being ratified by four IGAD member states: Ethiopia, Djibouti, Sudan and Somalia.

MPs are quasi-foreigners. They are dual citizens of Somalia and one of the Western, African, or Arabian countries, and they do not reside in Somalia. For instance, the Speaker of the Parliament and over 30 others have Norwegian passports and their families live in Norway. Likewise, the PM and approximately 50 members of the Executive have Canadian passports. This entails that MPs give insufficient attention to rebuilding the country, and show apathy towards the ongoing corruption and mismanagement.

4. 2. 7: Typology

Having two houses⁶⁵ without a clear job description could create complications and constant conflicts. Each of them may endeavor to prevent power seizure, as each is trying to widen its power without increasing its responsibilities. In addition to that, even though the Legislative office is the fundamental body of the government, it is lacking in many ways. The vast majority of the Members of Parliament work solely to pursue personal interests based on a mentality of group or self-promotion. In the federal Legislative office, there is also an outstanding shortage or lack of knowledge in good governance. These convergent internal networks within the same house of parliament mostly act as networks of instability, but could be altered to be networks of stability as they are technically the country's legislative branch of governance. When looking at the malfeasance of the country's MPs, however, one can conclude that the Legislative office is one of the networks of instability. When considering their mandates and legal responsibilities, in the long run, however, there is the opportunity to transform this body into a network of stability. I categorize the HPFP as an actor and network of potential stability which needs restricted control for transparency and accountability.

⁶⁵Albeit only one is being built.

4. 3: Executive Branch

4. 3. 1: Background

The executive branch consists of two elements⁶⁶; the Presidential Palace presided over by the President of the Federal Republic of Somalia (FP or the President), and the Cabinet presided over by the Prime Minister⁶⁷. The FP is the Head of the State, and head of the executive branch, serving as the symbol of the national unity and the guardian of the constitution⁶⁸. The FP is elected by the HPFP in a joint session⁶⁹ (Article 89, a). His rights and responsibilities are: to serve as Commander in Chief of the Armed Forces⁷⁰, appoint the Prime Minister (PM), sign laws passed by the HPFP, and hold an annual session with the HPFP (Article 90, a, b, c, d, e, f.). Following the recommendation of the Council of Ministers (CMs), the President can appoint senior federal government officials, the heads of the federal government institutions, as well as ambassadors and high commissioners. He is also authorized to sign international treaties proposed by the CMs and approved by the HPFP (Article 90, g, h, i).

4. 3. 2: Executing Administrative Capacity

The Cabinet is divided into the PM and the CMs. The PM is the Head and the highest executive authority of the Federal Government (Article 97). Therefore, he is responsible for appointing and dismissing members of the CMs and government officials⁷¹ as well as presenting

⁶⁶ Since the activities of the Ministries are inconsistent, I focus on the activities surrounding socio-legal issues to identify how the management is in progress.

⁶⁷ Which consists of the Prime Minister, the deputy prime minister (s), ministers, state ministers, and deputy-ministers

⁶⁸ To guard the constitution, he appoints the chairman of the Constitutional Court, the High Court, and other judges at the Federal Government Level in accordance with the recommendation of the Judicial Service Commission

⁶⁹ Presided over by the Speaker of the House

⁷⁰ In this capacity, he is authorized to appoint and dismiss the Commanders of the Forces at the Federal level

⁷¹ except those who are constitutionally appointed by the President.

the CMs and government programs before the HPFP for endorsement (Article 100). The CMs consisted of Ministers, Deputy-Ministers and State Ministers. Every Minister is personally responsible for the functions of his/her Ministry, and Deputy-Ministers shall function under their respective Ministers, while State ministers shall carry out specific functions assigned to them by the PM (Article 102). The CMs' collective responsibilities are to: formulate and implement government policies, approve and implement administrative regulations, prepare and draft laws to be tabled to the HPFP, prepare the annual budget and finalise the accounts, set the national development plan, appoint and dismiss senior public officials, propose the appointment or dismissal of ambassadors,⁷² and implement laws⁷³ (Article 99, a – i).

Articles 110 and 111 mandate that the country must have Independent Commissions (ICs), which consist of members with relevant expertise at the Federal and Provincial Governmental levels. In detail, it decrees that the ICs' mandates and operations must embody and reflect the spirit of human rights, democracy and transparency, without being subject to the direction or control of any person or institution (Articles 110). However, the vast majority of the Commissions' members have no educational background let alone expertise. Furthermore, they serve the interests of those who appointed them or those whom they are afraid of, such as external powers like the Ethiopian secret forces. Article 110 states that the Cabinet should be consulted when appointing the Commissioners, and their neutral decisions should be accepted, but this has never happened in practice.

The constitution states that an Anti-Corruption Commission must be formed, the purpose of which is to serve as an independent, impartial, and inclusive representative. Its duty, among

⁷² Also the consuls and diplomats

⁷³ ensure national security, and protect state interests.

others, is to investigate allegations of corruption that implicate the public sector (Article 111C.). The commission is also mandated to prevent, investigate, and publish corruption allegations, and to freeze, seize, confiscate, or return any gains from criminal activity within the scope of national or foreign public officials and officials of public international organizations (Article 111C). Yet federal government officials constantly engage in corrupt activities including embezzlement, misappropriation, trading government properties, power abuses, and many other forms of illicit self-enrichment and civilian subjugation (Salad, 2014).

In terms of security, Article 111H of the CNLP mandates the establishment of a National Security Commission (NSC), which is to be independent and comprised of security experts from all sectors. The first draft of the CNLP coincided with the emergence of piracy and terrorism in the country's territorial waters and mainland. Perhaps, for this reason, the NSC's main priorities are: combating piracy, demobilization of militias, social reintegration, policing, and ensuring civilian control of the armed forces. Its general mandate is to:

“(a) Study and develop an integrated security framework to address the present and future needs of Somalia for review and adoption by the Federal Parliament;(b) Present proposals to ensure that human security is prioritized and incorporated into the national security framework;(c) Develop a framework through which the public may provide oversight and monitor security related expenditures;(d) Seek redress from abuses by security personnel” (Somali Federal Republic, 2012).

The NSC formed and deployed Somali National Security Service (NSS) which should constantly collaborate with the American, British and Ethiopian intelligence units that operate in the country (see chapter 3 of this dissertation). Most of the high ranked NSS employees were trained in the US. The NSS recruited a special force to act as snipers, using methods whereby they cover their mouths just like the Al-Shabab does, and shoot their targeted opponents on the spot (Scahill, 2015). The American Naval Forces and the Global Maritime Partnership (GMP) has

recommended that the NSC maintain a reciprocal relationship with NSS Somalia (Rourke, 2009). NSS operations using fairly comprehensive strategies and tactics, and hence, they detect a number of violations by the networks of instability (Rourke, 2009).

Upon the achievement of Somalia's independence on July 1, 1960, the first national constitution was prepared in Mogadishu, the capital city which is located in the South-central part of the country that was under Italian trustee administration at that time. Therefore, there are close similarities between the Italian constitution in general, and the environmental laws and policies in particular, and that of present Somalia. It still seems that provisions reflected in English common law are more focused than those reflected in the Italian civil law (Daniels, 2012).

The semi-compilation of the two country's laws entailed, to a certain extent, the pre-determination of Somali environmental law and policy. In the Southern part, the jurisdiction of the municipalities was confined to urban centres, whereas in the North the jurisdiction of the Local Councils extended to rural areas (Daniels, 2012). This allowed for easy to access municipal law concerning both urban and rural areas, which was convenient for both the Southern⁷⁴ and Northern regions of the country. Thus, the laws pertaining to local governance in the Southern part of the country included Tax Law No. 1403 of 1939; Law No. 9 of September 30, 1956 on municipal Administration; Law No. 15 of June 25, 1958 on Administrative Elections (Ahmed, 2013).

Thereafter, these laws were easily amended with the amalgamation of the Northern laws for the same purpose as the Local Government Ordinance, 1953. Aside from these western laws, Islamic law and local customary laws are reflected in Somali society as well. These traditional laws are more or less the most effective environmental policy in the country as they provide

⁷⁴ In this theme, South means South-central and Puntland – former Italy Somaliland, while North means Somaliland – former British Somaliland protectorate.

morality-based guidance for environmental sustainability. In this sense, the traditional environmental laws and policies that have been effective and, somehow, reliable, are widely applied in the nomadic areas.

4. 3. 3: Economic Base

The executive branch of the federal government receives financial support from several sources, including the governments of Turkey, Qatar, Norway, the UAE, and UK. Additionally, the international community raised funds for rebuilding Somalia in Belgium and Denmark (The Guardian, 2014). The funds are transferred to Somalia through the UNDP and World Bank in order to avoid corruption and mismanagement. The federal president has repeatedly stated that only a small portion of that money has reached Somalia, saying that most of the pledges became false promises. He also complained that the UNDP office for Somalia located in Nairobi, Kenya had been using the money for themselves instead of channelling it to Somalia through the executive branch of the government (Center for Research and Development [CRD], 2013). In response, the UNDP stated that, for the sake of transparency and accountability, it has the responsibility not to handover cash to unreliable bodies of the Somali government (Manson, 2013; UNDP, 2014).

The Centre for Research and Development (CRD) located in Mogadishu, Somalia investigated the matter. It reached the conclusion that Somalia received less than 30% of the money pledged, but that this is the fault of the executive branch. The executive was lacking the know-how on how to follow-up on the money, and did not know how to manage it when it was received (CRD, 2013). Domestically, the executive branch obtains revenue from the seaport and airport, while also earning revenue inconsistently from taxations, fines, and occasional international trades. There has, however, been ongoing, unlimited, and unrestricted corruption (CRD, 2013).

4. 3. 4: Manoeuvres/Activities

Unlike many of war-torn Sub-Saharan African countries such as Sierra Leone (Paul, 2015; Gberie, 2009), in Somalia, the institutions in charge of dealing with resource management were effective when the civil war broke out. Most of the documents found in the government offices were destroyed, however, by the clan-based rebels. As a result, the federal government drafted new principles as rules and regulations pertaining to the management of marine resources, without integrating or abolishing the old ones. This makes the new legislation neither pragmatic nor modernized. It seems that it was drafted in a reactionary and emotionally charged manner, and without a prerequisite policy or plan. As a result, none of these rules have been officially executed to date. Somaliland and Puntland's provincial administrations have developed their own documents, which are a combination of marine policy and regulations. These efforts undermine the norms of the new federal government. There is an urgent need to adjust these scattered policies and align them with federal policy.

In Somalia, socio-legal based rules and regulations pertaining to marine and coastal concerns are the closest to reflecting maritime policy and management. Thus, the executive branch of the government, through the Ministry of Fisheries, enforces those rules and regulations which were set-forth either through presidential decrees or the bulletin of the national jurisdiction. As such, I focus on these rules and regulations as the basic principles of managing maritime issues including marine resources and environment.

The revolutionary government of 1969 had been powerful enough to control any negative economic activities that may not be beneficial for promoting environmental sustainability, cultural behaviour, public security, and government's political strategy. Article 42 of the national

constitution illustrates that the land, natural marine and land-based resources shall be state property and that the state shall issue legislation to utilize these resources (Somali National Constitution, 1969; Somali Federal Republic, 2012). This does not mean that private actors have no right to consume natural resources for their own purposes, but it means the natural resources must be harvested according to the government's guidelines.

Furthermore, article 5 of the Somali constitution of 1979 states that: "Territorial sovereignty shall extend over land, the sea, the water column, sea-bed and sub-soil, continental shelf, the Islands and air space" (Somali Constitution of 1979; The Transitional Federal Charter of the Somali Republic, 2004). As demonstrated by this article, environmental policy in the country was an issue of concern, but not all the issues were dealt with from an environmental perspective. The issue of environmental control was quite new to Somalia, so the enforcement of environmental policy has never been a priority.

Prior to the civil war, to manage the marine environment and combat complex emerging problems, the Somali government set some national rules and regulations which can be considered as an abstract of environmental policy. Since every state in the world has the right to protect and supervise its regional seawaters, Somalia has taken some measures to collectively regulate and administer its coastal affairs. The government recognised that its navigation regulations were not strong enough, and issued an article of marine law, being Article 23, that is to be read with Article 74 of the International Marine Law. This is also to be read with the provisions of the international law, which deals with the conservation and distribution of shared natural resources in equity¹. In its last year, the Barre regime, recognised the equity gap there, and tried to fill it by issuing reams of presidential decrees pertaining to the environment. Due to the government's general weakness,

however, there was little progress made on environmental protection, sustainability, and resource management¹.

Currently, the federal government lacks the capacity to control the country's marine borders, but it is seeking to build its financial, technical, political, and military capacities (Minister of Natural Resources, 2013). The government has planned to bring all maritime activities in the country under its control, but it faces tough challenges from the provincial administrations and private companies. The concerned institutions understand that the networks of instability strive to take advantage of the government's fragile capacities (Shaul, 2007). Furthermore, there are complex sociopolitical issues that precipitate administrative clashes, which have already hindered several projects on or related to policies, plans, strategies, laws, and surveys related to marine and resource management.

In terms of marine ecosystem and resources management, there has been a basic legal framework in place around fisheries and marine zone management, but there has been no capacity to implement it. In 2003, a federal charter including basic policy instruments dealing with the country's environment in a harmonized way was drafted in the national reconciliation conference in Kenya. Article 45 of this charter requires the Federal Government to:

“(1) give priority to the protection, conservation, and preservation of the environment against anything that may cause harm to natural biodiversity and the ecosystem. (2) All people in the Federal Republic of Somalia have a duty to safeguard and enhance the environment and participate in the development, execution, management, conservation and protection of the natural resources and environment. (3) The Federal Government and the governments of the Federal Member States affected by environmental damage shall: (a) Take urgent measures to clean up hazardous waste dumped on the land or in the waters of the Federal Republic of Somalia; (b) Enact legislation and adopt urgent necessary measures to prevent the future dumping of waste in breach of international law and the sovereignty of the Federal Republic of Somalia . . . (c) Take necessary measures to obtain compensation from those responsible for any dumping of waste, whether they are in the Federal Republic of Somalia or elsewhere; (d) Take necessary measures to reverse desertification, deforestation and environmental degradation, and to conserve the environment and prevent

activities that damage the natural resources and the environment of the nation. (4) In consultation with the Federal Member States, the Federal Government shall adopt general environmental policies for the Federal Republic of Somalia” (Somalia, 2012, p. 35; SomaliaWatch, 2002).

4. 3. 5: Motives

The executive branch has positive motives, despite circumstantial challenges. The national institutions endeavor to promote marine management, including resource conservation, environmental protection, sustainability, crime prevention, safety, and security. The primary goal of the national government is to build a strong coastguard that would have the capacity to enforce law and policy in each region of the country.

The federal government is working on strategies to develop an all-inclusive maritime security policy, which Somalia and its regional neighbours can jointly administer (Stockbruegger, 2011). The concerned ministries were ordained to draft the most appropriate policy formulation to carry on these tasks. As a part of that effort, on July 31, 2013, the government announced that it had formed a new coastguard force to combat all illegal activities, including piracy (BBC, July 31, 2013). One day after this announcement, the government signed a bilateral agreement with the Atlantic Marine and Offshore Group, a marine security company owned by Norwegian individuals (AFP, 2013). However, due to a lack of clear-cut job descriptions among the national ministries, the company continued to act independently (Shay,2014).

The ministries are eager to implement their mandated tasks. Due to a shortage of skilled personnel and political instability, however, ministries have yet to update their mandates. Hence, most of the ministries do not clearly distinguish a designated duty from a subsidiary one, let alone

know what their top priority is⁷⁵. Due to their limited capacity, the performance of these institutions has been lagging. There are two major challenges limiting their capacity, conflicts between the PM and FP and the assignment of tasks to unqualified personnel (Scharf, et al., 2015). These problems facilitate corruption, nepotism, negligence, and malfeasance. Thus, there is an explicit need to employ qualified personnel who are both moral and loyal.

Since the division of power between the office of the FP and the PM is a new phenomenon in Somali politics, there have been constant conflicts over duties between the two. It seems that the current leaders are under the influence of the former government which was based on a presidential, authoritative, and dictatorial ruling system. Before the war, Somalia's main institution was the People's Assembly as supervised by the Judicial Supreme Court, but these institutions cannot effectively function within the current situation. The constitution itself makes no clear distinction between the FP and the PM's duties, especially in its Articles 97 and 89a. Moreover, it is not yet clear whether the country's political system is a presidential or a parliamentarian democratic system. As a result, recurrent conflicts arise between the two departments of the executive branch (the FP and PM).

Perhaps the Constitutional Court defined in Article 107 will set forth new rulings pertaining to these duties. This would avoid overlap in day to day bureaucratic activities. Another contentious issue is that the constitution stipulates the eligibility for membership of the Council of Ministers to include, but not be limited to, members of the HPFP (Article 97, d). This leads to conflicts of interest, as well as susceptibility to corruption, nepotism, negligence, and the taking of leadership

⁷⁵ Since environmental degradation is usually the result of economic exploitation, the pre-war environmental policy of Somalia can be viewed through examining the provisions concerning economics and development. According to Article 41 of the national constitution adopted in 1987, there are four main sectors dealing with economic and resource sustainability: The state sector, the co-operative sector, the private sector, and the mixed sector. This means that the government does control the processes of the private and co-operative sectors, however. The national jurisdiction was purely based on a top-down approach which gave the government the power to manage and control all forms of private resources and economic sectors in the country (Ahmed, 2013).

authority for granted. There is a lack of accountability and transparency in the whole process because both the monitor and the one who is monitored are the same people.

4. 3. 6: Relationship

Externally, the executive branch of the federal government has a reciprocal relationship with the UN Security Council through the UN Political Office for Somalia (UNPOS) located at the Gigiri compound in Nairobi -Kenya, AMISOM, UNDP, Turkey, the Gulf-Arabian States, the UK, and USA (Great Britain, 2001). At a regional level, the executive has bilateral relationships with the African states whose soldiers are members of AMISOM. It specifically has day-to-day coordination and relationships with the frontline states, being Ethiopia, Kenya, and Djibouti. It is not yet clear, however, whether the latter relationship is mutually beneficial. Most Somali political commentators speculate that Somalia's executive branch is under threat to follow the instructions given by these frontline states, and are critical of whether the relationship is beneficial for Somalia at all (Alasow, 2014; Arman, 2014).

Internally, there is no reciprocal relationship between the federal government and the provincial administrations, and no major task performed by any of the federal ministers in any of the provincial states. They are planning to extend their duties to cooperating with the provincial ministers. Internally, the national institutions consist of a variety of interlocking ministries. These are: The Ministries of Fisheries, Seaports, Marine Transportation, Economics, Agriculture, Environment, Defence, Commerce and Trade, National Planning and International Cooperation, and the Interior. There is also a growing marine force in the form of an organized police unit, but this force is in the process of transitioning into navy or coast-guard battalions. It is not clear, however, as to whether these forces are under the auspices of the Ministry of Defence, office of

the PM, or operate independently. There is also at least one renowned educational institution known as the Maritime and Fishery Institute. Since there is no environmental legislation, however, there is no proper framework for how these divergent institutions should collaborate and maintain progressive relationships among themselves or with other regional, national, and international institutions⁷⁶.

Pre-war, ministries dealing with fisheries and other marine affairs have had liaisons with some educational institutions. The Maritime and Fishery Institute is the sole institution offering maritime courses above the high school level, but lower than the equivalence of a college diploma. It is located at Lido, the most famous beach in the country in Mogadishu. The institute is divided into three departments, being fishery, navigation, and mechanics. The major courses offered by the three departments include fish gear, fish processing, oceanography, navigation, astronomy, seamanship, sea-signals, captain's charts, fish-nets, applied mechanics, and boat building. The

⁷⁶ Evidently, since Somalia has yet to develop effective national environmental policies and laws, it has almost failed to cooperate with other states⁷⁶. This entails that the country does not benefit from international agreements on co-operation and assistantship. For instance, in the Stockholm Declaration, Principle 22 states that: "States shall co-operate to develop further the international law regarding liability and compensation for the victims of pollution and other environmental damage caused by activities within the jurisdiction or control of such States to areas beyond their jurisdiction" (UN Convention, 1972). This Principle, which was later turned from "soft law" to "hard law," would be very useful to a country like Somalia. Due to a lack of proper management and reciprocal international co-operation, however, the country did not benefit from this legal principle. Furthermore, when this principle was made into "hard law," provisions which obligate states to develop international laws pertaining to liability and compensation in the event of environmental disasters were included in the relevant environmental treaties (Adede, 1992). Those provisions define general principles, rights, responsibilities, and obligations concerning trans-boundary natural resources and environmental interference.

In retrospect, from 1974 to 1977 there had been a large number of joint-venture vessels, which mainly consisted of companies from the Soviet Union, Japan, Rumania, Italy, and South Korea (Ahmed, 1994) legally fishing Somalia's coasts. Later on, the Somali government gradually terminated almost all of the licenses of these companies. In 1984, only 14 vessels were licensed, especially to harvest demersal fish and lobsters for export (Ministry of Marine and Harbors, 1978). Since 1991, there had been a large number of foreign vessels harvesting marine resources from the Somali coastline even during the centralistic authoritative government (Ministry of Resources, 2013). These included foreign and joint-venture operations, of which only a few were officially licensed, while many others operated illegally or with uncertain and invalid licenses.

According to the Maritime Code, fishing activities, whether conducted by Somalia or foreign nationals, may be carried out pursuant only to a concession given by the Ministry of Fisheries. A concession is a non-exclusive permit to fish in a specific area that may extend up to nine years and, may be subject to certain conditions provided for by the law (Ministry of Marine and Harbors, 1978). Concessions may be revoked at any time if the public interest requires it, in which case adequate compensation is given for any fixed installations. Concessions may also be cancelled owing to the default of the concessionaire, in which case no compensation is payable (Sigh, 1984). Fishing without a valid concession or licence is punishable with imprisonment and fine (Sigh, 1984). Although fragmented information is available indicating that a number of larger vessels have been operating in Somali waters for many years, no complete record of the industrial harvesting has taken place in the Somalia's EEZ.

institute was closed for 22 years, but reopened on October 21, 2012 and became fully operational on June 13, 2015 (Hiiraan Online, 2015). The reopening was funded by the Hasene Relief Somalia and the City University of Mogadishu. The institute had a branch in the town of Eil-Ahmed, located between Kismayo and Marka which was closed as a result of the civil war and has not yet reopened.

4. 3. 7: Typology

The executive branch, alongside its various ministries and other national institutions, is among the actors and networks of potential stability due to its intention and legal status.

4. 4: The Judicial Branch

4. 4. 1: Background/Origin

The national jurisdiction and legal institutions within Somalia are derived from a combination of English, Italian, Islamic and Customary laws (Contini, 1969). The Italian and English laws were inherited from the colonies of the two parts of Somalia, being North and South, that were amalgamated upon the independence and subsequent unification of the two regions. One of the challenges was uniting the national legislation, where the Italian colony in the Southern part of the country had settled provisions and articles, with the different laws of Northern part settled by the British. In 1956 the Italian colony adopted a law which managed marine movement and any other matter related to the coastal affairs. The British colony had settled on some different provisions on this same issue in 1926. The two legislations differed in many ways, entailing that a great deal of effort was required to synchronise and unite them.

4. 4. 2: Administrative Capacity

The Judicial Branch (JB) consists of the Supreme Court (SC), Attorney General's Office (AGO), Banadir Regional Court (BRC), and 4 District Courts (DC). Each of these courts was given its appropriate mandate, and expected to actively operate at the federal level and supervise each of the provincial and potential provincial states. However, most of them are not yet functional and still remain titular, due to deterrence by the networks of instability who oppose law and order machinery. SC and AGO courts struggle with arbitrating, rather than law enforcement, between the two houses of the Executive branch. The 4 District Courts are hitherto inactive. The BRC that

focuses on criminal and civil cases is resiliently operative only at Mogadishu zone, the capital city, of the south-central.

To change this ineffectiveness, the Federal Government of Somalia with the help of the United Nations and other donor partners established “Banadir Courts Complex” in Mogadishu, for instance. The aim of this special court is to spread the country’s justice sector by creating a safe community that has access to justice and court professionals that can deliver justice services. The Ministry of Justice has taken this act as a part of a pilot project called Peace-Building and State-Building Goals (PSGs) focusing on infrastructural rehabilitation, procurement of security equipment, and selection and training of judicial protection staff (UNDP, 2015). This indicates that the Judicial system is trying by any means possible to implement court services, but the situation is quite hard. On several occasions, the Judicial Branch (JB) intended to enforce certain enacted and gazetted laws, but failed (Shay, 2014). This demoralized not only the public but also JB’s employees and citizens’ legal experts. There are several forms of incapacities which are yet to be figured out and studied.

The capacities of power and management skills are weak due to the federal government’s general situation of financial incapacity coinciding with corruption and a lack of knowledge in good governance (Shay, 2014). It also happened that laws were enforced upon minor criminals while those who committed gross crimes were not judged. The former category of criminals originated from poor families and weak clans/sub-clans while the latter criminals were recognized as sons of warriors (Shay, 2014). This may not result from corruption or nepotism per se, but rather that such regulations were enacted and gazetted although they could not be enforced.

As for internal administrative capacity, there are several misunderstandings and disobediences which occasionally took place over certain criminal cases, official ranks,

appointments, and employments (Murphy, 2008). In addition to a financial and technical shortage, the Judiciary branch needs legal experts who are equipped with modern scientifically updated knowledge corroborated with local experience. As a result, the public's regard for the role and response of the Judicial system is low. Instead, they mostly resort to traditional social justice system including customary-law and Sharia law.

4. 4. 3: Economic Base: The judiciary is financed under the executive branch by the countries and INGOs mentioned in the previous section.

4. 4. 4: Manoeuvres

In this section, I examine how the judicial branch (JB) departs from the CNLP, both in terms of drafting and implementing national jurisdictions⁷⁷. The CNLP states that “the judiciary is independent of the legislative and executive branches of government whilst fulfilling its judicial functions. Members of the judiciary shall be subject only to the law” (Article 105) and the judicial proceedings shall be open to the public⁷⁸(Article107). The national court consists of three levels: The Constitutional Court, the Federal Government level courts, and the Federal Member State level courts (Article 108). The Constitutional Court has sole jurisdiction on matters of

⁷⁷ In retrospect, it is worth to highlight the legislation pertaining to marine environment and fisheries managements. Somalia enacted four pieces of legislation as the law of the sea in the spirit of a ‘socio-legal policy during 1959, 1972, 1989 and 2011, but promulgated its main constitution in August 1979 and amended it in 1990 (Elmi, et al., 2015; Sacco, nd). That constitution was abandoned/inactivated following the overthrow of the Barre’s regime on 26 January 1991. There were also numerous presidential decrees and special laws concerned environmental issues. For instance, in 1966, the Somali Democratic Republic issued one law that makes all Somali coasts united. Although many provisions of the law settled by the Italian colony were still considered valid for the same reasons because they became applicable to the existing situation (David et al., 1987), this law nullified others colonial laws.

Since Somalia has never had a separate environmental policy, the principles of policy have always been within the national jurisdiction with socio-legal overtones. The spirit of the law reflects policy (Boon, et al., 2012). In terms of maritime environmental policy, there are rules and regulations comprising both legislation and social principles, which can be translated as a “maritime environmental policy” (Boon, et al., 2012). The national administration of Somalia has been very weak since its post conflict rebirth in 2000, when three transitional administrations were reformed one after another, and finally when the current non-transitional body was elected. The current draft of the CNLP seems to be the most updated and comprehensive instrument compared to the previous national jurisdictions, provided it is implemented.

⁷⁸ However, the article makes an exception in cases involving juveniles, rape, and other civil crimes. Indeed, these minor-considered cases are the once that destabilize the country’s security and environmental sustainability. Almost all forms of piracy and gangs are as a result of delinquency.

interpretation of the Constitution, whilst the highest court at the Federal Government level is the Federal High Court, and the highest court at the Federal Member State level is the Federal Member State High Court.

In the Proceedings of the National Courts, if a case is presented before a court, but the court finds that such a case does not fall under their concern, the court shall refer it to the concerned court (Article 109). This has caused several disputes over referral issues. Even though Somalis are not familiar with the procedures of multiple courts and constitutional dealings, no court has yet referred a case to another. Article 109 states that “any court with judicial powers can decide on whether a matter brought before it is a constitutional matter or not”⁷⁹. Letting any court decide where a case belongs has opened some loop holes due to subjective, discretionary interpretations of where a case should be tried.

The Constitutional Court has exclusive powers, including: to hear and decide cases arising out of disputes between organs of the Federal Government, rule on cases concerning their respective constitutional powers and duties, cases concerning matters of interpretation of the Constitution not arising out of Court litigation, and cases challenging the constitutionality of a law passed by the HPFP (Article 109C). Article 109A, defining the Judicial Service Commission (JSC)⁸⁰, is insufficient as it does not define the procedures, requirements, techniques, and limitations of appointing, disciplining, transferring, and compensating members of the judiciary. These procedures, which should be addressed under article 109A, are not mentioned in any article of the constitution. As a result, almost all of the Commissions were undefined and thereby

⁷⁹ if this will not contradict the exclusive powers of the Constitutional Court, as stipulated in Article 109C of the Constitution

⁸⁰ Which is comprised of nine (9) members: (a) The Chief Judge of the Constitutional Court; (b) The Chief Judge of the Federal High Court; (c) The Attorney General; (d) Two (2) people who are members of the Somali Bar, appointed by the Somali Law Society for a four (4) year term; (e) The Chair of the Human Rights Commission; (f) Three (3) people of high reputation within Somali society, proposed by the Council of Ministers, and then appointed by the President for a term of four (4) years, and renewable only once.

incompetent. As such, these Commissions became illegal and illicit channels for domestic and foreign actors and networks of instability (Salad, 2014).

4. 4. 5: Motives

The judicial branch's (JB) main motive is to control three areas; national security, justice and public financial management. It also focuses on settling internal political crises by ensuring the stability of public and private security. Since the country's security is under critical circumstance and there are hundreds of court cases open on a daily-basis, the JB tries to prioritize court cases. However, there is outstanding confusion in this regard. Whenever a security issue is prioritized, another becomes more urgent than that by demanding it be given priority. For instance, confronting political terrorism was prioritized but the civil cases on land disputes overwhelmed every other case on the table. Similarly, the piracy problem was prioritized but soon the threats of the Al-Shabab networks overwhelmed it, albeit the JB tried to combat both piracy and Al-Shabab concurrently (Yara, 2012).

With the help of the international community, the JB underlined its determination to work on eradicating piracy and other maritime crimes (UN News Centre, 2011) as well as land-based political and social crimes (UN News Centre, 2011). It struggles to restore and rebuilding Somalia's national jurisdiction by reactivating the country's security institutions. Aside of hard laws, the office encourages the application of soft laws such as rehabilitating the militias and pirates rather than formal punishments for disciplining.

In terms of justice, the JB office is responsible for acting as the main model for justice. As an effort in that, the office pays full attention in ascertaining the main goals of the federal government

(FG). The primary objective of the FG is to hold a fair and free presidential election which is based on the voting system ‘one person one vote’ in August 2016.

In terms of public financial management, the JB has been endeavoring to find ways to reduce the effects of the long-rooted financial corruption inherited from the transitional administrations. Yet, there are several challenges to control. The governmental institutions are lacking proper leadership and personnel. For instance, the financial institutions suffer from the shortage of experts on macroeconomics. Even where there are a few, they are incapable of establishing economic auditing and transparency institutions. As a result, the JB cannot establish financial and resource regulations that meet the standards of the global economy and environmental sustainability. The same applies to regulating the management of political and security issues.

4. 4. 6: Relationships

The judicial branch has relations with Interpol, the International Court of Justice (ICJ), and other relevant international and regional legal institutions. Somalia’s judicial branch has been approached by each of these global institutions (Rourke, 2009). Internally, the branch struggles with how to organize local employees in order to establish both federal and provincial offices. It seems that the main office is confused about how to go about establishing and maintaining reciprocal relationships with the concerned international and regional offices (Shay, 2014).

At the national level, the country faces a high level of corruption and conflicts of interest, and as such, laws are only followed in certain exceptional cases. In 2014, Somalia was recognized as the most corrupt state in the world (Infoplease, 2014). The country’s FP fights for the appointment of all government officials, including judges for the constitutional and federal courts, without evaluating the candidates’ qualifications and experience. These appointments are instead

fought for on the basis of the candidates' clan lineage and membership of a given political party (SomaliNewsRoom, 2014). There have been recurrent disputes over the hiring of judges and lawyers at a federal level. These disputes are related to aspects of the candidates' qualifications and experiences, clan representations, gender, loyalties, and patriotism. As a result of foreign pressures, in April 2015, the office of the Attorney General also hired six additional female lawyers (Goobjoog, 2015). This is a part of an effort to reform the judiciary.

At the provincial level, one contentious issue is that each of the cabinet ministers, prime minister, president, and parliament issue new laws without hesitation. The Somali Bar Association has recommended that several federal and regional courts be established to handle cases on a provincial basis (Sabahi, 2014). In response, on May 20, 2014, the CMs approved a new Constitutional Review and Implementation Commission, extending federal courts to the cities and towns captured by the federal government from Al-Shabab (Sabahi, 2014). New conflicts erupted over this issue, however. The leaders and activists of the prospective provincial states condemned the government for expanding the scope of its power. The dispute escalated into a physical conflict between the local militias and the military, and finally, Al-Shabab re-captured many of these cities (Somalia NewsRoom, 2014). After being endorsed by the HPFP, the Ministry of Justice and Constitutional Affairs issued a new law establishing the Judicial Service Commission in June of 2014 (Goobjoog, 2014). The law seems biased in favor of the president and certain cabinet members who are in his political block, however. This has fueled the pre-existing conflict over the implementation of the federal system⁸¹ (SomaliNewsRoom, 2014).

81 Fresh intra-region and inter-region conflicts arose and contributed to unstable politics and ineffective social service delivery in the country (Somalia NewsRoom, 2014). The core problem is that some regions feel they have less resources compared to their neighbours, and vice versa. Others are of the opinion that their neighbors will be a burden on them by taking advantage of federalism. Others argue that, as a clan, they used to inhabit one of their neighbour regions and they have the full right to go back to their original land, but the current occupants strive in defending their territories. As a result, a considerable number of political commentators argue that Somalia could possibly end up in a new civil war because of poor and ambiguous relationships

4. 4. 7: Typology

Even though the judiciary was supposed to be independent and free from any influence, it seems that the branch is dependent on the executive branch of the federal government. The judiciary is full of corrupt and unqualified personnel. As a result of constantly deviating from the law, the JB has been deemed an incompetent institution which mostly serves the motives of the networks of instability. But one must distinguish between the national jurisdiction, and the forces responsible for its enforcement. If the Judicial Branch's written policy, law, plan, and administration are comprehended, amended, updated, and adjusted with regard for contemporary international and regional conventions, it would be a suitable framework for environmental sustainability in the country. Issues with corruption within the executives can be solved, so long as the members are held accountable for their misconduct. Therefore, the Judicial Branch of the Federal Government can be categorized as a network of potential stability. It is the foundation of governmental administration that would be an important asset for achieving environmental sustainability in post-conflict Somalia, as it would deter actors and networks of instability such as money-lords, faith-lords, warlords, illegal fishers, pirates, and marine terrorists.

between the parliament, the executive, bureaucracy, and judiciary branches (Lee, et al., 2009P). It has been difficult for Somalia and its international partners in IGAD, UNSOM to deal with a much wider group of stakeholders (clans, armed groups, religious leaders, political lobbyists, and business people). In Somalia, businessmen and religious leaders (faith-lords) replaced the warlords, and now act as Civil Society. There are no organized social unions such as medical, legal, engineering, and arts professionals in the country.

4. 5: Money-lords

4. 5. 1: Background: In this section I attempt to analyse one of the three key non-state domestic actors within the networks of economic and political spoilers by emphasizing their identities, objectives, strategies, relations, and capacities. They consist of social movements as socio-political and economic forces. These forces, which I call ‘money-lords,’ are central to each of the other networks of instability. They consist of illegal and or immoral traders, unregistered bankers or money transferors-Hawala⁸², trade mediators, drug-dealers, and retailers.

4. 5. 2: Manoeuvres

Money-lords run a variety of businesses. In other words, they engage with almost all the economic sectors. The first cluster consists of owners of Hawala companies⁸³, airlines⁸⁴, hotels⁸⁵, telecommunication companies⁸⁶, media⁸⁷, shopping centres, and residential luxurious houses for rent. The second cluster consists of exploiters and exporters of various types of the country’s resources, such as illegal loggers, drug-traffickers, money-launderers, fish/vertebrate-traders, and wildlife exporters. Each of these business groups makes money in immoral and illegal ways, to the point where local people refer to their profits as ‘blood-money’ or ‘dirty-money’⁸⁸. Illegal

⁸² Banks other than Hawala Institutions specialized in money transferring Salaama Bank, IBS Bank, Prime Bank.

⁸³ Amaana, Amal, Dahabshil, Kaah, Jubba, Mustaqiim, Qaran, Tawakal,

⁸⁴ Daallo Airlines, Jubba Airways, Central air, African Airways, Somali Air.

⁸⁵ Outstanding hotels: Hotel SYL, Hotel Jazeera, Hotel City Plaza, Hotel Mubarak, Hotel Sahafi, Hotel Amira, Hotel Weheliye, Hotel Peace, Hotel Bakin.

⁸⁶ Hormuud Telecom, Hodan Global, Global Internet, Adeega AVC Plusm, Nationlink, a company specialized in the supply of electronic devices such as cellphones, home phones, tablets, and other devices of communication, Somalia Electric Station, the main base generates and distributes electricity in the capital city.

⁸⁷ Media; SNTV, Universal TV, Kalsan TV, Radio Mogadishu, Radio Kulmiye, Radio Dalsan, Radio Goobjoog, Radio Risaala, Radio STN, Radio Shabelle, SingJet Printing Agency, and tens of websites.

⁸⁸ In most of the Eastern African countries, and the United Arab Emirates, there are thousands of huge buildings owned by Somali individuals, but if one traces back the story of those owners, one concludes that they fall into one of the following categories:

1. Former Senior Officer in Somalia (President, Prime Minister, Minister, or a Political Broker), who has taken the whole government treasure with him. This is, particularly, those who held high rank positions in Somalia from 2000-2016.

2. Brokers for one or more of the UN organizations designated to deliver aid to Somalia.

3. Warlords who quickly collected money either by gun-point or from the international community,

loggers cut-down any tree they have access to, burning and chopping it for charcoal, then exporting millions of heavy sacks of charcoal to the Gulf of Arabia (USA International Business Publication, 2009). As they have already cleared out thousands of kilometres of the coast-line, they have now started cutting down the coastal mangroves (Hirsch, 2001). This has already resulted in severe desertification, which causes frequent droughts or instantaneous floods throughout the country (Farah, 2007).

In terms of socio-political and economic manoeuvres, the money-lords are significant factors that political analysts, peace negotiators, and researchers have often overlooked, even though they play a large role in shaping the economic dimensions of socio-political security and stability. Throughout the 25 years of the civil war in Somalia, most of the efforts to restore peace have been focused on military and political factors. The reality, however, is that neither political nor militaristic activities can be attempted, exercised, and continued without an economic basis, and the main cause of civil war was economic. A capitalist economic framework has resulted in a “survival of the fittest” mentality, and unregulated competition in the pursuit of wealth. Since the beginning of the new millennium and a few years prior to it, many researchers (e.g. Ross, 2004; Malone, et al., 2005; Humphreys, 2003) analysed the economic and resource related aspects of civil wars. These researchers pinpointed that civil wars and local conflicts started over economic and resource related issues, using the term ‘economic war’ rather than civil war.

4. Former Pirates who, once they collected sufficient funds for themselves and their offsets, claimed they repented and changed

5. Self-styled religious scholars who deceived thousands of clean-hearted Somalis in the name of God.

6. Drug-dealers who export qaad narcotics either from Kenya or from Ethiopia to Somalia. These traders of qaad drugs bring back to these two countries over a million US dollars in cash collected from the various regions of Somalia, but originally wired from the Western countries for the survival of the impoverished people.

4. 5. 3: Motives

In Somalia, wealthy businessmen mostly boycott or sabotage peace processes and governmental functions by attempting to destroy it from within, or influencing members of the processes to act in their service (Harper, 2012). They create an environment where any new governmental administration needs their financial assistance, either lending cash, taking emergency contracts, facilitating accommodations, providing office equipment, or providing a subsidy in goods. In fact, money-lords in Somalia engage in both hostile and peaceful activities as sources of money-making. As such, money-lords are directly or indirectly involved in all political issues in the country, be they internal or external.

The primary motive of the money-lords is to control the country's economy and avoid anybody that may pose a challenge to the achievement of their goals (Harper, 2012). As a result, from a public perspective, they are suspected of being the masterminds of the assassinations taking place in the country. Many of the prominent men and women that were secretly killed were found to be involved with one or more of the illegal businessmen's affairs in one way or another (Harper, 2012). Some attempted to address the legal, environmental, moral, and social issues with illegal businesses. Other assassinated persons were found to be in competition with the money-lords in the market (Garoweonline, 2014).

In terms of relationships, money-lords exploit marine resources in alliance with foreign companies who do not normally target only war-ravaged countries, but are also active where there are strict laws and law enforcement capacities (Murphy, 2008). Evangelos states that financial networks, being money-lords, "strive to control the market and market information related to each of social, political and various sources of economics applying similar archetypal approach" (Evangelos, 2013, p. 29). The author emphasizes that the goals of financial networks are to benefit

themselves at the expense of others. In the case of Somalia, most of the financial networks, which I call money-lords in this study, have political ambition, like securing formal positions in the government, as their ultimate objective. The activities of Somalia's money-lords affect the stability and sustainability of the country's environment, ecology, economic, and security. Money-lords are an integral part of the networks of instability, because each of the networks of instability has a close relationship with them, and cannot succeed in their vile missions without them.

4. 5. 4: Exceptions

Of course, there are traditional business persons including certain money-transferors, medical and food importers, farmers, factory owners, owners of private educational institutions, and retailers who do not engage in nefarious activities. These are the third cluster of the theme. They consider their works as sources of income generation⁸⁹, while the money-lords consider their works as a means to gain power, or at least control and suppress the rest of society with wealth. Therefore, unlike money-lords, traditional businesspersons are a part of the actors and networks of stability.

4. 6: Faith-lords

4. 6. 1: Introduction

Faith-lords⁹⁰ are leaders of religious cults whose goal is to transform their religious position into political and economic positions. These cults are generally divided into Ahlu-Sunnah wal-Jama', Al-Ittihad, Al-Islah, Tabliq, and Takfir. The basic principles of the latter three cults prohibit any

⁸⁹ By undertaking their business for living and not for eliminating the lives of others.

⁹⁰ After the collapse of the ICU, an assorted network which can be described as Faith-lords appeared.

form of violence, albeit the latter – Takfir – might, in the future, resort to extremist tactics, because they believe that any cult other than them is comprised of non-believers and should therefore be eliminated (Ibrahim, 1996). Tabliq’s mission is limited to disseminating Islamic principles such as performing prayers and connecting one’s self to the Creator (theguardian.com, 2009). Al-Islah, however, has always had political ambition, although they attempt to achieve these ambitions through peaceful and political methods (Shehata, 2012). Therefore, in this theme, I will divide the faith-lords into Warmongers and Peacemakers.

4. 6. 2: Faith-lord Warmongers

4. 6. 2. 1: Background

Unlike the latter three religious groups aforementioned, the former two, Al-Ittihad and Ahlu-Sunnah wal-Jama’, are warriors and, as a result, agree to work together in order to confront the Western interests in the country as well as to discipline local thugs. The two, regardless of their ideological and political differences, united in the formation of the Islamic Courts Union (ICU) after having realized that their country required some form of law and order. Upon their unification, they were immediately targeted by the American CIA and Ethiopian armies. It seems that the CIA became suspicious of the ICU’s mission and ideology on terrorism, but the Ethiopian armies were already conducting brutal military operations in several towns and rural areas of Somalia without seeking any permission or justifying their aims.

4. 6. 2. 2: Manoeuvres

The CIA and its sub-contractors announced that the leaders of the ICU are under target and should be eliminated (Scahill, 2013). This led Blackwater, in cooperation with the CIA and FBI,

to employ the most powerful warlords in Mogadishu to assassinate the leaders of the ICU (Scahill, 2015). Serious attacks and counter-attacks, as well as “tit for tat” political tussles, followed and fuelled the conflict (Scahill, 2011). There were harsh attacks against the ICU as carried out by the Ethiopian military forces and American air forces, and navies, using helicopters and drones. These have been ruthless, continuous land attacks and air bombardments on both Somali civilians and belligerents since 2006 (Scahill, 2011).

In the Ras Kamboni districts, for instance, there have been chains of air strikes which killed hundreds of civilians and their livestock (Shay, 2012). As a result of these attacks, the ICU was eventually defeated and divided into rival groups. The defeat has resulted in bitter disagreements among the coalition of the religious-political actors. The temporary alliance of Al Ittihad and Ahlu-Sunnah wal-Jama’ collapsed and segmented into sub-groups. Consequently, the ICU’s foot-soldiers divided into Al-Shabab, Hizbul-Islam, Al-I’tisam, Raskamboni brigade, and Ala-Sheikh. The Ala-Sheikh finally resorted to negotiate with the CIA and its allies, and as a result, reformed their ideology.

4. 6. 3: Ala-Sheikh

4. 6. 3. 1: Background: Within these divisions, Ala-Sheikh was born and immediately obtained power in 2007 (Scahill, 2011). Its leader, Sharif Sh. Ahmed, became the President of the country with the help of Western countries such as the US (Scahill, 2011). As the Ala-Sheikh wing of the ICU obtained power, it automatically became the ruling party and the first targeted enemy of the rest of the ICU’s coalition. The membership of Ala-Sheikh was an informal requirement for appointment to the cabinet. At this stage, Ala-Sheikh was not only criticised for compromising

with the foreign networks, particularly the US intelligence agencies, but also for exclusively filling all the country's political offices with its members.

Ala-Sheikh enjoys the political support of two influential countries: Turkey, which supports the government, and the UAE, which supports it in multiple ways. Currently, the former president, Mr. Sharif Sh. Ahmed, (the leader of Ala-Sheikh) has two of his four wives reside in Turkey while one lives in the UAE. This former president is active in the current political landscape of the country. He tirelessly mobilizes his supporters and recruits even more supporters through his humanitarian and developmental NGO known as "Gurmad," meaning "rescue" (Diriye, 2012). He is also learning the English language in both the US and UK. The public believes that he has the strongest support from each of these four powerful countries, and as such, he is likely to be the next president of Somalia (Hiiraan, 2015).

4. 6. 4: Al-Ittahad

4. 6. 4. 1: Background: Upon the defeat of the ICU, the Al-Ittahad retreated to reunify and rebuild. This retreat resulted in division of the cult into three sub-cults which are now rivals to one another. The group renamed itself several times, first to Al-Wahabia, then Al-Wuhda, then to Al-Ittahad, and finally to Salafia. Upon the latest renaming, however, the organization fragmented into two groups, each of which claimed to be the original Salafia. The public renamed both by calling one wing "the new Salafia" (*Salafia al-Jadida*) and the other "the Old Salafia" (*Salafia al-Qadima*). The former switched from violent to peaceful tactics by abjuring their political and economic ambitions. By contrast, the latter insisted on obtaining power and wealth in order to control the country by implementing Sharia Law. The group has begun splitting into various sects, including Al-Shabab, Hizbul Islam, the Raskamboni brigade, Salahudin group, and Al-itisam.

Only Al-Itisam ceased using violent tactics and adopted a peaceful approach to gaining power, while the rest were united by violent missions.

4. 6. 4. 2: Manoeuvres

The violent sects have had significant disputes over which name and system should be adopted. This has precipitated several internal clashes. Al-Shabab, Hizbul Islam, and Salahudin became openly belligerent toward one another, with each group targeting the other. Hizbul Islam and Salahudin were militarily, socially, and politically defeated by Al-Shabab, however. Most of their foot-soldiers surrendered themselves and agreed to serve under Al-Shabaab's commanders. In the meantime, the Raskamboni brigade agreed to reconcile with the Ethiopian forces and finally became the leaders of the Jubbaland state. At this stage, Ali'tisam struggled to remain powerful and adopted non-violent ideology (Sii'arag, 2012). This has, however, caused more internal disputes and physical conflicts.

At least three more sub-sub-sects have appeared: Saruuriyin, Madkhaliyin and Rabi'iyin. The disintegration of the latter sub-sub-sect was initially caused by disputes over the material assets held by the organization. Some individual leaders believed that the organization was on the verge of collapse, and if that happened, all of its properties would be left in the hands of the individuals who are in charge of it at the time. Nevertheless, each of the groups and senior individuals attempted to demonstrate that the conflict was a result of religious differences in order to mask their economic and material motivations (Ali, 2008).

4. 6. 4. 3: Consequence

Due to the prolonged civil war, social instability, social disintegration, poverty, lack of education, lack of proper parenting, and idleness, most of the young people who were born during

this period of lawlessness became traumatized and threatened. They find their communities claiming to be religious but behaving in the opposite way, yet everyone is still adhering to Islamic principles⁹¹. Having lived in this chaos and confusion, most of the youth became demoralized and started gangs, demonstrating delinquency and other antisocial behaviours that are detrimental to the country's resource and environment.

The Somali young generation is going through chains of sociopolitical and economic crisis. They are jobless in their hometowns for several reasons; lack of security, lack of local capacity, lack of local infrastructure, lack of national/provincial institutions that are capable of offering employment opportunities. Corruption combines with these factors (Bahdur, 2014). For instance, most of the youth cannot get employment even if they are highly qualified and there is a possibility of employing them. This is more the case when the young persons are not known to any of the provincial or national ministers or managers, not related to the money-lords, and did not originate from financially stable families. As they sought employment, they were frequently abused both verbally and physically by the wealthy bodies. They are also culturally undermined and discriminated against, mainly for one or two reasons; being poor and/or being originated from one of the lower-class sub-clans.

Moreover, each of the provincial, national, regional, and international stakeholders/networks target Somalis by age. They assault, arrest, torture, and brutally kill the young boys. For instance, warlords prevent any form of local development and prosperity in their respective hometowns. They have already assassinated individuals who attempt to do so (Johnson, 2015). They want their young henchmen to be impoverished and not find any opportunity other

⁹¹ Indeed, Somalis are in the opposite position of the islamophobia attitude. Even to be qualified to a parliament membership, a candidate must be a religious. The law requires one to be a Muslim and respect Islamic values. The spirit of this law ordains religiousness.

than being bodyguards for them. The same applies to the money-lords and faith-lords. On top of these local destabilizers, every Somali boy is sick and tired of the foreign intelligence and military forces who consider them as automatic suspects. In this case, the vast majority of the youth have no choice but to seek survival source by any means possible. The most apparent opportunity offered to them is to join either Al-Shabab or pirates. They prefer to get food for one or more days and die the next day, instead of suffering from long lasting hunger and starvation. This is how they commit suicide or take a risk.

4. 6. 4. 4: Typology

Al-Itahad is highly socially, politically, and economically ambitious, and is dedicated to enforcing Sharia Law based on their rigid interpretation of it. Upon realizing that they cannot force the public to accept Sharia Law, they have instead attempted to obtain power in order to impose their ideology upon the people. Almost all of their actions and ambitions are leading to instability. Even their policy, which is based on changing names and titles from time to time, as well as using religious justifications to attain socio-political and economic goals (Ali, 2015), is enough to identify it as an actor and network of instability.

4. 6. 5: Al-Shabab

4. 6. 5. 1: Background

Al-Shabab means “the youth”. Most of its members are pre-teens, teenagers, adolescents, and youth. The sub-sect detached from the ICU, in which they were the leading force. It obtained that membership credibility by representing the Al-Ittahad sect. It condemned the commander of the ICU, Mr. Sharif, for treason when he agreed to collaborate with the international community.

Al-Shabaab and its allies condemned Mr. Sharif for selling out his personal faith, Somalia's natural resources, sovereignty, culture, dignity, and patriotism in return for the presidency (Hassaan, 2011). This is what led the ICU to become split into groups and sub-groups. One of these groups called Ala Sheikh under the leadership of Mr. Sharif became Somalia's governing body, while other factions have become armed rebels or political opponents.

4. 6. 5. 2: Manoeuvres

Because of Ala Sheikh's political decision, Al-Shabab and Hizbul-Islam declared holy war against all foreign political, economic, and social stakeholders as well as all Somali groups and individuals who may have any connection with those foreigners (Dorrie, 2014). They appealed to all Somalis and non-Somali Muslims to join and stand by them (Dorrie, 2014). They also ordered those who are unable to physically fight alongside them to support them financially. In repeated announcements they have stated that any Muslim person, be they Somali or non-Somali, who is not in the support of Al-Shabab is considered as an apostate and should be killed on sight.

4. 6. 5. 3: Economic Base

Al-Shabab receives revenue from exporting charcoal and livestock, taxation and levies, fines and penalties, fundraising, and donations. Besides these sources, Al-Shabab enjoys military and political support from certain countries, as spearheaded by Eritrea. Moreover, the group has the support of many former supporters of Al-Ittihad, including the Afghani Taliban and several other terrorist networks and wealthy individuals. No doubt, each of the foreign donor state and non-state actors and networks has either political or economic motives of its own, and attempts to achieve their goals by any means possible.

4. 6. 5. 4: Motives

The Al-Shabab's overall motive is to take advantage of two circumstances to gain sociopolitical power; the country's status of lack of law and order machinery and the citizen's predisposed interest in Islam. They want to rule the country with a radical-system based on the harshest version of Sharia. Al-Shabab, as well as the rest of the Al-Ittihad's sub-sect, believes and practices the extremists' most dangerous doctrine called "*Al-wala wa al-bara*" meaning "intimate friendship or hatred of the enemy." This entails a sort of "my way or the highway" mentality and approach (Ali, 2015). Closely observing, one can internally distinguish among Al-Shabab factions who are united in destabilizing the country. The first are those who fight for the defense and dissemination of a fundamentalist religious ideology, while the second are economic-motivate. The third group, who are the majority, are those who feel their basic rights to resources, politics, freedom, and even survival means were violated by the political stakeholders including the federal government.

4. 6. 5. 5: Strategies

In reality, Al-Shabab implements the Al-Ittihad's original concept, which is based on spreading propaganda against foreigners and secular Somalis, as well as labeling any Muslim person who does not support them as an apostate. In order to easily influence and recruit youth and laypersons, the faith-lord warmongers move to excommunicate and isolate the educated and wise persons in the society (Ali, 2008). This leads many civilized and educated people to accept their harsh interpretation of the religion so that they can survive in the community, instead of being politically, socially and economically sanctioned. Others have resorted to piracy, theft, highway robbery, or delinquency.

4. 6. 5. 6: Typology

Al-Ittihad and its sub-sects/cults, as spearheaded by Al-Shabab, are socially, politically, environmentally, behaviorally, culturally, and economically destructive (Ali, 2008). These are religious radicals who have political and military ties with the global Al-Qa'idah, and now, with Salafia al-Jihadia of Sham (Syria and Iraq), Boko Haram and ISIS (Rudincová, nd). They started spreading propaganda to recruit youth. Their primary propaganda involves arguing that foreigners invade their country for two main purposes, to exploit its resources and to change its people's faith (MediaMonitor, 2011; Aways, 2009; Alidheere, 2012). Therefore, Al-Ittihad is obviously among the actors and networks of instability.

4. 6. 7: Ahlu-Sunnah wal-Jama'

4. 6. 7. 1: Background

Ahlu-Sunnah wal-Jama' (ASWJ) represents the historical Muslim culture known as "Sufism". They practice Islam in a form of mysticism which is based on lack of interest in this world, but the afterlife instead (Luis, 1993). Here is where its conflict with the modern Islamic movements begins. The modernists, led by Al-Ittihad, integrate Islamic faith with political, social, and economic factors (Luis, 1997). Economically, the sect relies on the support of the local people.

4. 6. 7. 2: Manoeuvres

ASWJ had been known as a peacemaking religious sect which interacted peacefully with society. It has recently become hostile, however, in order to defend itself from Al-Shabab's aggression. The latter targeted the former's faith and culture. One aspect of their faith is to visit the graveyards of the late spiritual leaders, and chanting and praising both God and the prophet

Mohamad there. Al-Shabab rejects this type of faith and instead enforces the belief that one must only praise God and always be active in every part of social life. As a result, Al-Shabab destroyed almost all the tombs of the Ahlu-Sunna and removed the bones of the spiritual leaders. That triggered the hostility of the ASWJ (International Religious Freedom, 2010). The sect's main stronghold region is the central districts of the South-Central province.

4. 6. 7. 2: Motives

The primary motive of the ASWJ is to defeat Al-Shabab, but there are many carpetbaggers⁹² who target their political ambitions to lead the country (Baxter, 2011). Many of these carpetbaggers, whose motivation is to reach power through the sect, have already filled political and military leadership positions in the sect. This has resulted in the addition of a political agenda to its primary missions. It has established its own media channels to fight for the right to power.

The spiritual leaders of the sect attempted to unify the ASWJ, which is made up of Qadiri'a, Salihia, Ahmadia, Zayli'iya, and Sufis under one umbrella in order to reinstate its previous position in the community. The effort has instead created further divisions. Smaller groups such as Ahlu-Suffa and Ansaru-Sunna have emerged. Indeed, further divisions will occur within each of the religious groups whose ambition is to dominate Somalia socially, economically, and politically according to their interpretation of Islam (Daniels, 2012).

4. 6. 7. 3: Typology

Ahlu-Sunnah wal-Jama' has committed a series of human rights violations, and has caused further environmental destruction, political destabilization, and the prolongation of the war,

⁹² Carpetbaggers is a terminology used to define political demanders who seek power from anywhere possible. If there is a political barrier in their area, they go to somewhere else where they have no local connections and plans.

leading to instability. This is most likely due to the fact that the members of the sect have no understanding of the moral principles that should guide war either from global or traditional perspectives. Yet, I categorize it as an actor and network of potential stability. Obviously, if its rival groups, chiefly Al-Shabab, are eliminated, and the carpetbaggers are as well, the sect will return to its origins as a mystic religious group encouraging stability and inner tranquility.

4. 6. 8: Al-Islah as the Key Faith-lord Peacemakers

4. 6. 8. 1: Background

Peacemaking faith-lord groups are Al-Islah, Tabliq and Takfir. The latter two are passive while the former is active. In this section, I focus on the active one, which is Al-Islah. Al-Islah is a religious civic organization that is a regional branch of the Global Muslim Brotherhood (*Al-Akhwanu Al-Muslim*) headquartered in Cairo, Egypt⁹³ (The Global Muslim Brotherhood Daily Watch, 2014; Hassaab, 2011; The Telegraph, 2013). Al-Islah has political ambition and has always been involved in development and educational projects. It has built and operated several social institutions such as universities, schools, hospitals, and media offices.

4. 6. 8. 2: Manoeuvres

Since 2010, the organization has been suffering from internal conflicts leading to its division in three sub-sects: Damu-Jadid, Al-Islah-Tajamu' and Al-Islahu Tadamun, each of which claims to be the original Al-Islah. This has created extensive competition, which is based on the pursuit of profit for political gain. To seek money by any means possible is characteristic of any growing political body, whether it is legal or illegal, and whether it is rebelling or registered. Hazen

⁹³ This office was recently burned down and closed by the Egypt's current government lead by president Sisi.

writes that “the options available to rebel groups during conflicts are based on the group’s capacity to continue fighting, and this capacity is based on the group’s access to resources... such as currency, natural resources (Hazen, 2013, p. 22). The author also states that:

“Although conflicts have often been described as passing through stages, from onset to escalation to termination to peace building, such a linear progression is rare. Instead conflicts involve numerous attempts at negotiations, cease-fires, and signed peace agreements, as well as frequent returns to active fighting” (Hazen, 2013, p. 26).

Damu-Jadid, which seceded from Al-Islah sect, took the power from Ala-Sheikh through the parliamentary election in 2012, which was influenced by bribery and political bargaining (SaadaalNews.com, 2012). At this stage, Damu-Jadid renounced its membership of Al-Islah and declared itself as an independent ruling political party (Badio, 2013). Yet, it has strong ties with the mother of Al-Islah, the Global Muslim Brotherhood (GMB). The president of Somalia, Hasan Sheikh Mohamud, who is a co-founder of Damu-Jadid, was the first head of state to attend the inauguration of the president of Egypt, Mohamad Mursi, who had been the head of the GMB (Lansford, 2015). Currently, Damu-Jadid is the ruling party. The head of the state, approximately half of the cabinet members, prominent members of the judiciary, and the majority of the employees of the Presidential palace are full members of Damu-Jadid, most of whom are of the founders of this religious-political party (sub-sect) of Al-Islah (RBC, 2014).

4. 6. 8. 3: Relationships

Damu-Jadid enjoyed the full support of Mursi’s administration of Egypt, but when Mursi was ousted from power, the group immediately turned to Turkey, Qatar, the UAE (SomaliaReport, 2012), and many of the Western countries including Norway, Sweden, the UK, and US (Garoweonline, 2012). As the most active network of the complex faith-lord groups, the sect enjoys direct or indirect financial and political support from many foreign countries and INGOs.

4. 6. 8. 4: Motives

Al-Islah as the most notable figure of the faith-lord peace-makers trained its members with high political and leadership ambitions with modern skills and strategies. This has resulted in its dissection into three groups. Even though most of these religious-political peacemakers are not armed for physical fighting, each of them fights towards gaining access to the country's economic, military, social, and political sectors. Damu-Jadid, the latest winner is endeavouring to maintain its power as the Somalia political leader. All the Islah internal factions are typologically actors and networks of stability. They are open-minded modernists who can be negotiated with, advised, educated, and corrected.

4.7: Warlords

4.7.1: Background

For close to a quarter of a century, Somalia has been hijacked by merciless warlords who can be defined as clannish in nature. In the last few years, their powers have waned. Recently, a smaller network of instability has emerged. In this theme, I address the warlords followed by a discussion of such parasitic actors and networks.

The warlords consist of clan-based warriors that divide the country into clan-based fiefdoms that do not have a good relationship with one another. The most vigorous military and political shareholders of these warlords,⁹⁴ who operate in the South-Central, include: Yalahow, Finnish, Qanyare, Hussein Aideed, Furuh, Addi Waal, Indha Adde, and Haran ku Naah of whom each leads a faction of the Hawiyes sub-clans. Similarly, there are Barre Hiiraale, Morgan, Ahmed Madobe,

⁹⁴ Because they lead hundreds of militias armed to the teeth.

and Ahmed Jees of whom each leads a faction of the Darod sub-clans. These are actors and networks of instability who are significant stakeholders. They often win in preventing, boycotting, disturbing, or hijacking attempted political movements by using both physical power and political immoral games.

Banerjee, et al., (2003; Kahler, 2009; Ellison et al., 2004) define stakeholders as various types of non-governmental organizations and other potential lobbyists that have an interest in the environment and have the ability to mobilize public opinion. This definition disapproves that of Margerum (2011) whose opinion is that stakeholders are limited to those who are officially recognized by the government. Indeed, local or national stakeholders can collectively be defined as a collection of individuals or groups that can affect or be affected by the achievement of environmental goals including: regulators, organizational members, community members, and the media (Harrington, 1998; Fischer, et al., 2007). Fischer, et al., (2007) argue that if the competing internal stakeholders in Somalia advocate for the use of science in addressing Somalia's problems, they can be described as the principal policy-networks in the country.

3. 7. 2: Economic Base

The warlords' main revenue sources are: levies taken from the civilians, relatives, clans, and sub-clans. Besides taxation and funds raised in special events, these warlords engage in almost all forms of illegal activity such as: illegal fishing, illegal logging, drug-production, drug-trafficking, weapon trade, booty, and properties confiscated or robbed from others. Many of them also have ruthless businesses including selling expired food and medicine (Africa Media, 1999).

In terms of relationships, each of these warlords plays a significant role in attracting the support of numerous foreign networks of instability in the country. They have a close relationship with the money-lords who are the most active network. Even though they demonstrate enmity

towards each other, there is also an indirect correlation and coordination between them. For instance, when Barre Hiiraale and Morgan were fighting over the administration of the Kismayo city of Jubbaland, they still exchanged cash money and valuable properties (Gedonet.com. 2005). Moreover, the two are brothers-in-law. The same applies to many others who are mostly business partners rather than warlord friends.

Recently, all of these warlords were selected to be members of the federal parliament (MPs), and are strong political stakeholders and decision-makers. Inside the HPFP, they endeavour to recruit more warlords and complicate parliamentary motions (SaadaalNews, 2005). Each of these warlords has the ambition of being a political leader or, at least, one of the wealthiest men in the country. They know that political leadership in Somalia can be a route to wealth, and vice versa. Recently, as they have realized that their ambitions are far-fetched, they strive to prevent the return of law and order to the country.

Typology: Due to the above discussion, the typological category of the warlords is an actor and network of instability.

4. 8: Parasite Networks

New networks operating under each of the major actor and networks have recently appeared. For instance, there are groups of young boys (pre-teens and teenagers) who pretend they are Al-Shabab police units. They wear uniforms that look like that of Al-Shabab's division known as "Al-Amniyat" which is trained as a local police task-force. These freelance youths equip themselves with lashes and pistols. They patrol the streets and markets where there is no other authority, with the intention to rob people and rape women in the name of Al-Shabab (NISA⁹⁵, 2015).

⁹⁵ Somali National Intelligence Security Agency (NISA).

Typically, these different groups are unidentified thugs disguised as the federal government's tax-collectors and criminal investigation department (CID). They wear the uniform of the unit which they want to impersonate and print receipts of their own. Then, they charge the citizens levies, give them false receipts, and intimidate them until they pay some money (NISA, 2015)).

Since all the faith-lords attempt to control the media, money, resources, women, children, youth, and ultimately the country's sociopolitical and economic systems, they may assassinate anyone who challenges them. Under each one of the faith lords is a secret brigand devoted to eliminating their dissenters. For instance, Amniyat is the sharpshooter unit of Al-Shabab (Dorries, 2014), even though it sometimes operates as a police force. Likewise, Gusa is a special branch of Al-Shababs secret forces whose duty is to plant bombs in public and private vehicles as well as public venues. This is not exclusive to Al-Shabab and the rest of the faith-lords, however. Each of the networks of stability and instability are protected by such brigades. For instance, Rohanta is a *sniper* unit for the federal president (Raad Raac, 2015; Caasimada, 2014; Garoweonline, 2014; Saadaal, 2012), while Lubanta is a secret unit hired by the leading money-lords to target and execute individuals who may become a threat to their businesses (Caasimada, 2014; Raad Raac, 2015). It is also reported that each of the UN offices and Western forces, including the US and France, use special snipers and commando forces trained to target the leaders of their opponents (DunidaOnline, 2015; Peterson, 2014).

These ruthless activities have already changed the morals and behaviour of the Somali people of any age. Today, most Somalis are either political or religious extremists. Either type of extremism leads to political instability, insecurity, resource unsustainability, and environmental degradation. There have been a number of studies conducted regarding socio-political and health problems among Somalis inside and outside the country. Ultimately, as a sociological category, a

new mental illness called “Somalization,” as a result of chaos, was discovered and named after Somalia. Somalization is a destructive and mayhem state of extreme confusion and disorder, which mostly affects the male persons suffering from prison or military-led trauma (Gorol and Mulley, 2001; Sadock et al, 2007). That is why the vast majority of the Somali youth fall into forms of destabilization, such as piracy, terrorism, scamming, smuggling, trafficking, and others.

4. 8. 1: Relationships among the Networks of Instability

Maritime criminals cooperate with one another and commit crimes collectively, because their criminalities are interconnected, and they face common threats from security forces. Terrorist groups cannot survive without smugglers bringing weapons, money and manpower to them (Nasser, 2009). On the other hand, smugglers benefit from terrorists’ actions when they make states and navies thwarted and unstable. The most notable cooperation between smugglers and other marine criminals is that smugglers help marine terrorists and pirates by bringing them to their destinations (Murphy, 2007). Nowadays, there is a growing problem in narcotic trafficking through the Somalia basin. These traffickers are networking with others in various ocean routes such as Malta and the Panama Canal. Marine criminal networks of instability in Somalia learn the means of illegal trades via collaborating with those of Afghanistan and Panama. On the other side, it is reported that the pirates in Somalia have offered crash-program trainings and scholarships to pirate-students who came from Western Africa (International Human Rights Internships, 2015).

In Afghanistan, the drug-traffickers that export narcotic drugs from Afghanistan cooperate with the terrorist group called “Taliban.” There are also substantial concerns that NATO troops in Afghanistan cooperated with local drug-traffickers (Rotberg, 2009). This strengthens the rumour-based view that no administrative institution is free from corruption and self-interest. This is

buttressed when one observes how drug-trafficking remains a highly lucrative trade despite tremendous efforts by the international community, both collectively and individually, to combat it. To follow the identification of marine drug-traffickers and their strategies, there is a need to understand and untie the networks of marine criminals. Marine criminality and marine trafficking are among the most harmful networks of instability, insecurity and unsustainability. Economically, all the networks of instability make money from their illegal businesses, but it is difficult to get concrete data on their income and how they spend/disperse.

4. 8. 2: Typology: Indisputably, smugglers are actors and networks of instability.

4. 9. 1: The Key Network Actors of Fishing Companies and Coast-Guards

In this heading, I highlight two key networks operating in Somali waters, being fishers, counter-pirates and resource managers. I examine each of these actors' backgrounds manoeuvres, motives, relations, and typology in a paragraph or more.

4. 9. 2: Somali National Fishing Company (SNFCO) is a fishing company which was established in 1981 as a part of a bilateral project between Italy and Somalia. SNFCO was created to enhance economic cooperation between the two countries. It utilizes the country's marine natural resources to create "jobs and incentives for fishermen and coastal habitants, by increasing national economy as whole ... through fishing, processing, packaging, local-selling, exporting and recycling the nature with environmentally friendly fishing method" (Ibrahim, 2013, p1).

The company generates income and acts a productive private company through fishing. Its motivations are based on economic development at the individual, family, local, provincial, and national levels. Due to the shortage of qualified professionals, however, the company operates in an ad-hoc manner. At a national level, its registration work papers are yet to be

completed. It is the federal government's fault for not requiring it to do so (Raxanreeb, 2014). Due to its initiatives, including the use of resources in an environmentally friendly way, I categorize SNFCO as a network of stability, provided it proves to be law-abiding and cooperative with the federal government.

4. 9. 3: Somali Marine Resource Development and Conservation Centre (SMRDCC) is the company actively engaged in promoting business opportunities, and attracting foreign investment in the absence of an effective central government. The company has suffered due to a lack of reliable fish markets, and a lack of permanent, systematic fishing schedules. Furthermore, it caused the fisheries to split with their respective local communities. The latter precipitated a lack of co-ordination among artisanal fisheries, a lack of communication facilities for artisanal fisheries in rural and urban areas, a lack of public awareness, and a lack of appreciation for progress. All of these factors contributed to the company's diminished financial capacity, which hindered attempts at management and plans for data collection.

In fact, the diversity and abundance of marine resources has, over the years, led to the development of a range of fishing activities geared to harvest the variety and diversity of fish species present on the coast. These have included industrial, subsistence, and artisanal fishers, these being the most common types of fishers in the country. Furthermore, the unsustainable development and activities related to overconsumption of resources have demonstrated negative impacts on the environment. Domestic wastes are dumped directly into the sea so that these waters are sometimes used as latrines and garbage dumps. Though the aforementioned types of fishing are common in the country, it is not always easy to distinguish between the different fishery sectors and the methods they use. This is not only because specific definitions are lacking, but also because there is considerable overlap between the sectors, in terms of both the type of species harvested

and the method to harvest them. This not only leads to frequent environmental damage, but may also make it difficult to assess any future projects in environmental sustainability.

Obviously, these fishing operations are largely opportunistic. Reef-associated line-fish are caught with hand-lines and comprise a wide variety of species that are mostly placed on ice and consumed locally, or at least, within one day's drive from the port. Sharks are taken with gillnets and lines, predominantly for their fins which are removed at sea (UNEP, 2006). Most of the carcasses are then dumped and wasted, although at times the flesh is salted and dried before being exported to other countries such as Kenya and the UAE (UNEP, 2006).

The limited survey data available for demersal fish stocks throughout the continental shelf area presents a serious challenge to estimating sustainable levels of exploitation and the extent of environmental damage incurred. All the studies unanimously found that there is rapid decline of fish and other marine ecosystems, however ((Young, 2012). Obviously it is anticipated that, by pollution, the highest densities of both demersal and pelagic fish stocks and poisoned fish will be found in the up-welling enriched waters from Kismayo to Puntland.

Since its establishment, the SMRDCC has been suffering financial deficits. It obtains no funding from any source, because it was designed to produce its funding through self-sufficient means. However, due to lack of personnel, qualification, technology, and capacity building, the company lacks both professionalism and financial stability (Young, 2012). As such, its performance is poor. Yet, I categorize it as a network of stability due to its initial intention declared in its mission and vision.

4.10: Conclusion

In this chapter, I evaluated and analysed the actors and networks competing to influence Somalia’s politics, economics, and society at a national level. I categorized these networks into instability, potential stability and stability. Three key governmental networks of stability seem to be overwhelmed by three key networks of instability while three non-governmental networks of stability and potential stability are distressed as a result of the tussle. Each of the federal government’s institutional branches, the Judiciary, the Executive, and the Legislative is an actor and network of stability but have been hindered by warlords, warmonger faith-lords, and self-oriented capitalistic money-lords.

Faith-lords are divided into warmongers and peace-lovers who are, respectively, networks of instability and networks of stability. The same applies to money-lords who are divided into import-exporters and local retailers who are, respectively, networks of instability and networks of stability. Warlords and minor networks that are parasites on others are collective actors and networks of instability that are an obstacle to security and environmental protection.

Table 2: National Institutional and Non-Institutional Actors and Networks

Name	Background	Maneuvers	Motives	Dissection	Relationship	Legality	Typology
Legislative	Somalia	Transitional to activeness	Political	3 internal Blocks	Globally reciprocal but nationally loose	Governmental	Potential Stability
Executive ⁹⁶	Somalia	Transitional to activeness	Political/Management	Various Ministries	Globally reciprocal but nationally loose	Governmental	Potential Stability
Judiciary	Somalia	Transitional to activeness	National jurisdiction	3 Courts	Globally reciprocal but nationally loose	Governmental	Potential Stability

⁹⁶ Ministries and other governmental Institutions.

Money-Lords ⁹⁷	Somalia	Destructively very active	Economic	3 groups based on economic classes	Secret relations with foreigner	Legal/Illegal	Instability
Warlords ⁹⁸	Somalia	Destructively active	Political	12 warriors: 8 of Hawiye & 4 of Darod	Gradually Diminishing	Illegal	Instability
Faith-Lords ⁹⁹	Somalia	Destructively very active groups & positive groups	Political	4 warmongers & 3 peace-lovers	Influential	Illegal	Instability & stability
Fishers & Coastguards ¹⁰⁰	Somalia	Passive and hidden agendas	Social and Environmental Development	Unclear	Fragile	Licensed	Potential Stability

⁹⁷ Money-Lords include companies and individuals who endeavor in money-making regardless of the legality and morality of its sources and means. They identify themselves as independent business companies and wealthy individuals whose intention is to help the society. Most of them run the business of Hawala- money-transfer, charcoal export, wildlife export, fish export, hotels, air agencies, telecommunication centers, land-transportation services, drug-trafficking, and importing food and medicines. Their objectives are to control the country both politically and economically.

⁹⁸ Each of the three main clans of Somalia; Hawiye, Darod and Isaq is protected and ruled by self-styled warrior individuals of whom each is well-armed with hundreds of clan-based militias. They identify themselves as “Community-leaders”. Each of them is divided into tens of networks and sub-networks. Hawiye’s warlords, for instance, is divided into 15 groups of whom each is rival to the rest. In this chapter, I focus on the Hawiye’s warlords because they occupy the capital city and dominate the federal government. They are also effective in the South-Central province.

⁹⁹ Faith-Lords are religious cults that compete over the influence of the people. Even though they are internally divided into dozens of segments, they can be identified as clusters of alliances. They identify themselves as “purely religious schools”, even though most of them are radicals and terrorists. Each is trying to indoctrinate the public, bring under its feet, and control them forever. Their objectives are personal political and economic gain rather than religious teaching.

¹⁰⁰ Including Somali Maritime Resources Research Center, Somali Marine Products, and several others.

Chapter Five

5. Provincial States and Local Communities: National Vs Provincial, Intra-Provincials, Institutions, and Local Communities

5.0: Introduction

The Harmonized Draft Constitution, also known as the CNLP¹⁰¹ orders the HPFP¹⁰² to nominate a national commission to determine the number and boundaries of the Federal Member States (FMS). FMS delineations should be based on the boundaries of the administrative regions as they existed before 1991, and the amalgamation of two or more regions may form an FMS (Article 49). Prior to the breakdown of the central government, Somalia was comprised of eighteen regions (Sacco, nd; Lewis, 1996). These regions are no longer united, however; each is controlled by a certain clan-based fiefdom. Although there are a dozen local autonomous administrations in Somalia, in this dissertation, I follow the system adopted by the United Nations, which divides the country into three Provincial Administrations: Somaliland, Puntland, and South-central plus the Federal administration.

In this chapter, I discuss the relationship and coordination efforts between the federal government and each of the three provinces, provincial governmental institutions, inter and intra-provincial cooperation, provincial stakeholders, trans-provincial networks of instabilities, local communities, and occasional institutions. Methodologically, the first part has no sections or sub-headings. The next three sections, which address the aforementioned three provinces, are segmented into backgrounds, maneuvers, motives, dissections, relations, and typology, while the last two are addressed generally and collectively to provide general information.

¹⁰¹ Constitution on the National Legislative Procedures.

¹⁰² the House of the People of the Federal Parliament.

5. 1: Relationship between Provincial Governments with the Federal Administration

The national jurisdiction requires each of the provincial states to respect others, promote unity among citizens, be cooperative, and protect the limits of its powers and that of other governments. In order to achieve those requirements, each of the provincial states should “inform governments of other levels of policies and activities it implements within its boundaries which may have an impact on the areas of other levels” (Article 51 (c), CNLP). The federal executives and those of the FMSs are required to work on strengthening national unity, security, national socio-economic development, and common market policies of the country (Articles 51/52, CNLP). This is how the national jurisdiction encourages open dialogue and reconciliation in post-conflict Somalia. It anticipates recurrent territorial conflicts over water sources, agriculture, pasture, and forestry. Therefore, it encourages the traditional leaders to partake in the peace processes at each of the local, provincial, and national levels.

In the spirit of inter-governmental cooperation, Article 53 of the CNLP orders the federal government to consult the FMSs on negotiations relating to foreign aid, trade, treaties, or other major issues related to international agreements. Furthermore, Article 54 states that the powers and responsibilities concerning the matters of foreign affairs, national defense, citizenship, immigration, and monetary policy are exclusively the authority of the federal government.

It is preferable to divide the country into three provinces of Somaliland, Puntland, and South-Central. Each one of these provinces has a coastline which is double that of the neighboring country, being Kenya. Kenya’s coastline stretches up to 640 km (Sigana, 2009; Nageon, 2007; Parkin, et al., 2002), while that of Somaliland is 850 km (Somaliland Territory, 2000), Puntland is

1600 km (Puntland State of Somalia, 2007; Bahadur, 2011)¹⁰³, and South-central is over 1200 km (Bahadur, 2011).

In each of the three provinces, there are both visible and invisible conflicting stakeholders that comprise networks of potential stability, although they often act as networks of instability. These are the fishing companies, industrial polluters, private security-guards, and organized pirates who are active at the provincial level. Provincial governmental and non-governmental institutions are networks of stability as long as they are cooperative. The President of the federal administration has been striving to control the country's recognized and non-recognized provinces. The first article of his mandate in his term was to apply and expand the federal system, which is new to the country, by establishing formal provinces and building strong policies and institutions through a bottom-up approach (Federal Republic of Somali, 2012).

In the beginning, the President was thought to be intentionally spoiling the federal system for personal gain. Later on, it became clear that he did not, in fact, want the foundation of any province without his instruction and leadership. He wants all the leaders and administrators of each province to be members of his party, being DamuJadid, so that he may have power over them (FAO, 2006). In the three years he was in the office, the President impeded the formation of Jubbaland in Kismayo city, and in the Galmudug State which was intended to form in Dhusamareb city (UN Security Council, 2015). Before that, the President politically boycotted Galmudug State which was formed in Galk'ayo city in 2004 (Security Council, 2015). He also destabilized Puntland by encouraging sub-states within it, such as Khatumo and Makhir (Dhanaanmedia.com, 2015). Within

¹⁰³ The marine sovereignties claimed by either of Puntland and Somaliland state are in dispute. The latter claims several sq. kms that are under the control of the former. As a result of this dispute there is an overlapping. kms in the measurement of the coastal zones. It also happens that sometimes Puntland claims shorter than 1600 km. For instance, in one of the drafts of its marine policy, Puntland wrote that it governs over 800 km on the Indian Ocean and 500 km on the Gulf of Aden (Peter, 1999) which makes 1,300sq. kms only.

Somaliland, the President also encouraged the formation of the Adal sub-state (Dhanaanmedia.com, 2015). All of these instances indicate that the head of the nation does not support the federal system.

The relationship between the Somali federal government and its provincial states varies from state to state¹⁰⁴. Since both Somaliland and Puntland were established before the Federal government, they undermine it. For instance, Somaliland insists that it is more effective and efficient than the Federal administration, and any comparison with it is an offense to the dignity of Somaliland. Hence, Somalilanders argue for a right of secession because they cannot join with a state that they believe to be fragile and inferior to them. They believe that the federal government and the rest of the Somali states are poorer, weaker, and more backward than their own. So far, the only discussions initiated between the Federal government and Somaliland are on civil aviation and airways (AMISOM, 2015).

Furthermore, Somaliland has been repeatedly condemned for destabilizing Somalia's federal administration. It supports and sends terrorist militias to South-central Somalia, while, on the other hand, members of the federal government continuously spoil the country's political agenda using 'destroy from within' tactics (Allafrica.com, 2010). "Senior officials in Somaliland's intelligence organization were actively involved in aiding Al-Shabab terrorists, reflective of Somaliland's secretive support for terror groups who destabilize southern Somalia" (Growthonline.com, 2010).

Somaliland plays a significant role in combating piracy. It has mobilized an organized coast-guard force, which routinely carries out marine patrols in Somaliland's disputed 180-mile coastline (Guilfoyle, 2013). Compared with other provinces, most NGOs in Somaliland are licensed, under contract or other forms of official agreements with the autonomous administration. The same

¹⁰⁴ The three states discussed in this dissertation are Somaliland, Puntland and South-Central.

policy applies to the local and foreign fishing companies, albeit with limited authority and knowledge. Somaliland faces a major challenge when it comes to its relationship with the rest of Somalia. The federal government, the autonomous state of Puntland, and the South-central administrations are apprehensive about the recognition of Somaliland by some Western countries.

Finally, Puntland has mobilized a considerable contingent of coastguard officers, named as “Maritime Police Force [PMPF].” Even though this contingent was mobilized to be a strong local counter-piracy force, its functionality and quality is inconsistent (Fowler, 2013). As a part of this effort, Puntland issued an Anti-Piracy Law (IPL) in 2010. IPL can be considered the first of its kind in Somalia (Farole, 2012). Subsequently, Puntland proposed that the Federal administration establish a federal level coastal police force (Omar, 2012) to expedite the enforcement of the federal system, which Puntland perceived to be the only way to combat piracy. The federal government brushed aside this proposal, however, perhaps because it is suspicious of Puntland’s political agenda regarding the federal system.

There are constant physical conflicts and political disputes between Puntland and the Galmudug region of South-central. This is likewise the case between Puntland and Somaliland. Yet, compared with South-central regions, Puntland and Somaliland have in common the status of being relatively stable. That is why the UNISOM’s operations never reach them. These hostile relationships are, however, a direct threat to the implementation of the country's federal system. The political rivalry may deepen the country's political crisis.

Unlike Somaliland and Puntland, South-central Somalia is both politically and socially unstable, and as such, is not in a position to focus on marine policy issues. Currently, it is divided into four clan-based fiefdoms; Jubbaland, Mogadishu, Galmudug, and Hiran & Shabelle. Each of these fiefdoms is seeking some form of recognition as a potential province (PP). The latter seems

gradually giving it up, while the other three are near to triumph. The federal government's recognition of these three provinces fluctuates. When it gives recognition to one of them, it revokes it the next week. The federal President is struggling to control their progress as provinces, but the local residents are struggling to adopt the self-governing system (Hassan, 2015). As I explicate in the next three headings, the major challenge to establishing intra-provincial and federal-provincial relationships is the mistrust among the adversary clans.

5. 2: South-Central

5. 2: A. General Introduction: The term South-Central is used by the UN agencies involved in Somalia's political, policy, aid, and humanitarian activities to describe the third province after Somaliland and Puntland. South-Central is the main part of the country where the structures of governance are still missing. It is the only region the international community concentrates on for stabilization. Within South-Central, there are at least five sub-provinces, each of which is in the process of forming its own provincial state comparable to the Somaliland and Puntland provinces. The UN organizations prefer to address these sub-provinces under the discussion of South-Central for three reasons: 1) they are still in the making and not yet announced, 2) they have the same geopolitical characteristics, and 3) their policy and management systems are unpredictable and uncertain as long as their political status is fragile (World Bank, 2014).

Due to the complex socio-political situation in this part of the country, there are no means of enforcing rules and regulations pertaining to social, political, ecological and economic activities. Instead, there has been ongoing chaos, conflict, and vandalism in the land and sea territories of the South-Central and far beyond. This part of the country has been divided into fiefdoms controlled by Al-Shabab, clan-based armed militias, and a federal government which is limited to certain

zones of the country's capital city (see Somali map below). In South-Central, secular political actors are not effective.

The geographical boundaries of South-Central are yet to be demarcated. Most likely, any demarcation process in this part of the country will create new forms of socio-political conflict. The vast majority of its residents are nomads who do not recognize border limitations. They and their livestock move from place to place to seek grassland and water. Numerous disputes over territorial integrity and other forms of land ownership have occurred as a result.¹⁰⁵ Even though the federal government has not yet recognized the provincial government of South-Central, the local residents are struggling to adopt self-governing systems based on a bottom-up approach. It is therefore hard to know if they will establish a unified province called "South-Central."

There are complicated political challenges, where each of the local political forces struggles to form an autonomous state, according to their own way of serving their group's interest. In certain territories, there are several groups with similar interests, yet each struggles to form a new autonomous state to serve personal or familial interests. The various political clusters often argue over the name, leadership, administration, and capital city for any autonomous state to be formed (Kydd, 2005). As of today, there are five potential clan-based fiefdoms, each of which is seeking some form of recognition.

Most of South-Central's districts are still controlled by Al-Shabab, and as such, political turmoil, social instability, and economic fluctuation is still prevalent (Human rights Watch, 2014;

¹⁰⁵ New disputes have already begun as the federalism was legalized. The national jurisdiction emphasizes, encourages and legalizes reciprocal relationship among the Federal Member States (FMSs) and between the FMSs and the federal. It also spreads the federal system based on freedom of choice and voluntary choice of FMSs through self-confidence "(a) Every level of government shall enjoy the confidence and support of the people; (b) Power is given to the level of government where it is likely to be most effectively exercised; (c) The existence and sustainability of a relationship of mutual cooperation and support between the governments of the Federal Member States, and between the governments of the Federal Member States and the Federal Government, in the spirit of national unity; (d) Every part of the Federal Republic of Somalia shall enjoy similar levels of services and a similar level of support from government; (e) Fair distribution of resources; (f) The responsibility for the raising of revenue shall be given to the level of government where it is likely to be most effectively exercised (Article 50).

African Development Bank Group, 2015a; 2003b). Even if South-Central is liberated from Al Shabaab, its geographical boundaries are likely to create new forms of sociopolitical and economic conflicts (African Development Bank Group, 2015). Furthermore, even if the border issue is settled, it will be difficult to control them because nomads, shepherds and camel herders who comprise the majority of the residents of these regions do not understand borders and their rules.

In order to identify the networks of instability in South-Central, I divide South-Central into Jubbaland, Mogadishu, Galmudug, South-west, and Hiran potential provinces. The latter two are yet to be established and inaugurated, thus, I do not address them in this discussion. Then, I divide the province into three territories: 1) Kismayo of Jubbaland extending from Ras Kamboni to Marka; 2) Mogadishu territory extending from Marka to Eildher, and 3) Hobyo territory extending from Eildher to Eyl – off the border of Puntland (Maritime Code of 1959). I call these territories and maritime zonings Potential Provinces (PP). In the discussion, I begin by highlighting the political position, the condition of the artisanal fisheries, and the trade fishing companies. Then, I highlight the security situation in the maritime zone of the province, followed by the key provincial governmental institutions and local NGOs. After that, I will address the networks of instability and potential stability. Among these actors and networks are provincial fishing companies, fish processing factories, privately organized coast-guards, illegal fishers, and pirates.

5. 2: B. Jubbaland PP

A. Background: Jubbaland is a potential province (PP) consisting of three regions; Lower Jubba, Middle Jubba and Gedo. Its structure results from the 1925 agreement between Great Britain and Italy (Kaplan, 1977). It stretches from the Indian Ocean to the Ethiopian border, and it is lined up

alongside the border between Somalia and Kenya. Therefore, Jubbaland shares 424 miles of its (700 sq. kms) border with Kenya, which is the same border that Somalia shares with Kenya, and approximately 60 sq. kms with Ethiopia. Jubbaland has a total area of 87,000 sq. kms equal to (33,000 sq. kms) (Osman, 2016; 1993). In 2005, the United Nations Security Council (UNSC) estimated the population of Jubbaland to be 953,045 (UNHCR, 2009; UNSC, 2005).

B. Economic Base: Foreign donors finance Jubbaland's administration regularly and irregularly. Among the donors are the USAID Somalia, UNDP, FAO, and some other occasional INGOS and RNGOs. Domestically, the administration gets revenue from the PP's seaport, airport, agricultural production, charcoal, livestock, and other natural resource sectors. Jubbaland is thus the most productive region in Somalia (Rift Valley Institute, 2013). It is rich in agriculture, aquaculture, livestock, and wildlife. The lower Jubba River, the third deepest river in Africa, (Duka, 2007) runs through it (Rift Valley Institute, 2013). This river feeds many farms and development projects. Before 1991, there were tremendously valuable projects running in the region. For instance, the Burdhubo project, Bardhere Dam, Markabley Research, Dajuma Crash Farming Program, Fanole Rice production project, Mugambe tea production, Marerey Sugar Project, and many others were the main economic sources of the revolutionary regime from 1969 to 1991 (Rift Valley Institute, 2013). As a result, this PP has always been the center of land and marine disputes.

C. Administrative Capacity: Jubbaland has selected a President and Vice-President, though this is still under dispute, and the government is in the process of establishing a legislative house. The major obstacle to the establishment of Jubbaland is that it receives orders from various sources: Ethiopia, Kenya, Puntland, the Federal government of Somalia, and numerous local politicians- each with their own motives. Locally, there are complex clan relationships, wherein

each seeks to conquer as large an area of the coast as possible, and the land of the PP. These factors jeopardize the state's advancement, and create open-ended civil wars within the province, and with the adjacent potential province known as South-Western. The two rival potential provinces accuse each other of land grabbing (Hersi, 2015).

Since the collapse of Somalia's central government, the denizens of this potential province have suffered recurrent attacks, occupations, confiscations, genocides, robberies, tortures, and humiliations by warriors coming from other regions of the country. As a result, there have been various attempts to establish an autonomous administration for the province. In the earliest attempts, Jubbaland's capital city was chosen to be Buale city (Garowe Online, 2012), but being the largest of the province's cities, Kismayo became the de facto capital city (Muhumed, 2011; O'Kasick, 2007), made more formal after 2013, when the Juba Interim Administration was officially established and recognized (Garowe Online, 2015).

The PP's current problems date to the origin of Somalia's civil war, which was practically only between two clans, the Hawiye and Darod, but which damaged almost all of the lives and livelihoods of Somalia. Jubbaland, particularly Kismayo city, has always been at the center of the conflict as the two rival clans were fighting over the region (Rift Valley Institute, 2013). Currently, the PP is under the control of Darod, while Hawiye dominates Mogadishu and the federal government. Consequently, the Darod administration does not trust that of Hawiye. Additionally, internally, in Kismayo, there are two rival Darod sub-clans, the Marehan and Ogaden (Throup, 2012). Neither one trusts the other. As a result, there have been physical wars and political tussles between these two local clans since 2005 (International Crisis Group, 2013).

D. Maneuvers: The local communities in this PP have endured severe socio-political and economic disruption by clan militias originating from the central regions of the country known as

Galmudug. Clan militias from Galmudug have attained such power that they occupy the riverbanks and charge fees to anyone who intends to get drinking water from the river. Local residents of both fisher and non-fisher communities face these problems. After thorough analysis, in the late 1990s researchers concluded that addressing this problem requires a broader perspective on resource management, with a focus on the marine environment. In order to overcome these power tussles, certain NGOs took tough measures to study the most significant resource conflicts in the region. They focused on finding strategies to facilitate coastal land and water resources to fulfill their potential for sustainable development (Besteman nd).

The NGOs' study was, however, interrupted by civil wars in the area, which forced them to leave. Subsequently there was less direct concern on the part of NGOs. As such, the local elders decided to defend their resources by taking forceful actions. Besteman (nd) describes how elders of the Gosha (the riverbanks of the Jubbaland and Shabelle districts) community did not allow subjugation by the Somali pastoralists to their essential identity. They tried to claim their rights to equal status as individuals, not as a 'minority group' (Besteman, nd). This kind of conflict first happened during the 1970s when the government resettled more than a million internal environmental refugees in the Gosha zones (Besteman, nd). The rapid integration between the local denizens and the newcomers has significantly changed communities' cultures and lifestyles. The government convinced the local elders that changing the local residents' social activities in the short term would initiate a sustainable form of development in the long term.

In the Kismayo marine territory, several fish species take seasonal expeditions to its EEZ (Jensen, 2012). These species seasonally migrate from the Indian Ocean to the Kismayo zone, leaving behind their eggs and juveniles when returning (Raxanreeb, 2014). Therefore, the Kismayo zone is full of both domestic and immigrant fish species. There is, however, a series of serious

environmental problems which have existed since before the collapse of the Somali central government. Just like in the capital city Mogadishu, in the coastal zone of Kismayo raw sewage is directly discharged into the coastal waters. The discharge is a severe hazard to human health and marine natural resources (Lehr, et al., 2007).

In terms of marine security in this province, there is less piracy and marine terror activities than in the rest of the country's seawaters. While hi-jacking of seafarers was increasing from 2000 to 2006, it has fallen since then (Calvani, 2008). A community-based movement known as Somali National Volunteer Coastguards against insecurity began in 2005 in Koyema Island off Kismayo city (Lehr, et al., 2007). Although the movement did tremendous work, it seems the reduction of piracy can be attributed more to climatic conditions, and a local environment which did not welcome them (Murphy, 2014).

C. Motives: Due to the fact that in South-Central there is no effective government and the civil war still continues, each district has its own motive and plan. In each region, there are several clans and sub-clans competing over its resources and administration. Jubbaland's current administration seeks to undermine the federal administration (World Bank, 2014).

This effort is spearheaded by the Ogaden¹⁰⁶ clan that resides in three regions in Eastern Africa: North-Eastern (NFD) of Kenya, Ogaden region of Ethiopia and a part of Jubbaland of Somalia (International Crisis Group, 2013). The non-Ogaden residents in Jubbaland are in doubt as to whether the Ogaden clan is planning to strengthen its power in all the three Eastern African states, in order for it to dominate the rest of Jubbaland's residents. The Marehan clan wants the Darod clan to reconcile with the Hawiye clan while minimizing both Ethiopia's and Kenya's interference. The Marehan clan is loyal to both the federal administration and the South-central province.

¹⁰⁶ The current leader of Jubbaland is originated from the Ogaden clan.

Therefore, it seems difficult for Jubbaland PP to demonstrate the stability and self-sufficiency necessary unless Ethiopia and Kenya stay out of its affairs.

B. Relationships: Instead of establishing and maintaining a reciprocal relationship with the federal government of Somalia, Jubbaland relies on instructions and recommendations issued by either Ethiopia or Kenya (International Crisis Group, 2013). Both militarily and administratively, the most reliable body in Jubbaland's capital city, Kismayo, are the Kenyan troops known as Kenyan Defense Forces (KDF). When it comes to sociopolitical, economic, and security issues, it has been observed that Jubbaland does not take a step without guidance from Ethiopia's ministries of foreign affairs and defence (Arman, 2015). This indicates Jubbaland does not cooperate with either the federal or South-Central provincial administration. Jubbaland does have a close relationship with Puntland, however, and this relationship is clan-based.

C. Typology: The Jubbaland potential province does not cooperate with the federal administration. Furthermore, it has a series of internal conflicts resulting in sociopolitical instability. Yet, it can be categorized as an actor and network of potential stability. Since it is still in its infancy, it is expected to be vulnerable to chaos and confusion.

5. 2: 3. Mogadishu PP

A. Background: Mogadishu (also known as Banadir) is Somalia's capital city. It is the largest and most populated city in the country. Since gaining independence, it was recognized as the 18th independent region of Somalia's regions. It had the country's most sophisticated and modern infrastructure including the largest seaport, airport, roads, hotels, and main markets.

Since early 1991, there has been no official and effective governmental administration in the city. Throughout the 1990s, Mogadishu was in a state of chaos and lawlessness. From 2000 to

2012, there have been transitional governments stationed there, but they have never governed beyond their compounds. It was only in 2012 that the current non-transitional federal government was established. Yet this administration cannot operate beyond the Presidential palace and the road to the international airport and seaport. That amounts to four sq. kms. The next two sq. kms are a protectorate zone for UNISOM. Several international embassies (except that Ethiopia has one in each of the three provinces) are located in these six sq. kms (TesfaNews, 2015). The rest of the city and its suburban areas are under the control of different actors and networks of instability/instability; both warmongers and peace-lovers may live in the same neighborhoods, but pursue their interests separately. Thus, with the exception of these six sq. kms, there is no substantial administrative functioning. The local communities have grown accustomed to managing their own affairs.

In Mogadishu, coastal community¹⁰⁷ stakeholders include the organized bodies and individuals that carry out regular activities on and around the coast, such as fisheries, the tourism sector, port services, sea-shell-sellers, local traders, divers, and/or swimmers. These individuals and bodies are basically actors and networks of stability, but they occasionally participate in hostile actors, either for economic or political motives. Each actor directly or indirectly approaches and cooperates with other actors and networks to form temporary coalitions and alliances for economic-based self-interest and other means of well-being. Indeed, “the passion in politics comes from conflicting senses of fairness, justice, rightness, and goodness” (Stone, 1988, p. 25). In Somalia, most of the political associations believe that politics is about cheating and plotting against others (Farah, 2011). Furthermore, both people’s and networks’ political points of view can be inconsistent

¹⁰⁷ The national maritime code of 1959 (Articles 1 & 2) recognizes the demesne of Marka with territorial limits from Eil Gaschere to Danane as under the municipal county of Mogadishu.

(Luca, 2008). That is why most political analysts are in agreement that the case of Somalia is extremely difficult to analyze (Luca, 2008).

Maneuvers: In South-Central, particularly the Mogadishu zone, there is no active administration other than NGOs, warlords, money-lords, faith-lords, and the federal government. Since the federal government is the country's national administration, NGOs can be considered the only sociopolitical and economic actors and networks of either potential stability or stability, as they act as the PP's official administrators. There are numerous local NGOs that gain contracts from some of the INGOs. Their activities, however, are not long lasting; they may exist for a period of time, die unexpectedly, and then continue operating under a different or the same name. Therefore, when identifying one or more of them in my study (e.g. SARACEN), I look at them as examples of actors and networks of instability, because presumably the current ones may disappear over time, and others appear. Daugbjerg argues that "network is a relatively ad hoc policy making structure in which a large, and to an extent unpredictable, number of conflicting interests participate" (Daugbjerg, 1998, p. 24).

The main factor which causes instability within NGOs is any system that attracts sociopolitical and economic actors and networks of instability. They directly and indirectly feed and encourage them by giving sub-contracts to warlords, money-lords, and religious leaders knowingly and unknowingly (Netabay, 2007). The Mogadishu region became a hub for a myriad complex actors and networks of instability, and as such, the zone has not stabilized since the collapse of the central government.

Economic Base: The international NGOs are directly funded by various states and non-state institutions. In order to implement projects in the Mogadishu zone, where they cannot operate

themselves, they give sub-contracts to the local NGOs. That is how LNGOs maintain their budgets and financial status.

Before the war, the production capacity in the Mogadishu zone was estimated at 5,000 tonnes of fish per year (Somali Fish Society, 2010). Currently, due to the lack of infrastructure and means to reach export markets, the actual production is about 2,000 tonnes per year (Somali Fish Society, 2010). There are several trawlers owned by the Somali Federal Government, operating in Somali waters and landing their catch in foreign ports. Their annual catch is not known. Illegal fishing with sweeping trawlers has been observed.

Motives: In the Mogadishu zone, there are divergent motives in different sociopolitical and economic sectors. It is where the majority of the actors and networks of instability operate as a safe haven for criminals (International Crisis Group, 2013). Each of these actors and networks has its own motive and agenda in the political system of the PP as a stakeholder. Some of these networks are deemed to have no clear motive other than to spoil other agendas (International Crisis Group, 2013).

Relationships: Mogadishu's networks have random relations with various LNGOs and INGOs. It is where most of the INGOs implement both humanitarian and development projects. Unlike the rest of the provincial and prospected potential states, Mogadishu's complex actors and networks have never declared a direct relationship with Ethiopia and Kenya. But it seems that each of these actors and networks is secretly connected to Ethiopia, as demonstrated by a number of factors. First, Ethiopia has an embassy and consulate in Mogadishu. Second, the federal government gives special treatment and preference to the Ethiopia's embassy and ambassador over the rest of the embassies and even over the country's federal administration. Finally, Ethiopia's embassy and

consulate are located inside the Presidential palace and the Ethiopia's flag is elevated over that of Somalia (Arman, 2015).

Typology: Even though the Mogadishu territorial zone is where there are the most complicated networks of instability, it can still be categorized as an actor and network of potential stability. The enforcement of law and order are needed to ensure its stability.

5. 2: D. Galmudug State PP

A. Background: The process of establishing the Galmudug state is in progress. Its stakeholders include: Ahlu Sunna Wal Jama', Al-shabab, DamuJadid, Puntland province, the Federal government, Ethiopian army, and several sub-clans fighting over its administration both politically and physically. Galmudug consists of Galgadud and Mudug regions, neither of which has been stable since 1986, which was four years prior to the civil war. Indeed, the civil war in Somalia originated in these two regions (Global Security.com, 2016).

B. Economic Base: The federal government is the primary sponsor of the Galmudug administration. It is not yet clear that the PP receives funds from any other source. In terms of local resources, Galmudug is rich in livestock resources. Every year, thousands of livestock heads are exported to Saudi Arabia and the UAE. Even though this region has a large coast, local fishing activities are very minimal. Only in the Hobyo city of the Mudug region are unorganized artisanal fishing activities. These have been growing since piracy emerged in Galmudug and Puntland in 2010. The local community concentrates on animal husbandry and does not participate in fishing. Thus, its main income sources are livestock, trade, and remittance sent from the Western countries by relatives (Xuseen, 2015). Therefore, there is no clear data on its economy.

C. Maneuvers: Socio-politically, each of the six aforementioned stakeholders and the various local conflicting clans endeavour to be the ruler of the Galmudug's two regions. They have not been stable since 1984. Clan-based conflicts can be described as a chronic disease in the area. The Ethiopian military and intelligence forces are active, especially in the Galgaduud region. Perhaps this is what causes much of the Galmudug's population to suffer from mental illnesses (Xuseen, 2015). As a result, most of these regions' youth go to the neighbouring Puntland for three main reasons: to travel abroad as a stowaway, to be recruited as pirates, or to join the Al-Shabab for a living.

Motives: There are several rival warrior clans. These clans' main motives are grabbing or protecting zones of grasslands. Furthermore, the two regions became the primary target of the Ethiopian forces that are heavily embroiled in Somalia's politics, and patrol this region to avoid terrorist activities (Bissell, et al, 1984). From time to time, Ethiopian forces ambush the region's residents or create clan-based conflicts among them. For instance, on June 2nd, 2015, a conflict erupted after the Liu Police forces of Ethiopia invaded two villages of Galgaduud region, which resulted in the deaths of more than 90 civilians (Horseedmedia.com, 2015). These incursions are a regular part of conflicts since 1992, a year after the collapse of the Somali government.

Relationship: Galmudug has no mentionable relationship with anybody. The potential province's relationship is limited to individual relations which are neither permanent nor official. For instance, each of its stakeholders, such as Al-Shabab and DamuJadid are only delegates from the Mogadishu potential province. Since Mogadishu is the country's capital city, most of the actors and network of instability is headquartered and operated there either openly or secretly. When it comes to livestock exports and food imports, the PP uses Somaliland's seaports and sometimes

those of Puntland. This is based on a mutual trade interest. There are also volatile relationships between Ethiopian forces and the local elders in this potential province (Arman, 2015).

Typology: The Galmudug potential province is one of the most hostile zones in Somalia, but it can become an actor and network of stability upon the establishment of Somalia's governance system.

5.3: Puntland

A: Background: In August 1998, Puntland declared itself a self-governing state of Somalia¹⁰⁸ (BBC, August 1998a; 2012b). Geographically, Puntland is in the eastern region of Somalia, bordering the west with Somaliland (the north-western regions of Somalia), the Gulf of Aden on the northern side, and Ethiopia in the south west, while the Indian Ocean lies on the South-eastern part of Puntland (Puntland Profile, 1998). Puntland has a semi-arid climate with temperatures between 27°C to 37°C (Fowler, 2013). The rain scarcely falls between April and June. The total area of Puntland is, disputably, estimated to be 212,510 sq. km, consisting of seven districts which are Nugal, Ayn, Sool, Karkaar, Sanaag, Mudug and Bari (Puntland Profile, 1998; Fowler, 2013).

B: Economic Base

The state is primarily active in the fisheries, agriculture, livestock, and trade sectors¹⁰⁹. Puntland's coastal territory is rich in fish and numerous other marine resources, while its land is

¹⁰⁸ 2nd Section Article 10, "Negotiations and Federalism" of Puntland Autonomous Declaration states that Puntland Regional State shall be part of a Somali Federal State, and shall negotiate with any party of the Somali factions who truly believe in the restoration and the membership of a Somali Government based on the Federal System. It also declares that Puntland Regional Government shall hand over to the Somali Federal State the institutions including immigration affairs, defence, foreign relation and co-operation, postal official stamp, currency board and measurement units.

¹⁰⁹ In Puntland, Somali currency is in use with the rate of the US dollar exchange, which fluctuates around 1,615.49 per dollar.

full of livestock, wildlife, and agricultural products including a variety of foods, vegetables, and wild fruits. The land is also rich in frankincense, myrrh, Arabic gum, and dates (FAO, 2005). In terms of coastal infrastructure, there is the Alula seaport and airport, Bander Qasim seaport and airport at Bosaso, Eyl seaport, Gara'ad seaport and airport, and the Qandala seaport and airport.

Puntland receives funding from various foreign donors, mainly the Scandinavian states, Australia, the UN: UNDP, FAO, WHO, WFP, and other occasional supports from other states and non-state actors (Hawdin, 2014). The annual budget of Puntland, which depends on foreign donors, fluctuates between \$130 million and \$221 million (Hawdin, 2014).

C. Administrative Capacity

Puntland is comparable to Somaliland in terms of good governance and resource management. Despite challenges in infrastructure and capacity building, it has all three basic governmental branches, being a Legislature, Executive, and Judiciary, actively operating. It also has relatively reliable forces to protect its land and marine borders in case either of Somaliland or 'Galmudug' potential provinces, under the South-Central province, attacks them. In addition to dealing with recurrent internal insecurity activities such as criminality and domestic violence, the Puntland military and police are in open war with Al-Shabab, Somaliland, Galmudug, Pirates, drug-traffickers, human traffickers, and stowaways. It is a strategic zone for several armed political groups, pirates, seafarers, illegal fishers, and toxic dumpers (Murphy, 2008). It is also a hub for youths emigrating from all corners of the region, such as South-Central Somalia, Ethiopia, Djibouti, Eritrea, and Kenya, whose destination is Yemen, and then either to Saudi Arabia or all the way to Europe. Furthermore, Puntland administration faces continuous challenges with a huge number of IDPs who have emigrated from South-Central Somalia and Eastern Ethiopia (World

Bank, 2014). Through this calculation, the World Bank (2014) argues that Puntland has limited control over localized conflicts, militia groups, and piracy.

The province covers almost all the modern governmental offices and economic sectors including administrations, environmental protection, resource sustainability and sharing, political consensus, criminal offences, public relations, federal relations, diplomacy, foreign relations, and social reintegration and harmony policies (Article 2, Transitional Constitution of Puntland Regional Government [TCPRG], 2009). It is based on a combination of Islamic Law, public consensus¹¹⁰, the separation of Government Powers,¹¹¹ ensuring the existence of private ownership and the free market, ensuring the individual fundamental rights of life, security and general stability (TCPRG, 2009). Article 96 of the TCPRG concerns environmental policy and law. Although it focuses on deforestation, erosion, charcoal exportation, and trading of plants and firewood, it also prohibits the pollution of sea, air and land. The article also bans the exportation of female livestock, and the hunting of wild animals for game (TCPRG, 2009).

Puntland's draft policies address fishing rights, resource ownership, resource management, institutional structures, legal and constitutional matters, and financing marine resources. The draft also highlights research on monitoring, environmental protection and conservation, awareness and training, integrated coastal zone management, fishery infrastructure, surveillance and compliance classification of the fishery sector in the Puntland artisanal fishery (Puntland, 2004).

The Ministry of Fisheries has signed an agreement with IUCN/ORI to assist in setting a provincial policy for Puntland (UNDP, 2005). This agreement is a renewal of the collaboration agreement that IUCN/ORI entered into with the collapsed Somali central government in 1998

¹¹⁰ The system of idea sharing and collective decision making.

¹¹¹ Which consists of Legislative, Executive and Judiciary at provincial level.

(UNDP, 2005). The Ministry of Fisheries also approached PERSGA, in 2004 for the same purpose (PERSGA, 2002). In terms of maritime security policy, laws were defined in Puntland Piracy Law No 18, 19 November 2012, Law on Transfer of Convicted Prisoners of the State of Puntland 15 November 2012, (Presidential Decree Ref: MW/DPS/229/2012 of 17 October 2012), and Amendment of Law on Transfer of Convicted Prisoners of the State of Puntland 17 November 2012.

D. Puntland Marine Police Forces

The international community has frequently asked Puntland and other regional authorities to increase their efforts to establish security and the rule of law in the long coast of the Horn of Africa and the Gulf of Arabia. Large sums of money have been paid by the international community to both Puntland and federal administrations for this cause (Bridger, 2013). To answer these calls, Puntland has established the Puntland Maritime Police Force (PMPF) (Garowe Online reports, 2013). PMPF has been attentive in combating piracy (Mail and Guardian, 2013, Bridger, 2012; Rider, 2015).

Puntland has been struggling to construct the first navy base in Somalia since the collapse of the central government to maintain its own security, property rights, and taxation authority. Upon the emergence of piracy, the province formed SARACEN in May 2001. Through SARACEN, Puntland began training and mentoring a significant number of local militias. The trained militias became the Puntland Marine Police Force (PMPF). Over 1,000 strong local counter-piracy militia based in Bosaso were then trained (New York Times, 2012; Rider, 2015). The PMPF began fighting against both piracy and IUU fishing, and to this end, carries out 24-hour Sea patrolling throughout the provincial coast (New York Times, 2012).

The PMPF's mission is to promote "peace and stability in the region by deterring, detecting, and eradicating piracy, illegal fishing and other coastal crimes; protecting marine resources; and delivering much-needed humanitarian relief supplies to the Somali people" (Rider, 2015, p.1).

The latter mission, delivering humanitarian relief, is symptomatic of the greediness of the Puntland administration, and has caused corruption and criminality among the PMPF. The province's administration is eager for international support. They expected the PMPF's humanitarian assistance work to support its counter-piracy efforts and bring stability to the region (Bridger112, 2012).

"The PMPF's humanitarian efforts include: the delivery of relief supplies, medical supplies, food and water; refurbishment of hospitals and medical clinics, including mobile clinics to serve remote areas; and improvements to road, airports and other critical infrastructure. The PMPF also uplifts local communities through providing training programs that teach valuable skills. Improving stability and security in the region helps to ensure the safety of those engaged in urgent humanitarian efforts" (Bridger, 2012).

E. Maneuvers: Politically, the structure of the Puntland province consists of the Legislature, Executive Body, and Judiciary. The legislative house of Puntland is made up of 66 members, of which only two are women. Most of the sub-sub-clans of the Harti sub-clan of the Darod clan have representatives in this house (Puntland Profile, 2009a). The Executive Body consists of the President, the Vice President, and nine cabinet ministers (Puntland Profile, 2009a; 2012b). The Judicial body seems to be less active compared to the other two houses. It mostly operates in an ad-hoc manner on a case-by-case basis. There are, however, fairly active socio-legal rules and regulations. There is also a draft of policy instruments in place. In Puntland, there is no political party because the leadership of the autonomous state is de facto shared by three sub-sub-

112 Foreign Policy 2013. Bridger, James is a maritime security analyst and piracy specialist based in Washington. Jay Bahadur is a freelance journalist and author of *The Pirates of Somalia: Inside Their Hidden World* M&G.

clans of the Majerten, being a sub-clan of Darod. These sub-sub-clans are: Omar Mohamud, Isa Mohamud, and Osman Mohamud who are all the descendants of Mohamud Saleban (Johnson, 2008), and as such, can be identified as one family¹¹³.

Consequently, four out of the seven districts that Puntland administration claims to control, which are Sool, Sanag, Nugaal, and Ayn, have formed their own regional administration called “Kahtumo” (Somalonline.com, 2012). These 4 districts have never been recognized either internally¹¹⁴ or externally¹¹⁵. Each of Somaliland, Puntland and Ethiopia (of the main regional stakeholders), rejected the formation of Khatumo state (Somalonline.com, 2012). However, Khatumo residents insisted on being an independent entity from Somaliland and Puntland¹¹⁶. Somaliland has claimed at least two of Khatumo’s four districts, and has waged constant attacks on it, conquering more than half of the territory (BBC, 2012). This has, inadvertently, fuelled the long rooted conflict between Somaliland and Puntland, because Khatumo’s denizens and those of Puntland share blood lineage.

F. Motives

Puntland’s primary goal is to attract financial and technical assistance from UN Agencies and the International community. Its secondary goal is to defend the dignity of the autonomous administration in the eyes of the international community, while also protecting the lives of its youth from being killed in piracy activities.

¹¹³ Decentralization of the governmental power and multi-party system are also two other instruments written in the first draft of the Puntland constitution, but seem to have been abandoned.

¹¹⁴ Even though in the beginning the formation of Khatumo was encouraged and supported by the Somali federal government, it was later on condemned and politically disbursed. Obviously, the reason is that Khatumo has been technically sandwiched by Puntland and Somaliland of which each claims some parts of Khatumo. As a result, the Federal administration has preferred not to lose these two powers that Khatumo is in between.

¹¹⁵ international and regional community

¹¹⁶ its formation headed by Professor Ali Khalif Galaydh, Professor is an American citizen and prominent Professor of several universities in the US. He is also a former Prime Minister of Somalia during 2000-2002.

Since the start of the Somali reconciliation conference in Kenya, which took place from October 2002 to October 2004¹¹⁷, Puntland's administration campaigned for a federal system in Somalia. The Garowe Principles of 2012 and 2013 continued to push for a federal structure in 2012 (Puntland State of Somalia. 2013). Being the initiator of the federalism, Puntland endeavours to demonstrate it has control over the rest. It even dares to dictate what the federal administration should do, and how they should go about it. Other provinces perceive that Puntland intimidates the federal administration to obtain its self-interest. Politically, Puntland has already achieved, at least, eight of its major goals which are to:

- Have one of its representatives appointed as the Prime Minister of the federal Republic of Somalia
- Educate and employ a large number of the Puntland's youth
- Prevent the secession intended by Somaliland by hindering any international/regional recognition that might be given to Somaliland
- Rebuild the lands of the Majerten sub-sub-clan of Darod
- Secure an autonomous region which is exclusive for the Harti sub-clan of Darod which is headed by the Majerten
- Secure the establishment of Jubbaland as another autonomous region that is exclusive for the Darod clan
- Assure the superiority of the Majertens over the rest of the clans, and has been assured
- Obtain its full share from the national revenues of the federal sea and air ports.

¹¹⁷ This conference was continuously going on throughout these two consecutive years.

Now, Puntland is struggling to obtain extra representatives in the federal parliament (ACCORD, 2009).

G. Relationships: Puntland has an amicable relationship with Ethiopia. The Ethiopian ministries of defence, foreign affairs, and education actively operate in Puntland as if it was a region of Ethiopia (Life & Peace Institute, 2003; Mehler, et al., 2009). The school curriculum in Puntland, with the exception of some Arabic schools, is the same as Ethiopia's, and many of the high school graduates are sent to Addis Ababa to enrol in Ethiopian universities (Mehler, et al., 2009). Puntland's office, other than the Presidential palace, is the Ethiopian embassy/consulate. Puntland argues that the intertwining of these institutions constitutes a relational agreement, and thus, Puntland and Ethiopia have a legal and diplomatic relationship (Mehler, et al., 2009).

Since Puntland suggested a federal system for Somalia, Ethiopia has diplomatically prioritized Puntland over the rest of the Somali provinces by dealing with it amicably (Arman, 2014). On the other hand, most residents of the South-Central continuously condemn the alliance between Puntland and Ethiopia. They fear that Ethiopia may colonize Somalia through Puntland.

Puntland has signed several agreements with the Federal government. Among the notable agreements, are: The distribution of the international aid to Somalia, the revenue of the country's main seaport and airport in the capital city, and other national resources. Puntland receives a third of the revenue from each. The two also agreed to not intervene in each other's internal affairs, while giving special respect to Puntland's marine and land borders (Michael, 2011). Discussions of sharing military forces, security forces, foreign diplomatic missions, taxation, national resources, and environmental responsibilities have yet to be finalized (ACCORD, 2009).

Analyzing the relationship between the Federal government and Puntland, it seems that the latter has the upper hand. For instance, in August 2013, Puntland temporarily broke off its relations with the Federal government when the Federal President appointed a Prime Minister who was not from Puntland. The same thing happened in August 2012, after the Federal administration attempted to annex Puntland's region called Mudug to the Galmudud Province in order to establish a new province named Galmudug.

H. Typology: Puntland has always been suspicious of Somaliland, South-Central, and the federal government. These administrations are predominantly led by Puntland's rival clan members. Despite moderate corruption, however, Puntland is active in terms of administration, good governance, development, and environmental protection. These characteristics make it an actor and network of stability.

5. 3. 2: Non-State Actors and Networks in Puntland

5. 3. 2. A: The Fisheries Based Networks

A: **Background:** The key non-state actors on marine issues in Puntland are more numerous and complex than those in the other two provinces. Among them are artisanal fisheries, local communities, trade fishing companies, private security firms working as coast-guards, and political destabilisers such as money-lords, religious-lords and several other actors and networks as mentioned in chapter four.

B. Puntland's Coasts, Coastal Communities and Artisanal Fisheries

In some areas of Puntland like Bosaso city, fishing provides direct employment for thousands of people during the eight months of the fishing season. It also provides indirect

employment for people working in restaurants and other enterprises run for the benefit of the fishing community. Some entrepreneurs take their families with them to the coast, thus creating temporary settlements for several purposes: getting temporary employment, training their children in fishing, visiting relatives, and more. Lovatelli (1996) has taken a full assessment of the fishery sector and its impact on the environment in Somalia. In his study, he mentioned that there are more than fifty identifiable artisanal fishing communities located at different points along the Somali coast, especially along the Gulf of Aden. These fishing activities range from small village fisheries led by community elders to larger groupings associated with a central facility such as a port, ice-maker, or fish company (Lovatelli, 1996).

Puntland fisheries seem to have partially recovered from the aftermath of the civil war even in spite of the tough challenges they faced. In 1998, one of the most productive canning factories called “Las Korey” was fully rehabilitated by the private sector with the help of UNDP. Since then, the Las Korey product of canned fish is exported to Eastern Africa, Europe, USA, and Canada. Currently, the factory is in severe crisis as illegal foreign fishing companies have sabotaged it in terms of both market competition and fish production. Therefore, its existence is very tenuous and may be on the verge of collapse (Somaliland Development Fund (SDF). (2015). In terms of unions and insurance, there is no officially recognized marine-led trade union or business association registered with either domestic or international bodies. Therefore, it seems that the stakeholder networks operating in the South-Central Somali basin are neither unionized nor insured.

There are a large number of small-sized fishing companies operating in Puntland, of which some are registered. Some of these companies were originally established in the form of local humanitarian NGOs in order to attract funds from foreign donors and enterprises, while others are

pure fisheries. Some are professional while others are not. The most notable of these fisheries include:

1. **SANURA:** A professional marine fisheries company whose vision is to engage in producing professional fishers and who may provide consultation and advice to fishery producers and traders. It intends to carry out research and surveys on marine products and fish markets. It seems, however, that the company has failed to meet these goals due to a lack of funding and moral support.
2. **Ladan:** A fishery co-operative which is one of the most active fishing companies in Puntland. It is based in Bossaso, the economic city of Puntland. It was formed by a group of professional fishermen (UNDP, 2005).
3. **Mobilise Artisan Fisheries:** This is a mechanical company dedicated to building and repairing fishing boats. It also rehabilitates broken marine engines with the help of INGOs and Banks (World Bank, 2014).
4. **Barwaqo:** This is a fishing company that buys and sells fish products, establishes fish market outlets and supplies fish products alongside the coastal towns of Puntland.
5. **Las-Qoray:** This is a for-profit tuna factory that specializes in producing tuna. Its main aim is to promote employment by creating job opportunities in the province.
6. **Bile Company:** This is a small-sized company that can be identified as one project owned by one man. It attempts to trade shark fins and meats of marine animals. The owner of this company, Mr. Bile, seems to be lacking basic means and a workforce, due to low investment. Consequently, the company fails to establish relations with the society, and this has affected its roles in production and marketing.

7. **Suudi Company:** This is a fishing company owned by Mr. Suudi. It manufactures gear and marine engine spare parts, but sells a few of its production for two reasons: First, local communities prefer to buy and use spare parts made in the Western countries. Secondly, the owner has no proper relationship with the local community. These two factors are among other factors that make the company less productive.
8. **Shafici:** This project often operates as an NGO, and sometimes operates as a sub-contractor or a mobile project serving under the “Fisheries and Marine Services.” The latter is a local organization receiving contracts from various INGOs that operate in Bosaso, Puntland. It is devoted to distributing fishing boats and fishing gears to the local fisheries owned by low-income families, groups and individuals.

C. Maneuvers: The early registered group of these small-sized and non-professional fishing companies cooperate with the provincial Ministry of Fisheries and Ports, despite the Ministry’s dismal capacity. However, the provincial administrations and these companies are insignificant compared to the networks of instability. There have been several attempts to establish a comprehensive policy to administer marine resources and fisheries in Puntland over the past few years, but so far they have been without success. In the Feasibility Study for the Fishery Sector in Puntland 2005, Puntland stated that the vision for its policy, which still is in draft, is that marine and coastal resources “belong to the entire people of Puntland, who share equally in a fair and transparent manner, a marine environment that is healthy, free of pollution, waste, and degradation” (UNDP, 2005, p. 4). The statement also underlined that “the sea of Puntland is rich in quality of forms of life, production and accessible to create equitable opportunities for sustainable development” (UNDP, 2005, p. 3).

In fact, the diversity and abundance of marine resources have, over the years, led to the development of a range of fishing activities geared to harvest the variety and diversity of fish species present in the coast. These have included industrial, subsistence, and artisanal sectors¹¹⁸. Though the aforementioned types of fishing are commonly practiced in the country, it is not always easy to precisely distinguish between the different fishery sectors and the methods they use. This is not only because specific definitions are lacking, but also because there is considerable overlap between the sectors, in terms of both the types of species harvested, and the methods utilized to harvest them. This not only leads to frequent environmental damage, but also makes any future project on environmental sustainability and assessments difficult and complex.

D. Motives: The activities of the local fisheries of any size or capacity in Puntland are positive, yet they occasionally undertake unsustainable fishing operations due to greed. Their motives are, for the most part, to benefit from the natural resources in their coastal territories. Their fishing activities, however, are more primitive and thus moderate, due to a lack of capability. The nature of the fishing operations is largely opportunistic. Reef-associated line-fish are caught with hand-lines, and comprise a wide variety of species that are mostly placed on ice and consumed locally, or at least, within one day's drive from the port. Sharks are taken with gillnets and lines, predominantly for their fins which are removed at sea. Most of the carcasses are then dumped and wasted, although at times the flesh is salted and dried before being exported to other countries such as Kenya and United Arab Emirates (Ploch, et al., 2011).

The limited survey data available for demersal fish stocks throughout the continental shelf area presents a serious difficulty in the estimation of sustainable levels of exploitation and the

¹¹⁸ Like the South-central's seashore, fishing activity has had negative impacts on the environment, where domestic waste is directly discharged to the sea to the extent that sometimes sea water is used as latrines and garbage dumps.

extent of environmental damage. The actual problem is overfishing and overexploitation of numerous other types of marine resources. All the studies have found, however, that there is rapid decline of fish and other marine ecosystems. It is anticipated that the highest densities of both demersal and pelagic fish stocks and poisoned fish will be found in the up-welling enriched waters of Puntland (UNDP, 2005). Despite these difficulties, a factor contributing to the recovery of the Puntland's fisheries is that the majority of the local communities are involved in fishing and fish-led activities.

“In rural areas, almost every one (nomads, farmers, etc.) takes part in the fisheries at some level. The arrival of internally displaced persons (IDPs) from the central south Somalia during the past 15 years has radically changed the scenario of the fishery sector in Puntland. Most of southern Somali fishermen are now in Puntland coastal towns and villages, where they have the opportunity to work and earn under more peaceful circumstances and where they have been able to utilize their skills and techniques on fishery and boat maintenance. Due to these movements, the amount of fishing gear and boats has almost tripled, even though the infrastructures to support such activities remain inadequate in most parts of Puntland” (UNDP, 2005).

E. Typology: Most of the Local fishing companies in Puntland are registered by the Puntland's Department of Fishing. They follow the instructions and guidance given to them by the department. They still face a series of constraints, however, including a lack of technology, investment, know-how, and the challenges of the foreign networks of instability. Based on this evaluation, Puntland's various types of local fisheries are collectively actors and networks of stability.

A. SomCan

Background: SomCan is a Somali-Canadian company which started its business as a fishing company. Later on, the company changed its task from fishing to coast guarding. It endeavored to be the only one company to operate in Puntland as a private coast guard and began its campaign by:

1. Having special meetings with the head of Puntland province, and convincing him to rehabilitate the pirate criminals and suspected pirates
2. Reaching out to pirates and convincing them to meet with religious leaders and community leaders (Jonathon, 2012).
3. Preparing special meetings between pirate leaders and sheikh Abdul-qadir Ga'amey, who gave them a series of religious admonitions (Said, 2012).
4. Establishing relations with other fishing companies and coast guards operating in the Red Sea of both Puntland and Somaliland, such as Fisheries and Marine Services, Shifco and Shuraako
5. Organizing workshops about piracy prevention and proper management on marine resources.

Economically, SomCan's revenue is based on royalties given by the Puntland province out of the fines charged against the marine criminals trading off the Horn of Africa's EEZ. These criminals include both local groups and individuals, such as pirates, terrorists, and smugglers, as well as foreign trespassers such as illegal fishers and seafarers. SomCan renews its contract every year but has been inactive in the region since 2012 (Jonathon, 2012).

Maneuvers: SomCan has been working as Puntland's Coast-Guard since 2001. It has been weakened by several challenges, such as: internal corruption, corruption in the province's administration, and a lack of salary payment. On top of these internal issues, there have been frequent indiscriminate attacks led by either the American or European navies against SomCan's naval employees after being mistaken for pirates (Said, 2013). Although SomCan was once considered the most powerful coast guard in the Horn of Africa, once hiring over 210 well-trained naval forces (Said, 2013), it is currently very weak and ineffective.

Motives: Puntland's main motive is to show the world it could be an ally in the fight against piracy and marine terrorism. It has mobilized a considerable garrison of coastguard officers, albeit

these forces' functionality and quality fluctuates depending on the circumstances. SomCan, although weakened nowadays, has maintained a reciprocal relationship with the provincial administration and has been a law-abiding institution.

Typology: SomCan has positive intentions, but faces critical constraints. According to its operations (its missions are not officially documented), it can be categorized as an actor and network of stability.

5. 3. 4: Artisanal and Illegal Fisheries in Puntland

From 2012-2014, there has been a considerable reduction in both piracy and illegal fishing activities in Puntland. By the end of 2015, however, local fisheries in the towns of Bargel, Gara'ad and Eil of Puntland were interviewed by One Earth Future and BorameNews (Sayle, 2015). The fisheries and majority of the community elders said that almost all the traditional nets known as "Jarriif" were completely destroyed. They also said that the most famous mangroves and seaweeds in the area were uprooted.

As a result of this, many of the local residents have resorted to marine terrorism and piracy in order to defend their territory. They have invited some prominent pirates to return to the community with their piracy skills and technologies (Sayle, 2015). Those in the fisheries as well as elders have mentioned that they have observed NATO ignoring the illegal trawlers, even though they could have prevented them from crossing into Puntland's sovereign territory (Sayle, 2015). This indicates that international observers do not care about Somalia's sovereignty rights and resources, but rather about the transnational security and worldwide terrorism. The U.N. monitoring group on Somalia and Eritrea's weapon embargo has reported that almost all the revenues from illegal fishing fall into private accounts in various countries (UN Security Council,

2011). They have also found that certain individuals based in the UAE issue fake licenses (UN Security Council, 2015).

Dozens of illegal trawlers, mainly from Asia, continue to harvest multiple species of fish and other vertebrates, as well other types of marine resources in Puntland's EEZ. In 2015, One Earth Future in the US reported that over 132 tons of fish had been harvested from Puntland in 2013 (Sayle, 2015; Ploch, et al., 2011). Over 20 countries, including Yemen, Iran, Egypt, Spain, and France, were condemned for illegal fishing in Somalia. Iran only harvested 45 to 180 thousand tonnes of fish in 2014 (Ploch, et al., 2011). Most of the trawlers caught in Puntland displayed licenses issued by some of the leaders of the provincial state. Moreover, some were guarded by well-armed Puntland soldiers. When these licenses were sent for verification, however, most of them were found not to be registered and unknown to most of the concerned institutions and officials.

The Department of Fishing did not recognize most of the signatories and body-guards, while the ones that were recognized were issued outside of the province's legal procedures (Ploch, et al., 2011). As such, it seems that many of Puntland's officials are self-serving individuals who do not hesitate to sell public resources for personal profit. As explained by Fowler "The piracy industry revitalized Puntland's economy. The negotiation of ransoms necessitated the adoption of advanced technology and cell phones. Restaurants catered to the needs of pirates and their hostages. Housing units were built, and consumer goods were produced to meet the needs of the pirates" (Fowler, 2014, p.2). Money circulation started and most stakeholders have begun to sell, buy and trade commodities. BBC reported that piracy boosted the economy of Eastern Africa at large and Puntland in particular (BBC, January 12, 2012).

Since there was an economic boom as a result of piracy, local actors and networks started to act politically, by being courageous enough to rebel against the existing systems that dominate them, including the Ethiopian army. This has created an environment in which pirates are a part of the local communities. Community traditional policy enforcers, private coast guards and Puntland police accept the pirates' leaders as long as their actions do not constitute serious threats or on the ground that such a pirate leader is a wanted by a foreign government. This may end the isolation of the pirates and initiate their rehabilitation. It will create an environment in which pirates can come back to their communities. If they come back and abstain from piracy and any other illicit and illegal activities, their positive actions would be accepted and appreciated while their negative actions would be condemned. This could lead to either engagement or disengagement on the part of the pirates.

Motives: This network's motive is profit, regardless of property right to the resource they are profiting. This encourages the network to engage in stealing and looting, which eventually encourages violent and aggressive activities. Therefore, this network destabilizes the country's security, environment, economy, politics, and social stability. Moreover, the network never accepts participation and negotiation, and does not have any relationship with the local communities, except recruiting local individual agents whose motive is limited to earning their daily bread.

5. 3. 5: Key Security-led Actors and Networks in Puntland

Introduction: In Puntland, there were several initiatives to stabilize and securitize the maritime zone during the peak of piracy. SARACEN, Halliday Finch, and SomCan are the key privately owned and operated coast-guard companies which have been established, and the top ten artisanal fishing companies were registered. At the same time, the Puntland government

established the Puntland Marine Police Forces (PMPF) to replace or overwhelm the privately owned security companies.

A. SARACEN

Background: In response to Puntland’s request, the UK and other European States, immediately extended both financial and technical support to Puntland. Following that funding, the UK-based security company known as SARACEN International was contracted to operate in the coastline of Puntland. It is headquartered at Bandar Siyad, which is 25 km West of Bosaso city. SARACEN developed a considerable military facility, provided training programs to the public, and in 2013 developing training programs for the provincial forces (The Wild West in East Africa, 2013). The company encountered a series of critical challenges, however.

To build and strengthen the economic base of the SARACEN, the UK, EU, UAE and some other European and Arabian states financed its mission. “Flush with about \$50-million in start-up funds from the United Arab Emirates (UAE), SARACEN came equipped with flatbed trucks, marine patrol aircraft, and Alouette IIIs – French light helicopters primarily used for reconnaissance” (The Wild West in East Africa, 2013).

Maneuvers: Most of the international organizations condemned SARACEN for taking a cruel approach to anti-piracy missions, arguing that their actions violated human rights. The organizations also condemned SARACEN for mistreating and torturing Somali anti-piracy trainees and workers. The U.N. monitoring group on Somalia and Eritrea inspected it, and found it culpable of three major offences. Specifically, SARACEN has:

1. Beaten to death a considerable number of Somali trainees in the course of grueling training sessions (Bridger, 2013).

2. Violated the arms embargo that has been in place in Somalia since 1992 (Mazzetti, 2012).

3. Sustained a deep-rooted relationship with a discredited company called “Sterling Corporate Services,” where SARACEN has sponsored and recruited more than hundred foreign mercenaries from Somalia after Sterling was dissolved by the international community (Bridger, et al., 2012). As a result, the UN Security Council delegated the African Union to integrate the anti-piracy force into the sanctioned Somali forces, such as the national army, with the help of Bancroft Global Development, a private military security contractor in Washington, D.C. (Young, 2012). The African Union delegated the task to its branch in charge of stabilizing Somalia, “AMISOM”.

The AMISOM administration (operating in South-central) protested against SARACEN, and hence, the United Nations Monitoring Group in Somalia put pressure on them (Globalresearch.ca). The Somali federal government launched complaints about SARACEN and requested the cancellation of its license. All of these complaints had no effect, however, until a new conflict arose between SARACEN and its provincial host state, Puntland (Weldemichael, 2014). As SARACEN was rejected by the non-Somali stakeholders, Somalis rejected it as well. In 2012, one of the SARACEN’s most prominent trainers was fatally shot by a Somali trainee. This resulted in internal chaos, followed by a lack of funding. SARACEN was thus forced to temporarily close its office, leaving behind a well-equipped and trained, but unpaid security force (New York Times, 2012).

Motives: SARACEN has an official document describing its goals and objectives as well as mission and vision statements. Yet, the way they have conducted their operations indicates that they are economic and political opportunists. SARACEN seems to be the best example of how stakeholders have many motives, due to their basic interest in self-financing and promotion.

Upon the cancellation of SARACEN's license, the members of its battalion, with a few exceptions, formed the best-equipped military force in Somalia, second only to the AMISOM battalion based in the capital city. The former members of SARACEN mobilized over 1000 well-organized, well-equipped and well-trained soldiers (UN Security Council, 2012). These soldiers ended up to serving the interest of the President of Puntland, however. They acted as his personal body-guard instead of carrying out their duties as provincial coastguard and security forces. They were used as a military infantry by the office of the President against political rivals, such as those conquered in the Galgala district under the leadership of Mr. Attom (Hansen, 2012: 263).

Ultimately, SARACEN did not leave the country for good. It plans to re-establish its navy-like military with a revamped strategy and policy. It is soliciting both provincial and national authorities to issue a new license for the continuation of its operations (Radio Mogadishu, Monday evening news, 2012)¹¹⁹.

Typology: By evaluating SARACEN's activities, it is apparent that the organisation has a hidden agenda which is hard to fathom. The company is obsessed with having an official license to operate in Puntland, but not ready to cooperate with either the provincial or the federal government. As such, SARACEN is an actor and network of instability.

B. Halliday Finch

Background: Halliday Finch was founded by a former British military officer, Sam Mattock, based in Nairobi, Kenya as a security company operating in Somalia. Although the founder has gathered a number of forces well-trained in combating pirates, his mission, vision, objective, and role has never been clear. Again, even though the company claims that it has a valid contract with

¹¹⁹ This indicates that most of the activities in the country are neither permanent nor stable as long as the country's political instability is continuous.

Puntland's government, the government denies issuing such a license (EU NAVFOR, 2015). Somali public opinion is that the mission of Halliday Finch is one which seeks to collect and share Somali marine resources outside the country through illegal joint ventures, involving Somalis and non-Somalis (EU NAVFOR, 2015).

Halliday Finch also engages in oil exploration, trading, and other business matters (SomaliReport.com, 2012) despite claiming to be a security company. Puntland citizens deemed that it makes a great deal of money on these complex illegal businesses, and it is a broker for other illegal companies (Murphy, 2007; 2009). This has damaged its credibility, and has led analysts to come to the conclusion that Halliday Finch is an actor and network of instability.

5. 4: Somaliland

A: Background: Somaliland is a self-styled state which has never been recognized by any state or non-state organization in the world. Since its formation on May 18, 1991, the administration has sought recognition from international and regional bodies. But to date its President travels with the Somali passport. Its constitution states that the separation is a final decision and non-negotiable.

In early 1998, there were over 866 functional motorised Glass Reinforced Plastic (GRP) vessels¹²⁰ (Dubad, 1998). In the year 2000, the number of fishermen who were actively engaged in the fisheries sector, and making a viable living off of it, were estimated at 4500 (Tako, 1998), though numbers vary considerably in the coastal regions of Somalia¹²¹. The greater majority of

¹²⁰ Glass Reinforced Plastic (GRP) is the mainstay of production boat construction throughout the world.

¹²¹Afterward, there is no concrete data. Observing the number of vessels actively engaged in fishing is not reliable, because sometimes, there is no distinction between foreign fishing vessels and local ones, as well as there is no distinction between regular and temporary fisheries. Similarly, the largest number of traditional fishing boats, i.e. the canoe-like Huris and the larger wind-powered Mashuas and Bedens were counted to be effective.

these unaccounted fishermen are not working in the field either, because they lack fishing equipment and/or boats or because local or export markets are not available (Dubad, 1998).

B. Maneuvers: In 2013, the Turkish government tried to negotiate between Somaliland and the rest of Somalia (Somaliland Nation News, 2014). Somaliland demanded the agenda of the negotiation to be limited to sharing the control and revenue of the airspace, however. The negotiation ended without resolution, and Turkey insisted that if Somaliland needs aid that they seek it through its embassy in Mogadishu. In Somaliland, there are three official political parties registered which operate under some form of democracy. These political parties are UCID, Wadani and Kulmiye. In terms of piracy, it is worth noting that the current President of Somaliland, as a former leader of Somali National Movement (SNM) rebels in 1988, is the one who first introduced piracy in Somalia (Murphy, 2008). He ordered his rebel militia to hijack two privately owned ships full of sugar and rice for ransom (Radio Mogadishu, 1988).

B1: Government Structure and Administrative Capacity

Somaliland's government remains a unique institution that has been at the heart of clan-based power sharing. Each of the executive, judicial, and legislative branches are functional, but dominated by the Isaq sub-clan of Dir. The legislative house is made up of 82 members, of which only two are women (The Guardian, 2014). In its early establishment, there was not even a single woman, but later on, one was added, and one more was recently added, as a result of substantial pressures from international donors and feminists¹²².

¹²² Some female activists led by Suad Abdi have been bitterly fighting for women's rights to participate in the country's political activities starting from the Parliament.

The legislative house was initially built on a clan-based quota. Each of the clans in the territory was given a number of representatives. Such a representation has never been explicitly based on a fair proportional quota. Isaq, the most powerful clan, takes the lion's share. Approximately 75% of the leaders, managers, personnel, and junior employees (in each of the three departments) are from the Isaq clan, while the rest (Dhulbahante, Gedo-birsay, Warsangeli, Isa, Dami, and others) share the remaining 25% (Abokor, 2006). Somaliland has an elected central government and a weak but functioning system of local government (World Bank, 2014).

B2: Administrative Capacity: In Somaliland, there is a formal Ministry of Fisheries and Coastal Development. In this regard, the Minister has promulgated the Somaliland Fisheries Law which fifteen Articles pertaining to jurisdiction, data gathering, licensing, penalties, and the promulgation of regulations to manage fisheries. Although this enabling legislation provides a good initial basis for fishery control, the capacity to implement it may be insufficient.

Several fisheries officers have been appointed, notably at Berbera. These officials generally appear to be relatively well trained, but poorly equipped to deal with future monitoring activities. If one intends to assess their activities relating to law enforcement, however, one will find that they were not concerned with implementation before 2010 (World Bank, 2014). Based on their actions, it is clear that the final authority to apply the law rests with the central government. Therefore, they are reluctant to work seriously and assiduously. More recently, there has been a sign of positive change. There have been many articles written about how the administration of Somaliland has failed to bring about any developmental or environmental progress (World Bank, 2014). These prompted Somalilanders to collectively demand that both land development and resource management be conducted to foster environmental sustainability.

In terms of marine security, Somaliland plays a significant role in combating piracy. It has mobilized an organized coast-guard force, which routinely carries out marine patrols along Somaliland's coastline (Gilmer, 2014). In contrast with other provinces, most of the NGOs in Somaliland are licensed, under contracts or other forms of official agreements with the autonomous administration. The same policy applies to the local and foreign fishing companies, albeit with limited authority on the part of the government and a lack of know-how on the part of the fishing companies.

B3: Economic Base: Somaliland's economy is based on foreign donations given by various developed states. Sweden, Denmark, Norway, the UAE, UK, USA, and Netherlands, and the UN, UNDP, FAO, WHO, and WFP are among the main donors to Somaliland. Its annual budget fluctuates between \$220 and \$300 million (Hawdin, 2014). In 2014, the Somaliland Development Fund (SDF) was formed between the Somaliland government and the international donors. SDF is in charge of contacting and maintaining a good relationship with the international donors. The SDF's budget is provided by the Danish International Development Agency (DANIDA), Britain's Department for International Development (DFID), Norway and the Netherlands (SDF, 2014).

At the local level, Somaliland generates a remarkable amount of money from the Berbera and Zaila' seaports as well as Hargeisa and Berbera airports. Given that this is internal revenue, the authorities charge levies and taxes on the local businesses for import, export, and retail activities. In order to reduce corruption and maladministration, the Revenue Policy and Administration of Somaliland has established a special agency known as Somaliland Revenue Authority (SLRA) (Mehler, et al., 2008).

Some of the fishing boats used in Somaliland were manufactured in the country by aid projects funded by FAO, but these projects were in their infancy when the civil war broke out. Gears and

spare parts needed are rarely available for sale. While conducting my research, I did not find a study indicating the quantity of fish caught in Somaliland, but the most active fishing in Somalia (excluding illegal fishing from foreign trawlers) is carried out along coastal waters.

Local artisanal fishing communities exploit most of the valuable marine organisms found along the entire coastline of the country, though the level of exploitation is far below the potential sustainable capacity of the territorial waters. Sometimes, the levels of fishing activities decrease due to the lack of functional infrastructure. The over-exploitation of demersal and pelagic fishing has reduced stocks for the fresh and frozen markets. Smaller quantities are being fished, most of which are gutted, salted, sun-dried and then exported to Mombassa, Kenya both by sea and by air (Dubad, 1998).

Very small volumes of fresh fish are being consumed in the country itself and mainly by a small percentage of the inhabitants of some of the larger settlements along the coast, including Berbera and Zaila (just like Bosaso of Puntland and Mogadishu and Kismayo of South-Central). Due to the absence of infrastructure such as ice plants, and a lack of adequate means of transport and processing facilities, the industry is limited to the production and marketing of sun-dried and salted products. Sharks as well as a variety of demersal and pelagic fish species are therefore utilised. Although reliable figures are not available, the total quantities of dried products produced and exported in the last few years is likely to have been very low. In order to increase fisheries production, Aden Gulf Fisheries Company and Horn of Africa Fishing Company in Zaila announced their unification on October 18th, 2014 for full-scale production (Hadhwanaag, 2014).

C. Motives: With the hope that the mass media will publicize their success, the primary motive of Somaliland is to demonstrate military stability both on land and sea in order to be acknowledged as a legitimate state. Somaliland's adoption of democracy will make it a legitimate candidate for financial assistance and international recognition as a newly stable, functional, and independent

state. Somaliland's alternative motive, if forced to remain as a province of Somalia, is to lead Somalia or, at least, to obtain a half share in each of the country's political and economic activities.

D. Relationship: Somaliland has a reciprocal relationship with Ethiopia, Djibouti, and the EU (which gave development aid, though not recognition), but not with the neighbouring Puntland (The Guardian, 2014). It offered Ethiopia the use of its seaports at a discounted rate (The Guardian, 2014). Ethiopia pays less attention to Somaliland's seaports, however, due to either its lack of facilities, or Ethiopia's desire to respect international laws pertaining to Somalia's sovereignty (The Guardian, 2014; Waldo, nd). Somaliland has repeatedly approached Djibouti for a state-level relationship, but Djibouti stated that it does not want to jeopardise the unity of Somalia (Geelle¹²³, 2000).

At the national level, Somaliland has had a prolonged conflict with Puntland, viewing it as its main enemy. The conflict between the two provinces goes back to the primitive age of clan based conflicts in the Horn of Africa. At the local level, it seems that the leading clan of Somaliland, being Isaq, is being sanctioned and scapegoated by the rest of the Somali clans. The clan has no interaction whatsoever with any of its fellow Somalia clans (Kaplan, 2008).

5. 4. 1: Non-State Fisheries and Security Actors and Networks in Somaliland

A. Artisanal Fisheries and Trade Fishing Companies

In Somaliland, fishing operations are largely opportunistic. Reef associated line-fish are caught with hand-lines and include a wide variety of species that are mostly placed on ice and consumed locally, or at least within one day's drive from the port. Sharks are predominantly taken with gillnets and lines for their fins which are removed at sea. Some of the carcasses are then

¹²³ Mr. Geelle, Ismael Omar is the President of the Djibouti state.

dumped and wasted. This usually contributes to seashore dumping, and diffuses both liquid and solid waste into the sea.

In Somaliland's terrestrial coastal zone, seaweeds are used for medication, decoration, animal feeding, and human consumption (Hadhwanaag.com, 2009). They also help land farms nearby the seashores grow faster. There are numerous complex species of sea-grass, diverse coral reefs, algal communities and algal habitats, and thousands of other living plants among the rich flora, especially in the lower part of the intertidal zone, and the green areas of the intersection between the superatidal and the intertidal zones¹²⁴.

In Somaliland, local fisheries lack training with modern technology and strategies to make and maintain sustainability or stability. If they had the basic means and know-how concerning fishing, resource extraction, and ecosystem management, they could have developed a management strategy regardless of ongoing overfishing. In their fishing operations, they should have a comprehensively defined policy and a clear plan of what they are doing, how they are doing it, when they can do it, where they can operate, the purpose of the policy they are applying, and what is in it for them.

¹²⁴ When seaweeds are spread all over the seashore, they quickly dry causing moisture and humidity. Dried seaweeds are exposed to rain, which causes serious bleaching to both the coast and ecosystems. Consequently, dozens of varieties of flowering plants are dashed over. The coastal communities have no idea of how to establish seaweeds by cultivating in nurseries. Even if they were aware of it, there are several factors to be considered before cultivation can take place such as the level of the sea currents, weather, and temperature, in order to avoid strong tides that may destroy or bend the seaweeds. In its current condition, there is a need of weeding the seaweeds, reaping the supporting systems, removing epiphytes and ploughing or cultivating grasses, replacing lost plants and sediments, maintaining, managing, and sustaining these provisions while using them for these various purposes. This management and authorization could be provided by local experts and obtaining help from a capable authority.

Among the major factors that affect algal zonation are light (both its intensity and quality), interaction between different organisms, and water movement (Oliveira, Eurico C. Et al. (2005). "Benthic algal communities are home to a variety of organisms, providing them with food, nursery grounds, shelter when tides are in, and moisture protection when tides are out. P. 16" (Oliveira, Eurico C. Et al. (2005), and generally "Benthic marine plants are photosynthesising organisms that live attached to substratum, such as rock, sediment or another plant. P. 23". Foreign trawlers fishing in and around Somaliland turn strong lights on the fish populated zones in order to catch the fish. Foreign licensed and unlicensed trawlers often use strong light, sound, vibration, and dragging nets to harvest fish species immensely. On the other hand, the sun's energy is blocked from the terrestrial ecosystems by the dead animals and the decomposers. Another major effect is that the minerals contained in the organic matter remain locked up and unavailable to plants.

Like any other province of Somalia, most fishing boats used in Somaliland are wooden outboard motor boats and rowboats. These boats catch most fish with gill nets, lines & hooks, trolling lines, short pelagic long lines, and hand lines, drift nets, or purse seine. They are owned by individual fishing families and small companies. These boats may be rowed while some have outboard motors, and others are small fiberglass boats 6-10 meters long. Although mechanized, the motors and other equipment for these boats is old and debilitated, and finding their spare parts is not easy.

Despite the marine wealth along the coastline, there is no highly developed fishing tradition in the country, even at the artisanal level. Since the population had been chiefly nomadic pastoralists, non-pastoralists were simply viewed as poor in both dignity and wealth. In retrospect, in many coastal zones of Somalia, artisanal fishers who periodically and temporarily fished were marginalized from the rest of the society, being ashamed of adopting a fishing lifestyle (Harper, 2013). They had been contemptuously nicknamed as "Jaji," meaning "naturally despised" people. Therefore, almost everybody had been hesitant to be labeled and debased for a fishing lifestyle. Only a few indigenous communities living along the coasts of Kismayo and Bosaso insisted on remaining permanent fishers.

During the years 1973-75, however, a severe drought hit a large number of pastoral nomads in the central and northern regions of the country. These victims of natural disaster, who ended up as internally displaced people (IDP), were re-settled at the coastal towns of Adale, Eyl, and Eil-Ahmad by the government. Although those communities had no fishing background, constant training on how to fish, fish processing, and how to consume the fish being caught was provided to them. Short term and long term maritime management projects, funded and supervised by the Government, were established to teach them about the economic lifestyle of fishing.

The new fishermen were provided with boats, fishing gear, and other equipment. Many of them went back to their hometowns, however, in order to restart their traditional pastoral life after they realised the rainfall season had commenced in their home areas. Several years later, those who remained and adopted a fishing lifestyle were found to be wealthy and civilised. The government also funded new fishing companies belonging to the young students who completed secondary school, but failed to enroll in the sole National University that existed in the country, or obtain other employment opportunities. This encouraged many others to be interested in fishing.

Although the institutional structures associated with fisheries management and development were largely disbanded as a result of the war, there are encouraging signs that these structures are being partially restored by local NGOs, individuals, community elders, and provincial administrations. In most of the regions, especially those near the coast, at the local community level, village elders or clan leaders have developed rules and regulations pertaining to access and control over some fish resources and land-based marine pollution control. These traditional rules and regulations serve towards both environmental sustainability and resource management. Most of these local administrators attempted to amalgamate the constitutional marine law and environmental law, but due to a shortage of policy guidelines and legal references, they could not do so efficiently. Therefore, they temporarily formed their own traditional principles for the sake of public interest. In several places, previously employed fisheries officers have retained measures of interest, involvement, and control over fisheries.

In general, regulations concerning marine pollution released by local leaders have been scattered among different areas, mainly those within or adjacent to ports. Laws and regulations to prevent or control pollution of the marine environment from land-based sources had never been compatible with, or comparable to, modern laws. Though the UNEP guidelines on this subject

would provide a valuable basis for the development of the regulations, performance standards and enforcement procedures, enforcement of UNEP's legal guidelines has always been weak or unavailable.

B. Fishing Companies Operate in the Somaliland's Maritime Jurisdiction

There are several local fishing companies which operate in the Somaliland seawaters, notably:

1. **Somali High Seas Fishing Company (SHIFCO):** SHIFCO was initially licensed as a fishing company based on a bilateral agreement between Somalia and Italy signed in 1983. It is one of the fishing companies licensed to fish in the offshore EEZ through the Ministry of Fishery and Marine Resources before the civil war. After the collapse of the government, the company continued its operation in Somaliland, which has been relatively peaceful since 1992, without having its license renewed. It has recently sought a temporary license (Somaliland's Ministry of Fishery, 2013).

SHIFCO continuously engages in illicit fishing activities, however. Moreover, it invited other greedy and opportunistic companies and economic mafias (hereafter Eco-mafia) to engage in the same activity (Guilfoyle, 2013). Currently, it fishes in the Somali EEZ, sometimes flying the Somali flag, and sometimes that of Yemen. It distributes its catch outside of the country. Since there is no functional government, the company operates as a freelance profit-making venture, without any governmental restriction or requirements in place. Before the war, the industrial fishery production allocated for the company was 11,940 tonnes of fish and 462 tonnes of lobster per month in 1985 (Ministry of Fisheries, 1986). During the civil war, however, it is estimated by FAO that it counts this amount per week and reports to no governmental agency (Guilfoyle, 2013).

Therefore, its operation is counted as one of the leading ongoing IUUUF activities (Abubaker, 2013).

Somali fishing companies, with the exception of SHIFCO, were either absent or slow to engage in fishing during the destructive civil wars between 1991 and 1995. As a result, there were no signs of a network in either the fishing sector or any other marine activities. Since then, there have been growing networks between local fisheries (both artisanal and industrial fishery sectors) and foreign fisheries, which connect local fisheries to the international market. As a result of this new occurrence, both illegal foreign fishing vessels and local fisheries have been slowly increasing.

2. Somali Fair Fishing (SFF): SFF is a newly formed company privately owned by a Danish-Somali NGO attempting to build commercial fisheries in Somali waters in partnership with Somali authorities, industry, and civil society. It is registered under the Somaliland administration. Currently, SFF has an active network with Shuraako, the leading trade company that links Somali business individuals and corporations to foreign corporations and investors (Shuraako.org). It is headquartered in Berbera, Somaliland, using the offices and premises of “Red Sea Marine Production LTD”, an old national company which is currently inactive.

Typology: Unlike Somaliland’s governmental administration, the fishing companies in Somaliland are actors and networks of stability.

5. 4. 2: The Role of Local Actions as a Shared Responsibility

Throughout the provinces of Somalia, in reaction to illegal fishing, toxic dumping, mining, and many other forms of ongoing illicit and illegal activities, Somalis reacted negatively, resulting

in the emergence of piracy (Mitchell, 2009). All of these horrific activities and indiscriminate human atrocities have occurred over 24 years where there had been no social, political, environmental, and economic stability. During this long period of instability, environmental policy has never been an issue for discussion, let alone for implementation. The matter would need to be first addressed by seeking to create and implement environmental policy in the context of instability, with the eventual goal of stability in mind.

Somalia's coastal communities, which in particular worry about the future of marine resources and the marine environment, have frequently appealed to the International Community for help for protection from foreign ships that engage in illegal fishing in their country's territorial waters (Bennett, 2012; Murphy, 2014). They have repeatedly mentioned that this is a critical time for the world at large, and for international organisations in particular, to integrate Somali people into their environmental policy and safeguard their natural resources. Because there was no central government, these calls for help took place at the provincial, local, organizational, and individual levels. This haphazard approach was reflective of the illegal fishing along the Somali coastline which was heightened after the disintegration of Somalia into clan-based states. Indeed, the local reaction in the aforementioned three provinces has been piracy and marine terrorism. In this section, I analyse how each of these local communities reacted to the illicit activities practiced by the foreign illegal fishers, toxic dumpers, debris releasers, oil spillers, and oil exploiters.

The Puntland province, for instance, became a hub for foreign trawlers, and started sending complaints to certain foreign countries about the illegal exploitation of its marine resources and toxic dumping in their sea territory. Due to a lack of a governmental voice, however, the complaints received no response. Later, Puntland's community leaders began to approach foreign companies to help them protect their coastline, again with no response whatsoever. As the world

ignored their calls and claims, in February of 2000, the regional administration of Puntland invited a British-Somali Company called "Shifo Comp.", which had been protecting the Somali marine area prior to the civil war, to proceed with its operation in the area of Puntland (Osman, 2000).

The complaints from the local and provincial levels failed because they did not follow the international diplomatic and legal procedures. And even if the correct steps were followed, they may not have been professionally written or have followed legal procedure. Since the vast majority of Somalis do not have expertise in this field, it is only community activists who may write successful complaints and express themselves. Yet even these writers and broadcasters have only a basic understanding that the activities of the foreign vessels in their territories are a violation of international law. As such, they do not know where to address their complaints or how to proceed.

Indeed, if the on-going campaigns of fisheries exploitation and marine environmental degradation continue simultaneously, the future of small pelagic fish is at stake. Despite this high risk, there is neither prevention nor intervention to address the problem at either the local, regional, national, or international levels. As a matter of fact, at the local level, co-ordination would greatly facilitate many aspects of fisheries development, training, analysis, exploration, and management. Inter-regional communication would also enhance professionalism and the morale of fisheries personnel in general.

5. 4. 3: Concluding Remarks

In conclusion, on the basis of their sociopolitical and economic aspects, each of the three provincial administrations, being South-Central, Puntland and Somaliland can be considered networks of instability to some extent, even though there is no active relationship among them. They can also be viewed as actors and networks of stability when it comes to the protection of the

marine environment. This highlights the complexity of understanding the policy actors and networks at the provincial level. Further complicating the situation, there is no permanent status to evaluate their activities, motives and capacities, because their operations are not permanent and not limited to specific locations.

In Somalia, each of the conflicting parties employs any strategy available to eliminate their opponents, including assassination, face to face fighting, shooting, hijacking, terrorizing, and or threatening means. They also employ any means of political and diplomatic warfare, such as defamation, destabilization, demoralization, devaluation, and so on. Within each of the African run organizational stakeholders, there exist all forms of corruption, mismanagement, financial shortage, technical shortage, and political volatility. Each of these networks spends some of its scarce income on creating conflicts. For instance, the Union of Islamic Courts (UIC)¹²⁵ have been secretly cooperating with criminals by making large payments in return for assassinations of TFG, Ethiopian forces, and the US informants in the country.

As a post-conflict study, I build my analysis on the ongoing peace processes, potential reintegration, growing public awareness, and administrative initiatives throughout the country's provinces, regions, districts, and towns. As a result, I categorize South-Central as a network of potential stability in both socio-economic and environmental terms, while categorizing Puntland as a network of stability in both aspects. I do, however, categorize Somaliland as an actor and network of instability from a sociopolitical perspective, but as an actor and network of stability

¹²⁵ During 2006, the main discussion was that many newly born Islamic extremist organizations were given birth by the UIC. The reason of this fragmentation was mostly as a result of disagreements over assistances provided by: Egypt, Eritrea, Djibouti, Libya, Saudi Arabia, Syria, and Hezbollah. According to a UN report, UIC receives aid from Iran, Egypt, Djibouti, Libya, Hezbollah, Saudi Arabia, Syria and Eritrea. Djibouti has provided uniforms and medicines; Egypt has provided trainings inside Somalia; Iran has provided arms and ammunition; Hezbollah has provided military training and arms, and UIC fighters fought Israeli soldiers alongside Hezbollah in July 2006; Libya provided training, funds and arms; Eritrea provided arms, ammunition and military equipment; Saudi Arabia provided logistical support and ammunition (UN Report, 1992; 1998).

from the aspects of environmental protection and resource management. True, the self-declared autonomous state is more stable than the other two, but it does not recognize the federal government and as such is not ready to cooperate with it. Consequently, there is a strong possibility for further civil war between Somaliland and the federal administration. Furthermore, there are open ended disputes, which sometimes lead to physical conflicts, between the coastal communities in Somaliland and Somaliland's military and administration (Colletta, 2000). Instead of government courts, clan elders and religious leaders act as mediating offices (Colletta, 2000). The cause of these conflicts is the political position of Somaliland which is based on 'secession,' rather than sharing information with the rest of Somalia.

Coastal guards are actors and networks of potential stability because their motive is to combat piracy and marine terrorism in order to protect the country's prestige, security, and the lives of the local youth. Even though they do not report to any office, they enforce general public morality and customary laws for which they are potentially accountable. In terms of local fishing companies, even though they often practice illegal and illicit activities, I categorize them as networks of potential stability. They only need governmental and scientific guidance in order to serve as actors and networks of stability. In contrast the foreign trawlers who openly engage in the looting of marine and coastal resources, without regard for local communities, as well as the provincial administrations and federal government, are categorized as actors and networks of instability.

Table 4: Provincial/Local **Actors and Networks**

Name	Background	Maneuvers	Motives	Modules	Relationship	Legality	Typology
South-Central	Somalia	Sociopolitical & Economic Struggles, Corruptions, Brutal wars	Political	3 Potential Provinces: Jubbaland, Mogadishu and Galmudug	Regionally reciprocal but nationally loose	Governmental	Stability and Potential Stability
Puntland	Somalia	Political and Economic Struggles	Political	3 internal weak Blocks: Makhir, Khatumo, SSA	Globally and Regionally reciprocal but nationally loose	Governmental	Stability
Somaliland	Somalia	Secessionist Political Movement	Political	Awdal, Khatumo, & Hargaisa	Globally/regionally reciprocal but nationally denial	Governmental	Security Stability Political Instability
Fishing Companies	Somalia and Aliens	Weak local Fishers Vs. Strong Foreign Exploiters	Economic	Numerous legal/illegal and foreign/local Fishers	Secret relations with foreigner	Legal/Illegal	Instability and/or Stability
Coast-Guards	Somalia and Abroad	Deterring Piracy for economic gains	Security	Several uncooperative forces	Gradually Diminishing	legal	Potential Stability
Coastal Communities	Somalia	Weak in capacity but combatting	Traditional survival	Various clan-based Fisheries	Influential & Contesting	legal	Stability

Chapter Six

Actors and Networks of Instability, Potential Stability and Stability Analyzed for Potential Marine Environmental Management Policy Networks

6.1. Introduction

In this dissertation, I endeavoured to identify and characterize the socio-political and economic actors and networks of instability, potential stability and stability in Somalia. I sought to understand “Who are the socio-political and economic networks of instability and environmental unsustainability in Somalia? Can stability be achieved in the absence of sustainability or can sustainability be advanced without stability? What strategies could advance both stability and sustainability in marine environmental management in mutually reinforcing ways?”

As a result of these complex actors and networks of instability and the prolonged civil war which created new phenomena in each of Somalia’s social, economic and political spheres, the mainstream literature on environmental resource management was found inappropriate to the case of Somalia. It tends to assume the presence of functional state structures. The most relevant literature to the case in Somalia is the post-conflict literature which highlights the potential role of bottom-up rather than top-down state-centred approaches. Yet, on certain occasions, a combination of both would likely be the best choice. That is why my dissertation used “actor and network analysis” approach to understanding the relationship between socio-political and economic instability and marine environmental degradation in the Somali basin. In my analysis, I categorize the actors and networks into instability, potential stability and stability. The actors and networks in these three categories may encompass foreign states, foreign state and non-state organizations,

foreign fishing and dumping vessels, national government agencies, provincial institutions, private institutions, religious sects/groups, local NGOs, local communities, local pirates, and individuals.

My overall goal was to identify strategies in relation to these actors and networks that can advance both stability and sustainability in marine environmental management in Somalia in mutually reinforcing ways. I identified and classified the key actors in these three classes of actors and networks at the international/regional, national, and provincial/local levels in Somalia. In order to understand how active, influential, practical, powerful, and strategic each of these networks is, I researched their membership, their origins and structures, in what areas they operate, what relationships do they have among themselves and with others, their activities, their interests/motives, administrative/executive capacities, and their strategies?

My basic approach is to identify ways to strengthen the role of actors and networks of stability and potential stability, to transform actors and networks of instability to stability or potential stability, and finally to marginalize or eliminate networks of instability for whom this is no prospect of being able to play a constructive role in Somalia.

Throughout chapter 3 to 5, I identified the problems of marine environmental degradation, insecurity and unsustainability in resources. The drivers of each of these problems are actors and networks of instability pursuing their personal interest; they are thus competitive and not cooperative stakeholders. The practices of some of them are extremely destructive while some organize themselves for positivity, yet in the end their activities also have negative outcomes. The third group, who are a minority, attempt positive collective impacts and perform these to certain levels.

In this concluding chapter, I consider the most applicable and workable solutions for each of the actors and networks of instability, potential stability and stability at the three scales of

international/regional, national and provincial/local. The key actors and networks of instability at the international/regional level include Ethiopia, Clandestine State Networks, IIUUUO Fishing, and oil explorer companies. In contrast, the Turkish government and the United Nations are the actors and networks of stability, while AMISOM, Kenya, the US government, the US and the UK's Intelligence forces, North Atlantic Treaty Organization (NATO) and the EU Naval Force (NAVFOR) are the actors and networks of potential stability. At the national level, Money-Lords, Warlords, warmonger Faith-Lords, and Somaliland separatists are the actors and networks of instability. Only the moderate religious groups are actors and networks of stability, while the three branches of the federal government (legislative, executive and judiciary), national fisheries organizations and companies and NGOs are actors and networks of potential stability. At the provincial level, Somaliland's separatists, pirates and marine terrorists are actors and networks of instability. However, Puntland, local fishing companies, and coastal communities are actors and networks of stability, while Somaliland's governmental marine environmental management, South-Central, and private Coast-Guards in Puntland are networks of potential stability. I briefly analyse the position of each of these actors and networks, and then, suggest a potential solution

I also analyse the cross-cutting themes competing in the country at an international level, the lack of capacity among Somali governments, and the roles of corruption and the clan system as provincial/local impediments to stability. Subsequently, I suggest what the international community might do to rebuild Somalia in its post-conflict situation so that Somalia will be able to protect its environment and security. Domestically, I provide suggestions on how to build capacity within the Somali national and provincial/local governments, and to tackle the crises of corruption and clannish culture to deal with networks of instability. Finally, I provide general recommendations and outline the dissertation's academic contributions.

6. 2. Key Actors and networks of Instability, potential stability and stability at 3 levels

6.2.1. The International/Regional Level

6. 2. 1.1. Actors and Networks of Instability

A. Ethiopia: Due to Ethiopia's continuous engagements, it seems hard for Somalia to become a stable state as long as Ethiopia is involved in its internal affairs. Therefore, the simple solution is to request Ethiopia to pull out of Somalia both militarily and politically. On the other hand, Somalia should sign in the presence of the UN and AU that it will never claim any of the Ethiopia's and Kenya's Somali inhabitant regions by applying the OAU's territorial integrity treaty "As you Possess" (see chapter one; footnote 122 of chapter six). The region, at large, should adopt a new law denouncing attempts at political and economic domination within the region. A new approach and new treatment calling for neighbourly-based diplomatic exchange may be requested and initiated by Somalia. As a result of a friendly and neighbourly memorandum of understanding, Ethiopia's objectives and policy visions towards Somalia may change to positivity. Otherwise, Somalia should resort to forwarding official claims to the UN and ICJ as a last resort. In response to Ethiopia's actions, AMISOM forces supported by international forces operating under the UN Security Council should be deployed alongside the border between Somalia and Ethiopia as well that between Somalia and Kenya.

B. Clandestine state Actors: The clandestine states can be divided into certain countries of Europe (Spain, Italy, France, and Russia); Africa (Ethiopia, Egypt, Eritrea, Kenya, and Seychelles); and Asia (Yemen, Thailand, India, and China). The European state-polluters

encourage and provide investment to the Asian and African networks of instability (Waldo, 2013; AllAfrica, 2010). Confronting European polluters could mean marginalising those of the Africans and Asians.

To begin with Spain, should the Somali government approach the government of Spain to promote fishing trade, Spain may take it as an opportunity to accelerate its illegal and overfishing activities. Spain is more technologically advanced than Somalia and its neighbors, and there is no indication that she is ready to use these technologies in a positive way. The apparent solution is to apply the 'ship out' policy against Spain by prohibiting its vessels from entering or coming closer to Somalia's EEZ. As for Italy, any agreement entered by Somalia and Italy can be jeopardized by the Italian economic-mafia whose motive is purely economic, and involves both illegal fishing and illegal dumping. Therefore, the two states should seriously and sincerely discuss removing two mafias (Italian eco-mafia and Somali pirates) from the Somalia's EEZ. As for France, it is advisable to attempt a trade agreement between Somalia and France. If such an agreement fails to work mutually, then, the next choice is to demand French fishing vessels stay away from Somalia's EEZ.

C. IUU Fishing: Illegal foreign fishing fleets and their local agents are the most unsettled actors and networks of instability. To fight against the foreign illegal fishers, the government needs to have modern satellite technologies, appropriate weapons, aircraft, sea-craft, well-trained navy arms, and financial and logistical support. Having all or some of these armaments can allow Somalia's provincial and federal governments to control, patrol, supervise, and investigate whatever is going in and out of their EEZs. With this capacity, Somalia's federal and provincial governments would be able to defend their territorial seawaters and coasts legally, diplomatically and militarily.

D. Oil Exploiters: Oil/mineral exploiting companies are among the actors and networks of instability that create environmental degradation, insecurity, unsustainability, and indirectly rule the country. The simple solution is to ban any undertaking related to oil, gas, or mineral extraction and exploitation in Somalia's land and seas. It is hard to perfectly cooperate with any of these companies, and create an environment in which there is a market where environmental sustainability is possible. The reality is that any business which is not based on cooperation, but competition results in environmental degradation and resource depletion.

6.2.1.2. Actors and Networks of Stability

A. Turkey: Turkey's government provided substantial assistance for the rebuilding of Somalia. In November 2012, Turkey signed a multi-training agreement with Somalia's federal government in Djibouti (Özkan, 2014). Subsequently, Turkey commenced development projects covering the economic, military, public infrastructure, educational, social, and political sectors in Somalia (International Business Publications, 2015). Proving itself to be the most neutral and reliable friend, Turkey is the first foreign actors and network of stability in Somalia. At this stage, the Somali government and the rest of the world should applaud and encourage Turkey for its tremendous efforts and solicit Turkey to increase or maintain these efforts.

B. United Nations (UNs): The UN hugely supports AMISOM. But the concern arises as to whether the use of foreign military forces in Somalia would bring stability or would aggravate instability. My argument is that the only foreign military mission that would potentially work in Somalia is a border-guardian garrison excluding the troops of the frontline states deployed on the Somalia's borders with Ethiopia and Kenya. This would minimize civilian casualties and would target only criminals. In this context, it is also notable that at the end of 1992, the international

community decided to stop the ongoing internal conflict causing brutal massacres and hunger in Somalia. The US and UN sent humanitarian assistance and a peacekeeping force named the United Nations Operation in Somalia (UNISOM), with a mission called “Operation Restore Hope” (Lewis, 1993). However, this mission failed within a year. Then, in 1993, another mission was deployed by the UN with multi-national troops named the United Nations Task Force (UNITAF), which was later reformed and renamed UNOSOM II. It employed over 30,000 personnel, with a cost of over \$1.5 billion US per year (Harper, 2012). However, the mission was a failure for the US and ended with the Blackhawk-down incident, which forced the immediate withdrawal of forces from Somalia (Kubiak, 2014).

6. 2.1.3. Actors and Networks of Potential Stability

A: AMISOM: Even though it is far-fetched, most of the AU members are anxious that a strong Somalia may renew its irredentism¹²⁶ and attempt to annex the Ogaden and NFD regions of Ethiopia and Kenya respectively. They believe that a strong Somalia will not respect the Organization of African Unity (OAU)’s territorial integrity treaty “As you Possess, so you possess” adopted in 1964 (Hasani, nd; Moi, 2004)¹²⁷, which means to let every state’s border remain as it is. As a result, they prefer to protect and control every government established in Somalia. Additionally, since 2004, every Somalia government inaugurated has beseeched foreign troops to protect it from the people it is planning to lead and rule.

¹²⁶ “irredentism” is a political term describing any political movement intending to reclaim and reoccupy a lost homeland by a government or a group on the basis of historic or ethnic connections. It originates from the Italian term *irredento* for “unredeemed.”
¹²⁷ European colonials, mainly the British, demarcated almost every corner of the world’s land and seas territories. One of the consequences of the demarcation is the separation of families and kinsmen from one another, and as such, scattered across different countries. When the vast majority of the African countries became independent in the 1960s, the predictable border disputes began. In order to avoid such conflicts, the OAU adopted “As you possess, so you possess” as a fundamental principle to solve border disputes.

On the other hand, Somali citizens argue that any government fearing its own citizens to the level of using foreign forces against them has automatically lost its legitimacy and authority. Instead, it is nothing but a treacherous enemy carrying out a proxy war against its own people and country. Possibly, without AMISOM forces, the Islamic terrorists spearheaded by Al-Shabab might conquer the region and violate human rights. Due to apprehension at this possibility, the international community should help Somalia's federal government to recruit a cross-clan strong police and military force. These Somali forces will be able to destroy terrorists in the country and deter them from crossing to the neighbouring countries. Puntland's quick defeat of Al-Shabab, in three days in March 2016, is a remarkable example (Horseed, 2016).

B. Kenya: Unlike Ethiopia, Kenya's civilians, intelligence agencies, traders, and diplomatic missions could remain in the country, but be encouraged and monitored to be reciprocal, impartial and to act based on bilateral agreements. Grievances by either of the two sides must be finalized through negotiations and memoranda of understanding between the two states. Where these attempts fail to function, the two states need to resort to either a concerned court or traditional mediations undertaken in a third-state and facilitated by a third-party.

When addressing the usage or sharing of natural resources with one or more of its stakeholders, Somalia needs to establish its position on the basis of scientific and political definitions. To challenge Kenya, whose experts are highly educated and up to date, Somalia needs to employ citizens who are experts in the needed field so as to proceed with negotiations or consensus- building procedures. Somalia now should benefit from its natural resources as they have been out of its control for over a quarter century. To succeed in managing, preserving, conserving, and protecting its natural resources and surrounding ecology, Somalia's experts whose loyalty is confirmed must be given the opportunity to exercise their appropriate roles.

C. The US Government: Even though terrorism is the US's first target, it is not its only major interest in Somalia. US policy towards Somalia covers each of the region's geopolitical and economic interests. Being the gate to both Africa and Asia, and the bridge linking West and East, Somalia¹²⁸ is a strategic zone for controlling the world's transnational movements and economy. In every region of Somalia, particularly in the South-Central, there are non-asphalted roads and enclosed oil wells owned by the American oil companies such as Conoco, Amoco, and Chevron Phillips (Manson, 2013; Global Research, 2007). Most of these companies have been exploring and extracting oil or gas or both in Somalia since the 1960s (Global Research, 2007).

Even though the US has been the sole world superpower since the end of the cold war, it has no effective and efficient policy to manage the world. There has been no effective strategy to deal with war-torn nations. The US mostly adopts a reactive approach as in the cases of Somalia, Rwanda, Afghanistan, and Iraq (Bowden, 2006; Ludwig, 2005). In 1993, the US engaged in Somalia but immediately quit after 19 soldiers were killed (Bowden, 2006). The US has disregarded the Somali federal government to which it once gave recognition, followed by financial and technical supports. Explicitly, I advise the US to review its policy towards the Horn of Africa by taking a proactive policy. To curb and avoid terrorism, the US, assisted by the moderate non-state Islamic Scholars,¹²⁹ may create global religious committee councils. Presently, a Muslim Sunni Committee is urgently needed to work on evading the spread of terrorists' ideologies in the name of Islam. The US may approach the Saudi kingdom and ask them to prevent radical teachings in the Madina University which produces hardliners who frequently lecture on

¹²⁸ particularly its marine intersection of the Indian Ocean and the Red Sea

¹²⁹ These non-state Islamic Scholars could consist of freelance individuals who are selected due to their scholarly works and moderate organizations. It seems that nowadays, the vast majority of the Muslim laypersons consider their government political leaders as proxy agents of the Western world. As a result, it is advisable to limit the Muslim governments' involvements in this project.

jihad. Somali Islamic extremists are primarily the product of the Madina University (Selassie, et al., 2004).

C. North Atlantic Treaty Organization (NATO) and the EU Naval Force (NAVFOR):

The Somalian federal government has little engagement with these networks' missions and understands them 'maritime monitoring mission'. It seems, however, that NATO and the NAVFOR undermine the authority of Somalia's administration. Instead, they should consider empowering Somalia's authorities by simply making the public aware that they will consult and cooperate with national, provincial and local authorities. Announcing such a decision would play a significant role in destroying the actors and networks of instability by demoralizing them and motivating and supporting governmental authorities¹³⁰.

On the other hand, NATO should realize that communicating with incapable citizens and associating with non-governmental institutions could delay or damage its achievements. Due to NATO's lack of communication and coordination, Somalia may believe that the Western navies are occupying their seas not to deter terror activities, but to exploit marine resources¹³¹. To avoid such misunderstanding, NATO should sincerely prevent not only piracy and marine terrorism, but also police the activities of foreign fishing trawlers. It should also establish and maintain a reciprocal relationship with Somalia's federal and provincial governments.

130. Taking this action against NATO's improper actions could be a part of the political policy known as "the edge of abyss", which means bringing one to a critical deadlock situation where there is no viable solution. Nasrallah describing this policy states "The events in The Edge of the Abyss are told through the voices of three characters whose lives are intertwined: a former minister, known for his corrupt practices; his lawyer wife, restricted by her association with him and a professor, whose personal interests dictate that he should serve the minister, but who at the same time seeks to fulfil his dreams of love through romantic adventures and becomes entangled with the minister's wife" (Nasrallah, 2014). In such a scenario, how do these circumstances resolve themselves without any of the parties getting hurt.

¹³¹ Furthermore, the Somali government might have considered that NATO's actions as a war against the country's people and resources.

E. The UK and US Intelligence Agencies: It seems that the US and UK intelligence agencies deal with unexpected incidents which lure them to taking military decisions and actions. The maneuvers and motives of these intelligence agencies are different from those of their countries. Therefore, it is preferable to separate them out in this discussion. These two governments' intelligence agencies seek to deter terrorist activities, but they operate without acquiring local approval and coordination with the national government.

Some of these intelligence agencies argue that regardless of Somalia's sovereignty and the international recognition given to the current government, the fact on the ground is that the government is not in a position to administer its territory (Elmi, et al., 2014), and as such is an unreliable partner. However, having such outsiders impose rules only exacerbate the lack of state capacity. Daugbjerg (1998) argues that policy networks are less efficient when outsiders set the agenda in a form of a top-down approach.

Unlike spontaneous and haphazard reactions to perceived threats, the Western intelligence agencies should take three responsibilities, on behalf of the US and the UK, to stabilize Somalia: First, to give direct advice to Ethiopia and ask it to withdraw from Somalia politically, militarily and economically, while ensuring that its border will be secured by international forces. Second, they should give honest advice to Somaliland against its position regarding secession. They should publicly announce that they will not recognize it as an independent state. Rather, they should encourage Somaliland to respect the unity of Somalia and be a part of the Somalia's political, social, environmental, and economic solutions. Third, the US and UK primarily need to recognize,

reconcile, cooperate, and establish reciprocal relationships with Somalia's provincial and federal governments. This could broaden their capacities to succeed in their missions and visions¹³².

6. 2. 2. The national level

6.2.2.1. Actors and Networks of Instability

A. Money-Lords: Networks of money-lords impair political improvement in the country by evading law enforcement. One of the strategies that make them successful is via hosting and flattering any new government and then providing loans to it, until they finally hold that government as a hostage. At the post-conflict stage, this strategy must be revealed and stopped. First, the money-lords' material offers and financial loans should not be accepted. Second, the government should have its own network of logistical supplies rather than contracting money-lords. Since almost every Somali person can claim to be a trader, there must be a means to evaluate anybody and any group. Instead of employing financing from these groups, the government should encourage and request the money-lords financially contribute to the rebuilding of the country in return for no rewards.

On the other side, since the Hawala system is an unregulated economy, each of the networks of instability - including terrorists, pirates, smugglers, money launders, illegal fishers, and political spoilers - not only transfer their monies through them, but are also shareholders. Similarly, they communicate through the money-lords' telecommunication companies. The federal government needs to classify the Hawala companies as governable and non-governable groups. In front of the

¹³² It is important to bear in mind that mass distraction weapons, sophisticated technologies, strong finance, and a large number of foot soldiers may not bring the success unless there is a human morality. Yet, a human morality can be practiced where there are human rights, justice, equity, and other forms of moral armaments. Where these good qualities are not practical, wrong and inhuman ideologies are the applicant with the justifications of protecting either religion/culture or natural resource. Al-Shabab uses only these two validations to influence supporters and recruit fighters.

public media, each of these companies must be required to take an oath of being law-abiding. Thereafter, the government should register and license the governable Hawalas who accept to be governed, monitored and investigated by the concerned government agencies.

The provincial governments, employing all kinds of media and civil societies, should undertake a thorough campaign of discouraging small-scale entrepreneurs¹³³ from looking at actors and networks of instability as role models. It is in this way that government may weaken the money-lords' networks of instability, and replace them with wealthy networks of stability. Besides these governmental efforts, religious leaders and clan-elders should adopt a comprehensive campaign to promote the values of economic, social, political, and environmental stability. They should also publicize the values of tax-paying by the wealthy persons.

B. Warlords: Warlords presenting themselves as self- leaders represent the Hawiye clan, Darod clan and Isaq sub-clan of Dir clan. While they are weakening and waning, they remain dangerous. They have been previously recognized as community leaders but diminished in their role with the re-emergence of the government. The crucial step of eradicating them will require a concerted struggle against any clannish concept and employment for the young generation who had found a livelihood with their militias. Local civil societies including various experts, professionals, intellectuals, women groups, youth organizations, local retailers, innocent elders, and peace-loving religious leaders should be organized to enable their unions and clubs to dismantle clan influence. Accordingly, social integration programs starting from trading, intermingling, sports races, and the traditional system of religious scholarships (*isu xeraysi*) must be implemented by the NGOs. The Warlords' primary wings are the youth whom they use as militias and bodyguards. Once these

¹³³ who act as networks of stability.

youths are employed elsewhere, they warlords will be isolated and more likely to adhere to the law.

C. Warmonger Faith-Lords: Warrior faith-lords have produced the Al-Shabab group who should be described as neither a politically-motivated insurgent nor an Islamic extremist cult, but rather a criminal and barbaric organization. The organization is heavily detrimental to the young generation by killing them in the battlefield, in the recruitment process, for disobedience, and in targeted assassinations intended to act as a threat and example to others. Additionally, they divert them from job opportunities¹³⁴ and security. None of these faith-lord networks is registered or identifies itself, as either a political party or a religious/spiritual sect. They focus on influencing the public to promote private political agendas. The best strategy to challenge them is through the creation of new moderate socio-religious groups who operate peacefully and demonstrate positive aspects of religion, civilization, development, environment, and leadership qualities as an indivisible package.

6.2.2.2. Actors and Networks of Stability

A. Moderate Religious Leaders: Moderate religious leaders mobilizing their teachers, students, activists, and supporters should organize themselves and approach all citizens¹³⁵ for public support. One of their first responsibilities is to lobby for constitutionally outlawing the promotion of terrorism as an Islamic teaching. Specifically, they should convince the law-makers

¹³⁴ Somali youth individuals are in sociopolitical and economic crisis. In their hometowns, in which foreigners are exploiting their natural resources, the Somali youth have no jobs, security, governmental administration, community capacity, basic infrastructure, and functional institutions.

¹³⁵ starting from the civil society groups and community elders

(parliamentarians) and the judiciary to criminalize teaching, advising, or telling either persons or congregations that, in Islamic law, there is a death penalty for apostasy, fornication, homosexuality, or for any other case¹³⁶ as for promoting the principle of “*Al-wala Wa-albara*”¹³⁷.

To succeed in their mission, moderate religious leaders need to learn the most appropriate strategies to deal with, and ultimately reform, each of the religious networks of instability. Directly or through mediators, they need to approach and invite them to dialogue assemblies. In the process of dialogue, moderate leaders need to demonstrate interest, respect, good hospitality, honest, politeness, clean-heartedness, and pure intention of removing negativity. Constructive religious groups should be motivated by the defence of their own faith rather than material gains. When the warmonger faith-lords are reminded of these good ethics, which are among the chief commandments of their faith, they could be pacified and attracted to act and react as part of the solution to instability rather than squabbling.

6.2.2.3. Actors and Networks of Potential Stability

A. The Somali Federal/National Government

a. Legislative Branch: The federal parliament’s responsibilities can be improved by the Internal/Standing Committee consisting of the Speaker, Deputy Speakers, and Chairpersons of the different Committees. This committee is in charge of administering the overall activities of the Parliament including the government’s finances and politics in conformity with international and regional treaties. Through a parliamentary policy, the Somali government needs to diplomatically

¹³⁶ The only death penalty that unavoidably Islam accepts is where the victims of a murdered person insist on death sentence against the murderer of their beloved person. This means to avoid further reprisal deaths in the community.

¹³⁷ *Al-wala Wa-albara* is a fanatic Wahabism principle which gave birth all the inhuman concepts resulting terrorism. It means to divide the people into “friendly and unfriendly” which eventually is practiced as “my way or the highway”.

cooperate with foreign intelligence and military forces. Any diplomatic discussion on foreign militaries must be approved by Somalia's military-attaché in that country. In this case, Somalia can be assertive in rejecting or negotiating concerning intolerable activities beyond the mandates of foreign forces'.¹³⁸ This would be a milestone for the federal government to set-forth clear and applicable policies and plans for the country's various institutions, while providing advice and observation to those of the provincial states.

The Standing Committee needs to update its skills in managing the affairs of the house including financial auditing and executive's administrative functionality. Anti-corruption and malfeasance services must be continuously and regularly assessed that they maintain and improve the proper means of eradicating these scourges. Good governance can be commenced through financial control based on weekly discussions, policy reviews, law amendment, and updates. This is the root of standardizing self-administration. The current lack of know-how, incompetent leadership, and self-promoting behaviours would be addressed through these actions.

b. Executive Branch: The executive branch governs, but is not limited to, all the ministries, agencies, units, and other institutions that are, either partially or fully, in charge of environmental protection and resource management. Like most of the government's institutions, the administrative capacity of the Executive has been jeopardized by a 'lack of know-how' combined with 'malfeasance and corruption'.

There have been recurrent administrative conflicts among the Ministers/Ministries, due to a lack of clearly defined job-descriptions, a lack of experienced and qualified personnel, and a lack of skilled junior employees. Incompetent leaders cannot manage the fate of a country that is recovering from a prolonged civil war. Certainly, Somalia needs a head of state who can manage

¹³⁸ Due to the limited capacity of the Somali government, opposing the operations of these forces is a challenging issue.

the country's natural resources in its post-conflict situation by using both qualification and experience. Such a leader would employ competent personnel and fulfill international and regional conventions, treaties and agreements. Proper management should work via three strategies: to educate yourself, to educate your team and to accomplish responsibilities with such collective education.

c. Judicial Branch: The Judiciary office gazetted enforceable rules and regulations yet these are rarely implemented. While in their early weeks, the laws were partially or fully implemented after a few months, they vanished and remained on paper only. The country's courts are either dysfunctional or undeveloped to efficiently operate. They either lack legal experts or local capacity. I suggest that what is needed at the level of the federal level judiciary system is a state capacity-building process which is not limited to material processes, but extended to technical, educational and emotional levels.

If only the material side is focused on, the actors and networks of instability will create new strategies of corruption. Good governance must not only avoid brain-drain but return qualified and skilled Somalis, who left the country and adopted other citizenships, to play a significant role in the development of efficient administrative skills and prevention of corruption.¹³⁹ Even, if maladministration and corruption are weakened, there could be other battles in the field of law and policy enforcement. What are known as the weapons of the weak, including foot dragging, dissimulation (concealment), false compliance, and pilfering (robbery/theft), followed by arsonage and sabotage could erupt at any level and any location (Piot, 2010). The judiciary system should anticipate such direct and indirect attacks on the country's law and law enforcement.

¹³⁹ Mismanagement, misunderstanding and miscalculating local customers create legal and policy complexities in the involved organization, and ultimately result in organizational complexity.

d. National Fisheries Organizations and Companies

In Somalia, the fisher companies registered at a national level are Somali Marine Resource Development and Conservation Centre (SMRDCC) and Somali National Fishing Company (SNFCO) (Ministry of Internal Affairs, 2015). Both are practically inactive.¹⁴⁰ The former was registered as a national fisher and marine resource company in 2012 (Ministry of Internal Affairs, 2015). Nevertheless, the company's role is very limited, due to a lack of financial capacity and a lack of governmental collaboration. Although it is developing economic cooperation between Somalia and Italy, it lacks Somalia's administrative collaboration. Being ignored or neglected by the federal government, the company has approached Somaliland to implement a project aiming to create job opportunities for Somaliland fisheries. It has been disappointed once again in this effort (Ibrahim, 2013)¹⁴¹.

After being thwarted by the national and provincial governments, the company engaged in unlimited, unrestricted, and uncontrolled fishing activities (Ibrahim, 2013). The federal government neglected its duty by failing to register, provide guidelines and control the Somali-owned and co-owned fisher companies. It should fulfill its responsibilities towards the matter. That said, a remarkable positive step was taken in April 2014, when representatives of the Federal Government, Somaliland, Puntland, Jubbaland, and Galmudug met and agreed to cooperate on fisheries management. The political leaders of these states must understand the importance of this

¹⁴⁰ As these are the only two companies registered at the national level, and both end to no avail, apparently, there is no fisher company at the national level. Since they are opportunistic and there is a wide lawlessness in the country, the fisher companies harvest fish and other marine resources throughout the Somali basin and beyond. Some are registered under the Puntland's Department of Fishing, while others are registered under the office Somaliland's office of the president. In both cases, there are no restrictions in their licenses and no conditions in their registrations.

¹⁴¹ In its first phase, the project was successful but it could not progress further due to internal unprofessionalism and external political interventions.

agreement. This could lead them to develop policies and structures to combat IUUUF, build a foundation for sustainable marine resource management¹⁴², and initiate territorial use rights for fisheries (TURF) among the various Somali provinces.

e. Non-Governmental Organizations Active at the National Level

The bulk of national governmental management tasks in environmental legislation and administration are carried out by some non-governmental organizations whose work is quite weak. Thus, operational institutions are primarily concerned with the implementation of policies and laws, even though the executive power delegated to them may include setting technical standards, as well as monitoring compliance with such standards. In overall terms, it seems that Somalia has not sufficiently benefited from the international assistance and co-operation on environmental issues.¹⁴³

However, by reading the United Nations' anecdotes and activities, one can argue that the UN has given tremendous amounts of financial aid to Somalia. Unfortunately, little of that aid has reached its destination or been used for its allocated purpose. Most of the environmental and developmental funds were either wasted due to mismanagement or stolen by the entrusted managers (Srinivasan, 2012). Most of the current titular national NGOs are not environmental but social, developmental, political, and other groups. These NGOs operate only temporarily or occasionally. Some may survive a year or less due to funding challenges, and it is rare to find one that has survived over a decade unless it is an extended branch of one of the INGOs or Regional Non-Governmental Organizations (RNGOs)¹⁴⁴. Even INGOs give occasional, or one-time,

¹⁴² such as to produce optimum sustainable yield (OSY) and regularize fish-catch policy.

¹⁴³ Though various branches of the UN have a close relationship with the developing countries and have environmental joint working groups with them, Somalia seems somehow neglected and omitted.

¹⁴⁴ There are plenty of RNGOs and INGOs in the country, but with minimal outcomes and success.

subcontracts to implement a particular project. One of the fundamental constraints of the national NGOs is that their relationships with the public are weak or non-existent.

After having consulted with the concerned committee, the federal Parliament needs to set standard requirements to be fulfilled by national NGOs. Following those instructions, the ministry of internal affairs should register and issue a license for any NGO that has completed the requirements. Their visions and missions must be clear to the ministry of internal affairs who should monitor and evaluate their activities.

6.2.3. The provincial/Local level

6. 2. 3.1: Actors and Networks of Instability

A: Somaliland Separatism

Somaliland's political agenda is based on secession. This may lead to a new phase of civil war in the country. Such a conflict will directly affect the country's environment and natural resources. At present, Somaliland government has a 'secret-clause' collaboration with Al-Shabab against Somalia for mutual benefit. Wolfson & Greta¹⁴⁵ argue that Somaliland is helping Al-Shabab in many ways: logistics, plans, strategies, training, recruiting, arms, munitions, supplies, and funding through the Dahabshiil Money-transferor Company. These authors argue that even some of the Somaliland's intelligence service are members of the Al-Shabab's Amniyat division (Wolfson et al., 2015). Ulusow¹⁴⁶ (2014) similarly suggests that it seems that Somaliland secretly

145 Swedish Investigative Journalists through many former and current intelligence units and individual officials, security experts, and politicians. These bodies include both Somalis, Somaliland citizens, regional experts, and international experts. They also analyze numerous cases

146 An outspoken Somali investigative journalist based in the Netherlands.

supports any form of terrorism in Somalia in the belief that the greater Somalia's instability, the better the chances of Somaliland becoming an independent state.

If a military expedition is deployed in Somaliland by the rest of Somalia under the leadership of the federal ministry of defence, there could be more civilian casualties than combatants. It is hard to distinguish between the Isaq's¹⁴⁷ military and non-military members. Children, women, and non-military men would fight or vacate the zones alongside their military kinsmen. To avoid a conflict between Somaliland and the rest of Somalia, there must be strategic measures which based on a combination of both negotiation and law enforcement.

Currently, there is an ongoing UN-backed national government and Somaliland dialogue hosted by Turkey which mainly focuses on sharing the rights to control civil aviation. But it had dealt less with the political agenda and resource distribution. On this point, the international community and the UN should frankly state their points of view towards Somaliland.¹⁴⁸ In addition international and UN pressures, Somali government should endeavour to attract the Isaq community of Somaliland whose politicians are struggling to secede from Somalia. This would be helpful at the stage of a referendum if (they) resort to one. In a peace process dialogue, the Somali government should be fair to the respective clans of the country, and avoid offering or giving extra rights to Somaliland for the sake of the unity.¹⁴⁹

B. Local pirates

Pirates operate throughout the Somali basin, largely in Puntland, claiming that they serve as coast-guards in their territorial waters (Mazurek, 2015). However, unlike Sierra Leone's youth

¹⁴⁷ Isaq, the separatist group, is in between two sub-clans; Dhulbahante and Gudo-biirsi, who fully or partially support the unity of Somalia.

¹⁴⁸ It seems that no state is ready to recognize Somaliland's independence, yet none of them dares to reject its demand for secession. This is ultimately against the interests of Somaliland's local community, the young generation whose future is particularly bleak.

¹⁴⁹ Giving extra rights to any given community would only exacerbate the problem where such a community would continue demanding more and others' rights will be deprived. The true political and policy strategy is that tells the truth.

who fought for the defence of their rainforest in 1999 (Paul, 2015; Smillie, 2009; Dugal, 2009), they do not differentiate between illegal fishers and seafarers. They must be seriously fought with the help of the international community, excluding three frontline states. This effort must be strategically undertaken by avoiding further tensions that could strengthen networks of instability. Unlike the approachable networks of instability, the unapproachable networks must be dealt with according to the extent of their unlawfulness and illicit activities.

To prevent piracy, there is a need to provide life-skill training in various professions, formal and informal education, psychological rehabilitation, and social reintegration for former, new and suspected pirate members as well as all youth. Finding job opportunities for the young generation is the most effective strategy to prevent piracy. To avert pirates' justification that they are defending their territorial sea resources, each of the provincial and federal administrations should warn faith-lords against fomenting violence-based religious advice and motivations.¹⁵⁰ Another option is to support fisherwomen's activities besides fishermen. This option may not only promote women's rights in the economy, but would also reduce the new phenomenon of indirect prostitution which encourages young boys to join pirates.

6.2.3.2. Actors and Networks of Potential Stability

A: Somaliland Governmental Marine Environmental Management

In Somaliland, most of the activities in the marine and coastal zones are acceptable for a developing state recovering from civil war. It is not in a deplorable condition in terms of environmental protection, resource management, and security. This means most of the

¹⁵⁰ As radicalism is being criminalized, any religious evangelization that may lead to resentment, violence, and warmongering should be criminalized.

networks/stakeholders involved in these areas are actors and networks of stability. The federal government can boost these initiatives by using both external diplomatic ties and internal connections. All the agreements with the foreign state and non-state stakeholders must be applied to Somaliland's marine and coastal zones. This will limit the ambition of Somaliland's separatists, while increasing the unionists' hopes and motivating coastal communities. To weaken the separatists, it is necessary to support and mobilize local administrations in the towns and rural areas of these sub-clans, while still avoiding any form of conflict. Internally, the government should ensure that Somaliland's economic, political, social, environmental, and developmental rights are respected.

B: South-Central (Jubbaland, South-West, and Galmudug) Potential Provinces

For the stability of the South-central region of the country, the federal government should limit its role, in accordance with the constitution, to working with the emerging provincial states of Jubbaland, South-West, and Galmudug. This would encourage local communities to feel ownership of their cities, districts, towns, and rural villages. It would also open opportunities for sub-clan chiefs and elders to meet each other and have a dialogue. Local intellectuals could get together on occasion to share information and opinions regarding the peace process with their clan elders. Consequently, local communities would comfortably work towards autonomous administrations based on a bottom-up approach.

Galmudug' stakeholders - Ethiopia, the Federal government, and Faith-lord Warmongers – should stop meddling in the potential province's administration and security processes. Instead, they should sincerely support them. In order to secure the establishment of Jubbaland, an extensively organized and regularized campaign on sustainable fishing and consumption of marine

resources should be undertaken. This would divert residents' minds from political tensions and recurrent conflicts toward provincial fishing professions. Similarly, the people of the Southwest potential province must be encouraged to undertake self-help programs leading to agricultural engagement.

C: Private Coast-Guards in Puntland: Coast-Guards in Puntland, followed by those of Somaliland, are the only permanent and reliable marine forces in Somalia. Yet, their missions and visions need to be reviewed and adjusted with both the provincial and national interests as well as those of the region and the globe. Policy networks among local communities should have close working relations and general agreements over the scope and aims of coast sharing policy with local communities¹⁵¹. In many respects the formal and informal relationships between local enterprises and external organisations, including coast-guards, must be given consideration in order to examine to what extent these public-private partnerships are strong and how they may or may not affect the marine natural environment.

Some of the coast-guard companies are influential and could be used by either the government or the citizens to advance particular projects. They should be carefully approached, and negotiated with. One strategy to attract the networks of instability to collaborate with locals would be to require them to need the knowledge and skills of the local fishers, for instance for knowledge/information. This could be the first step in a roadmap to integration of scientific studies and traditional knowledge. Such an approach would endeavor to meet two objectives; “to enhance competence in the decision-making process, and ... to assign a fair share of responsibility to manage risks to those who are or will be affected by the potential consequences” (Stoll-kleemaann, et al., 2006, p.4).

¹⁵¹ leading to create policy input from the grass roots, and pass it to general institutional processes leading to policy output.

C: Provincial/Local Fisher Companies

Provincial/Local Fisher Companies lack formal contracts for exporting their products. As a result, they catch fish without any pre-requisite orders, reliable markets and plans. Only after they acquire this unlimited and unregulated catch do they start seeking markets. All the non-consumed and non-purchased catches are either returned to the sea or left at the shore (thefishsite.com). Local fishers do not possess adequate qualitative instruments for fish-netting and handling measures. This leads to overfishing with no regard to endangered species or indiscriminate fishing.¹⁵² Administrative structures were not functional during the civil war. But presently, effective measures for fishing management, fish-catch control, fishing regulation, marketing system, and other relevant responsibilities may be undertaken.

Lack of fishing technology and fishery safety measures, including lack of life-jackets, are among the primary obstacles to the fishing industry in Somalia. Currently, provincial/local fishers need investment, technical support, financial support, and moral support. These types of supports could easily be provided by each and any of the local business persons, provincial authorities, federal authorities, Local Non-Governmental Organizations (LNGOs), International Non-Governmental Organizations (INGOs), and foreign traders.

D: LNGOs: Nowadays, local communities are eager to make money through foreign humanitarian aid, investments, loans, development projects, and so on. It has reached the level where there are hundreds, if not thousands, of one man show LNGOs which do not exist beyond name, logos, and an introductory page in papers held in one man's handbag. Still, there is a window of opportunity for establishing effective and efficient environmental local NGOs.

¹⁵² When foreign fishing vessels threaten the livelihood of local small-scale fisheries with limited political power and equipment, local fishermen using small boats and traditional techniques inevitably suffer from depleted stocks

I highly recommend LNGOS be amalgamated with the Local Communities and Provincial Administrations. Local NGOs should be registered by the local elders and community activists. They need to approach them with practical wisdom rather than giving orders. There, a union of LNGOs operating an environmental umbrella office could be established. There must be tangible benefits for each of the LNGOs in union membership. The benefits can create a reciprocal relationship and constant collaboration. Each of the federal and provincial governments should set-forth and implement constitutional and ministerial policies towards NGOs. The ministry of interior, which is the most appropriate office to manage NGOs, must update itself and familiarize itself with the latest political and non-political conventions regarding NGOs and democracy.

6. 2. 3. 3: Actors and Networks of Stability

A: The Puntland Government

The federal government should continuously consult with Puntland in order to avoid distrust. Puntland often complains of not being consulted by the federal administration on national policies. It demanded provisions in each draft of the federal constitution, sharing federal resources, demarcating provincial borders, power-sharing, the election process, and representation. On the other hand, Puntland has often tried to control or influence the federal government's decisions for its particular interests. It demands special privileges for being autonomous before the re-emergence of the national government, and for not embracing separatism like Somaliland. In response to these demands, the federal government should be cautious not to be submissive to Puntland, but should honestly and diplomatically engage with it. The federal government should immediately start distributing federal resources to the provincial states by implementing articles 6A and 7 of the

interim constitution. There, Puntland may secure its right share of the country's resources and become satisfied.

B: Coastal Communities: In large part, coastal communities are among the networks of stability. They basically need two things: stability and motivation. In order to solve their internal problems and build positive relationships among the various stakeholders, the federal government should fully use its capacities and social capital to support them. The roadmap to the peace process must be based on fairness. This means all networks/stakeholders of potential stability must access their fair share of resources in order to divert them from collaborating and siding with the networks of instability for self-remobilization. Hanzen states: "A rebel group is likely to continue to seek to rebuild its capacity and therefore expand its options to continue the war throughout the negotiation period. This is especially true in situations in which the rebel group does not perceive it is getting its fair share out of a peace agreement" (Hanzen, 2013, p. 41).

6. 3. Cross-Cutting Themes from Somali Actor and Network Analysis

A number of key themes emerge from the analysis of the actors and networks of stability, potential stability and instability at the international, national and provincial/local levels in Somalia.

6. 3.1. Competing International Agendas with Respect to Somalia

The key feature among the international networks that are active in and around the Somali basin is the lack of a coherent and consistent common agenda with respect to Somalia. Rather, individual state and non-state networks are pursuing their own interests, even when nominally working collectively. For instance, AMISOM forces, relying on the UN's support, act as if they are the breadwinners for their respective families, communities and countries, and not as

Samaritans came to assist a member state - Somalia. Even the UN seems to endorse this approach. Recently, the UN commissioned a Ugandan contingent of over 400 Special Forces simply to guard AMISOM's facilities (Arman, 2014).

Another large military force is assigned to guard AMISOM's staff rather than pursuing Al-Shabab. Similarly, AMISOM employed a large number of professionals, office employees, laborers, interpreters, reporters, and logistical deliverers.¹⁵³ The AMISOM donors must recalculate their decisions towards financing AMISOM. The money spent in AMISOM may not only suffice to support the deployment of UN forces to patrol Somalia's seas and land borders but also to recruit and train Somali forces¹⁵⁴ to control Somalia and its borders. The recruitment of Somali forces must ensure that they are not susceptible to terrorism, radicalism, warlordism, and gangsterish behavior.

Ethiopia is one of the strongest stakeholders in Somalia at the regional level, but basically pursues its own agenda. It seems that Ethiopia's motive is to reverse history by reinstating the condition of the region before 1897 when there were no borders separating the two countries (Kendie, 2007). At this stage, Ethiopia needs to realize that the world has changed geographically, politically, socially, and economically as well as in terms of civilization and lifestyle.

Instead, Ethiopia needs to remove suspicion and pessimism from its policy. It should focus on achieving its main agenda, which is to trade in the Indian Ocean through Somalia's ports, in a peaceful and friendly manner. To achieve this goal, Ethiopia should respect Somali sovereignty politically, militarily, socially, economically, and environmentally. As a part of beginning a new era of a friendly neighborhood, Ethiopia should discontinue destroying Somalia's land resources

¹⁵³ Each of these staff members does not only receive monthly salaries, but huge amounts of risk allowance, night-out, out of home incentive, body-guards, maidservants, war-designated vehicles, bullet-proofs, and other frequently emerging incentive payments at the cost of AMISOM.

¹⁵⁴ As is being done in other conflict zones.

and environment. First is to end its illegal action of diverting Somalia's two main rivers (Jubba and Shabbelle) (Glaser, 2015). Secondly it should halt its suspicious military coalition with Kenya against Somalia (Kendie, 2007), and thirdly, it should cut its military treaties with Puntland and Somaliland (Arman, 2014).

The UN¹⁵⁵ should acknowledge that Somalia needs to move from political and economic trusteeship, and recovery stages to a post-conflict rebuilding stage. Recently, "Somalia and its littoral regions have asked the international community for assistance in developing necessary physical infrastructure and scientific capacity to achieve sustainable fisheries management" (Glaser, 2015, p. 65). At this stage, Somalia should promote an international call to action to stop illegal and destructive foreign fishing in and near its EEZ.

6.3.2. Failure of Actors with Capacity and Nominal Respect for the Rule of Law to Act Constructively

The NATO/NAVFOR coalition, whose capacity is strong and self-sufficient, is unwilling to act against IUUO; at the same time, the coalition does not pay attention to the local fishers' concerns and complaints. This discourages Somali peace-lovers and coastal communities. Instead, it encourages pirates and marine terrorists. NATO's objectives and mandates are unclear to both Somalia's governments and its citizenry.

The NATO naval fleets state that their mandate is to monitor transnational movements in Somali waters. Nonetheless, the following questions, among others, still remain unanswered: Is the navy, particularly the US Navy, the most appropriate body to supervise marine security globally? What institution can play an effective and neutral role at the global level? Is NATO the

¹⁵⁵ Through its main agencies involved in Somalia such as UNDP, UNPOS, FAO, World Bank, and IMO.

most reliable body? Even if NATO is the proper channel, can the strategic unevenness in its role be compensated with the socio-political and military-political trade-offs that are intrinsic to the negotiating process?

6.3.3. Lack of Capacity Among Somali National, Provincial and Local Governments:

The incapacity of federal and provincial governments has not only hindered the country's recovery, but has also played a significant role in the continuation of the civil war and sociopolitical instability. Among their failures is their lack of interest in providing political and material resources to the young generation, in order to liberate them from depending on warlords, pirates, Al-Shabab, and other criminal and destabilizing groups. The youth's dependence on these networks of instability is the primary source of internal environmental degradation and insecurity in the country.

Dividing the environmental and security responsibilities within the federal government, provincial authorities and local communities, there are four key limitations at the federal level, two at the provincial level and one at the local level. At the federal level, these are: 1) Institutional incapability due to the lack of financial, technological, infrastructural, and personnel capacities. 2) Political chasms where most of the politicians focus on personal interests and engage in corrupt practices. 3) Foreign military interference, policy alterations and misleading advice based on various economic and political agendas, and 4) Internal corruption which may be reinforced or facilitated by external personnel.

At the provincial level, there are two chief obstacles to stability one of which one is internal and the other is external. Internally, each of the provincial administrators seeks to block the

political and economic agendas of the other. Externally, provinces have endured constant meddling from the Ethiopian ministries of defence and foreign affairs (Arman, 2015). At the local level, civil society groups, community elders, local politicians, women's groups, and individuals may attempt to improve their territorial environment and security. Since they are not recognized as authorities, they have no voice in the international community, and cannot continue fighting for the protection of their resources through diplomatic means. Yet, some academic and community fisheries have repeatedly tried to argue against degrading their marine environment and exploiting their marine resources.

To maintain relationships between the federal and provincial governments, there must be a focal office/person at the national level who is directly connected to each of the provincial ministries to coordinate policies and all forms of environmental activities. Provincial and district committees are required to work with the national environmental committee, which is in charge of drafting the national environmental act that governs the country's various environmental sectors at both national and provincial levels.

The primary trigger of conflict and mistrust among Somalia's respective provinces and clans is the political leadership. No clan accepts to be governed by another, and the presidential elections that have taken place so far were not fair and free, but laden with corruption and coercion. Power hungry politicians do not limit their corrupt practices to bribery. They also intimidate innocent citizens in order to compel them to vote for particular candidates. In a form of threatening, they spread rumours among the voters on that a particular candidate is being endorsed and funded by the US and Ethiopia, therefore, those MPs who did not vote for him could be considered terrorists and arrested. The International Foundation for Election Systems (IFES) and relevant state and non-state organizations who supervise national elections should be present in every election

in Somalia as an extra caution. They may provide training to local electoral committees and guide the voters, nominators, nominees, candidates, and vote-workers. They may also assist them regarding financial capacity, technical capacity, logistics, and organizational management, while facilitating the duties of the Electoral Committee, the voting system, and procedures. This would enlighten Somalis on evading corruption, bribery, recklessly flattering individuals, voting for the wrong candidates based upon interest of their forefathers' or kinship, jealousy, or becoming vulnerable to a candidate's intimidation and psychological warfare¹⁵⁶.

6.3.4. Role of Corruption within Somali Governmental Institutions

Any fragile government official, especially in the third world, may engage in personal interest-based forms of corruption. Where there is a corruption, government decisions may be supportive to those of actors and networks of illegality and instability which create or lead to environmental unsustainability. Concurrently, corruption opens doors toward misleading, abandoning or hindering public management. Corruption may be engaged because of fear, want, greed, anger, envy, ignorance, aggression, or for fun¹⁵⁷. In the case of Somalia, fear and greed are the major motives. The former is practiced by the weak victims while the latter is practiced by the strong oppressors. At individual level, these should be combatted in two ways; public admonition acting from religious and dignity perspectives, and legal action. Article 11C of the provisional draft constitution submitted to the House of the People of the Federal Parliament on 07 September

¹⁵⁶ One of the latest corruption strategies used in the latest election was to give each of the bribed MPs a particular sign that he or she should write on the back or the edge of their ballot paper. Then, it is the representative of that candidate who will quickly scan and record each of those who gave their vote. There, anyone who took the bribe but did not give the vote can be figured out and targeted. The Electoral Committee must double check each ballot's every corner, and if any mark is found on one, should announce that such a vote is a waste. On top of that effort, a high definition camera which can detect every mark on the papers should be switched on for surveillance.

¹⁵⁷ Most of these reasons could lead other destructive factors such as slowly destroying all senses of right and wrong in the midst of the society; killing human intelligence, norms, and spreading itself into all over the roots of the society's culture.

2012 cites corruption with lapses. This article must be amended to be efficient, effective, instant, and uncompromising. Legal actions related to it must be taken publicly for the purposes of both punishing and embarrassing the culprits.

It is not a hidden problem that Somali executive administrators and leaders are lacking basic knowledge and experience in office administration and money management (Kay, 2014; Arman, 2014). Several state and non-state donors contribute quite a significant amount of money to rebuilding Somalia. Yet, the federal government always complains about its lack of financial capacity. Since the inauguration of the federal government, the Western state and non-state donors started depositing their donations into a UNDP account in Kenya (CRD, 2013). UNDP transfers only monthly expenses to the Somalia's central bank, yet Somali leaders were repeatedly condemned for stealing such monthly expenses (Transparency International, 2015; BBC, 2012).

Currently, Somalia is economically under the trusteeship of the UNDP Multi-Partner Trust Fund Office (UNDP, 2010), while politically falling under the UNPOS (UNPOS, 2013). This could be a solution if the UN staff themselves were trustworthy. It appears, however, that they take an advantage of the Somali leaders' incompetency. At this stage, what is needed is to employ strategic anti-corruption and malfeasance services by the donors collaborating with Somali experts. This should continuously and regularly be evaluated so as to eradicate administrative corruption. Good governance begins with financial controls based on weekly discussions, policy reviews, and legal updating for standardizing self-administration. Through this, the current lack of know-how, incompetent leadership, and self-sustaining behaviours can be addressed.

6.3.5. The Role of Clans in Somali Politics and Society

The main two obstacles to security and sustainability at each of national and provincial levels are the clan system and corruption. In this theme, I focus on the role of clans in Somali politics and society as it has been a factor in instability. When the state collapsed, people fell back on clan relationships for security, but they largely failed to play a role as potential networks of stability. They have been politicized. In the aftermath of the civil war and the introduction of the federal system, government officials were considered, by the public, to act as representatives of their particular clans. They may not only lack self-confidence but a lack of knowledge of the governance system. If this is not curbed soon, it may lead to recurrent civil wars or a renewed conflict situation.

The Somali elders have managed to resolve most of the neighborhood conflicts and civil cases by using a customary law (*xeer*) based on clan systems. An apparent question is how to deal with the clan system in Somalia: Is it a network of instability, potential stability or stability? How can one transcend its negative and destructive stage to push it toward a positive and constructive position? How can different clans work together? Is it possible to destroy or authorize the clan system in the process of working towards stability and sustainability in Somalia's post-conflict situation?

Throughout the history of Somalia, there were two periods in which the clan system was replaced with nationalism. The first period lasted for a span of 15 years, from 1945 to 1960 while the second lasted for another 15 years, from 1969 to 1984. The first action resulted in the independence of Somalia, while the latter resulted in the only successful and satisfactory governmental system in the history of Somalia.

From 1945 to 1960, Somalis had strong motives, one was to obtain freedom from their colonial rulers who oppressed them, and secondly, to become an independent state. In the march to

freedom, slogans and messages in the form of poems and statements were used to encourage unity, dignity, brotherhood, and statehood. Likewise, from 1969 to 1984, the holy revolution, mentioned in chapter one, mobilized the citizens to adopt a new lifestyle which was based on implementing good governance so that citizens could benefit from their human resources. In order to reach economic self-sufficiency, eliminate illiteracy, elevate living standards, and introduce the most beneficial aspects of modern civilization, the revolution applied a “Self-Help” campaign. The revolution used its media and orientation sessions at the neighbourhood level to increase public awareness of its message. One of the most significant events which occurred in the early days of the revolution was the staging of a monumental ceremony in which clan culture was symbolically buried in the public cemetery. From that day onwards, it was forbidden for Somali citizens to claim or use clan affiliation in their day-today activities.

What is needed in Somalia today is a reflection on its history in order to learn lessons from the past. When the clan system in Somalia was limited to traditional affairs, it was constructive, cooperative, and positive. However, upon politicizing the traditional system of clan collaboration and alliances, the people’s behavior and culture changed negatively. Moreover, this worsened when religion was also politicized and each clan promoted one cult under the leadership of one cleric as a vehicle to power.

6.4. Ways Forward

6.4.1. The Role of the International Community

The international state and non-state stakeholders should make a new commitment towards rebuilding Somalia with concrete action. This commitment should focus on the three practical measures of security, justice and public financial management which are currently barriers to the

achievement of marine environmental sustainability and security. The international NGOs should closely work with the Somali federal and provincial governments in order to reinforce peace and stability. Throughout their activities, they should be looking to broaden collective rather than individual interests. For instance, the United Nations Office of Politics (UNPOS) should play a significant role in supervising Somalia's politics and election processes while giving advice to any government in power until Somalia fully stands on its feet. Particularly, UNPOS should not only observe but physically patrol the presidential election scheduled to take place in August 2016, and the subsequent. The office's main concern should be deterring any form of political corruption and compulsion based on bribery to gain power and intimidate innocent citizens.

1. The money invested in foreign experts by UNDP and various other state and non-state agencies must be limited. A large portion of this money should be allocated in resettling Somali experts scattered all over the world back to their hometowns. These experts have gained and updated their qualifications and experiences in the period in which they have lived outside Somalia. Mainly, the Somali citizens who politically endured the last 25 years of lack of governance in Somalia may be divided into two groups: Those who were born or matured after the collapse of the Somali government, and a very few former officials who are in their retirement age. The former group has no idea of what government is about as they have never experienced one, while the latter has forgotten about the governmental system. The experts from the diaspora would train and become role models for the local communities. To avoid renewed conflicts over natural resources, Somalia needs the United Nations' special program to offer targeted training, technical advice, neutral facilitation, and impartial analysis so as to identify cooperative solutions and mechanisms for

coordinated management (UNDP, 2008, 21). To rebuild a war-ravaged state, this special program needs four vital components:

2. Peacebuilding, consisting of creating and enforcing the means of community integration, creating employment opportunities, resource management, and environmental governance.
3. Peacekeeping which includes providing and facilitating safe service logistics, technological capacity building, and equipment to monitor illegal resource exploitation and trade, while initiating the re-integration of ex-combatants from natural resources.
4. Environmental diplomacy as a strategy for using shared natural resources or common environmental threats as a platform for dialogue, confidence-building and cooperation between divided communities or countries.
5. Legal protection which is an enforcement strategy to protect natural resources and the environment during armed conflicts through international legal instruments (UNDP, 2008).

6.4.2. Building Capacity within the Somali Federal Government

The Somali federal government should focus on security issues by rebuilding reliable security forces at the national and provincial levels. The government needs to recruit competent military and police commanders as well as strong and strategic intelligence units. Concurrently, the Somali government needs to rebuild the means of justice. The role of legal experts may not be limited to the justice sector. It should cover many parts of the government's administrative functions including security, finance, health, politics, and social relations. The country's financial control unit such as the general auditor must be in contact with these experts. As a result, accountable and transparent financial regulations meeting the standards of the global economy could be developed.

The federal authority should respect and use local knowledge and culture.¹⁵⁸ For instance, if the government decides to engage in a policy formulation project, it should endeavour to reveal and realize the uncertainties which could be faced. Given that policy-planning for the future will unavoidably face unknown information and potential incidents the government should fully consider the value of the local information and knowledge so as to consider a range of eventualities.

6.4.3. Building Provincial State Capacity

Provincial ministries and other related institutions should provide training services on safety programs that include the use of modern equipment. When conducting research and surveys institutions must promote cooperation among local, provincial, national, regional, and international networks of stability as well as potential stability. They need to be strategic when using financial-led approaches such as marine product markets, infrastructure facilities and life-skill training. To make the coastal zones clean and green, provincial offices should establish community level mobile or temporary offices in collaboration with local communities and traders.

The major obstacle to building provincial government capacity is the lack of reciprocal relationships between the provincial and national administrations. If there is a clear resource management policy formulated in accordance with a local consensus, both the community and the national authority can be in agreement on the necessity of resolving conflicts and developing clarity with regards to resource consumption and capacity enhancement. To maintain relationships between the federal and provincial governments, there must be a focal office/person at the national level who is directly connected to each of the provincial focal points to coordinate policies and all forms of environmental activities.

¹⁵⁸ Especially when engaging in any given project at when, why, what, where, how, and how much money will be invested in it.

Provincial and district committees are required to work with the national environmental committee which is in charge of drafting a national environment act that governs the country's various environmental sectors. Pomeroy, et al., (2005) suggest reconciling local and national policy initiatives, categorizing community-based policy approaches on fisheries into five types: instructive, consultative, cooperative, advisory, and informative. In the case of Somalia, each of these depends on the local individual's level of understanding and awareness. The more alerted and encouraged they are the more interested they will be in environmental protection and resource management.

Taking advantage of the federal system which has been initiated by Puntland,¹⁵⁹ for instance, the federal government should encourage and help Puntland to create independent civil societies as a democratic initiative. These civil societies would combat the provincial networks of instability while deterring the emergence of new ones. On the other hand, they will play a significant role in stabilizing the province and avoiding any form of political revolt and insurgency at each of the local, provincial, national, and intra-provincial levels. It is a good strategy to establish networks of stability to overwhelm those of instability at the local level. Civil networks of social movements such as environmentalists, feminists, small-scale traders, sports teams, or any other community-based movement need to be established, funded, and politically empowered. Having learned lessons from these experiences, Somali federal and provincial governments, with the help of the UNDP and UNEP, could conduct scientific studies regarding how to establish and maintain durable civil societies.¹⁶⁰

¹⁵⁹. The new constitution introduced in 2012 legalizes a federal structure to Somalia which recognizes and compliments Somaliland and Puntland. The federal government also encourages the two provinces to be a role model for the newly emerging provinces.

¹⁶⁰ In retrospect, several initiatives of social movements have died before their execution, and as such, several civil society organizations died before they celebrated their first anniversary. Due to financial, technical, qualification, and manpower incapacities, alongside constant criticisms coming to them from the networks of instability, they could not accomplish their missions and visions.

6.4.4. Local Communities in the Governmental System

The recently adopted decentralized federal system encourages local communities to formulate, implement and evaluate the management of their respective resources. Coastal communities in Somalia can formulate and implement marine environmental policy in a dynamic bottom-up approach for several reasons. First, in Somalia, national authority is weak, if not disabled, because it lacks the basic financial, technical, personnel, institutional, and policy enforcement capacities. Secondly, several local NGOs are already operating as a form of a community-based governance system. Thirdly, environmental public awareness has been on the increase since the beginning of the new millennium at the individual, household, community, organizational, provincial, national, and regional scales. Therefore, it is conceivable that Somalia will be able to establish and implement a workable environmental policy.

There is a general mistrust of the central government's abilities to formulate and implement an environmental policy that is in accordance with local needs, especially in the post-conflict era. Thus, local citizens do not have confidence in a top-down approach to policy formulation analyses, evaluation, decision-making, and implementation. Instead, they would like to initiate policy formulation in their local context so as to manage their resources according to their local traditions and knowledge. This makes it necessary to approach the problem of marine policy using a bottom-up system in order to formulate applicable local and provincial environmental policies. However, local policy should be consistent with the national policy. Both should maintain constant cooperation with the regional and international policies. Local coastal communities need to establish neighborhood (*derisaynta*) policy which was experienced during the country's revolutionary rule in 1969. There must be a locally-administered census in the neighbourhoods,

where every ten households' records are kept. That will also contribute to facilitating any general census to be conducted in the future.

Therefore, what is crucial is to use appropriate strategies to empower individuals such as employing means of motivating the individual's sense of purpose, competence, self-determination, assertiveness, and reactivity. Besides individual empowerment, there must be ongoing community -building process as a collective empowerment to foment a sense of belonging, involvement in the community and self-mobilization. These concurrent processes, addressing both individuals and their communities can create public conscientiousness, leading to interaction, trust, consensus, and organization in the community for the purpose of collective interest. In its post-conflict situation, Somalia needs community-based conservation and traditional security based on interactive communications and voluntary instruments applied to mixed-genders in fisheries and other economic sectors.

Policy network rebuilding in Somalia requires a voluntary work approach, which is based on self-remobilization, self-representative, self-administration, and reciprocal participation, without waiting for governmental involvement and financial sponsorship. This initiative is the motivation for the establishment of social and environmental networks of stability based on collaboration. Margerum (2011) reports several post-conflict states that applied an "action collaborative" approach to achieving community-based policy systems governing watershed restorations and ecosystem enhancement. Therefore, the re-establishment of a self-help voluntary program is needed in Somalia. This program can play a significant role in reducing corruption and clannish power in community-based policy formulation.

6.4.5. Combating Corruption

Following the above discussion on corruption, corruption arising from fear may come into bi-partite form: fear of want or fear of losing. In this theme, I focus on the latter as it is more prevalent than the former. The latter could include a fear of imprisonment, fear of torture, fear of death, fear of poverty, fear of alienation, fear of failure, fear of losing family members, and fear of losing property or means of livelihood. It could also be a fear of being surpassed, humiliated, or injured. In Somalia, the victims of all these forms of fear are the minority, poor, unarmed, and abandoned youth, who are the vast majority of the terrorists and pirates. Usually, the minorities make and practice intentional delays of the majority's activities. This may provide the impetus for ill-will, and it would be difficult to dispel it, unless there is a freedom to pursue the truth unfettered by the fear. Within a system that denies the existence of basic human rights, fear, with its various forms, tends to be the order of the day.

To curb the forms of corruption that fall into security matters, police forces should be properly trained in human rights, national jurisdiction, faith, police code of conduct, civilization, and international humanitarian law. The minds of government members, employees, servants, and police officers should be firmly liberated from greediness, nepotism, favoritism, and selfishness. This may help hold both the oppressed and oppressor accountable for their actions, and as such, both fear and greed can be tackled. As a result, the minds of the public citizens will be free from apathy and fear¹⁶¹.

Having a functional National Domain Server System can reduce the police's tasks. The police or any other concerned security agency can follow the suspect's activities; what they are

¹⁶¹ The most dangerous form of fear is that which impersonates as common sense or even wisdom, condemning as foolish, reckless, insignificant or futile the small, daily acts of courage which help to preserve man's self-respect and inherent human dignity.

doing, what they are talking about, who they are corresponding with, who they are hanging with, where they are visiting, and even what they are planning to do. Following the information in their registration and data record – login and logout - the whereabouts of criminals and/or any other wrongdoers can be located and arrested on the spot (Media Asia, 2002). Certain branches of the police detectives will be in charge of these electronic investigations, while also protecting liberal privacy law, human rights and democracy. In order to track down criminals with cell phones, the suspects' Mobile Phones can be transformed into a micro spy system (Media Asia, 2002). This would help both security bodies and financial controllers to follow the people's movements and pick up offenders. In fact, the functions of Domain Controller (DC) with Geographical Positioning System (GPS) and other detective devices can play a significant role in controlling the national security without or with minimal physical task forces¹⁶².

As the country is recovering from the aftermath of prolonged civil war, social unrest, political instability, and economic and human resource losses, it will be difficult to fully install and monitor these devices at the present time. The situation however is not despairing. Wealthy Somalis will likely invest in developmental projects in the country's post-conflict situation. As the country is in a post-conflict situation, it is with extreme urgency that these measures must be put into effect, based on the country's financial and technical capabilities. Localities in Asia are currently using these security measures to reduce crime and increase security (Media Asia, 2002).

As a basic responsibility, the Ministry of Information should impose a licensing system on the private telecommunication firms including local private radios and telecoms. It should designate a certain bandwidth or electronic spectrum. In this regard, all waves and levels of

¹⁶² Strictly speaking, spying on the suspect is not limited to listening to what they are saying, but also reading their communication based on *Short Message Service (SMS)* and any other form of text messaging or signaling, Calling Logs, and tracing the history of their Uniform Resource Locators (URL).

national airspaces such as Ante Meridian (AM), Frequency Modulation (FM), Citizen's Band (CB), and Satellite zones should be strictly governed and licensed where necessary, while monitoring and controlling all the activities engaged in. These effective measures of corruption control must be taken by each of the federal, provincial, and local administrators. If the government does not have sufficient manpower, it can easily control the networks of instability with an Electronic-system. Having information means having a plan and power.

The UN and the World Bank need to initiate a new project on corruption resistance in Somalia. This project should not be limited to bribery, but should be extended to using public property for personal interest, contracting into a proxy war, seeking power for private gain, and giving safe haven opportunities to terrorists. Besides all these efforts against corruption, there should be some other significant projects of national reconstruction and reintegration, including job creation and income generating projects with the appropriate tools to monitor their outcomes.

Public services should mark their daily activities on an Electronic System, which can be available online on demand¹⁶³. By installing and maintaining Somalia's Domain Machinery Server, i.e. ".so" in the country could facilitate controlling all forms of business as well as insecurity activities in the country. This electronic system can detect illegal operations before the implementation, even if the culprits do not use any type of telecommunication¹⁶⁴. For instance, it was reported that the current president has taken cash from the national treasury both directly and indirectly (UN, 2012)¹⁶⁵. Every money transaction must be electronically recorded by date, time,

¹⁶³ For example, all candidates, for any position, should complete application forms and related documents online, and follow the updates of their applications online, until they are called for an interview.

¹⁶⁴ Domain Controller (DC4) works easily by the server system responding to the security authentication system, and then, records all the activities going on inside the country. This service needs only a few numbers of technical assistants or customer services who provide normal service to the clients while recording their information to ease bookkeeping, auditing, and all forms of investigations when needed. All that the customer services should do is to give an identified username and password to each client, while detecting and interfering any unregistered telecommunication in the territory; private wireless and/or pirate electro-system.

¹⁶⁵ In the case of indirect, it was reported that he used some of his ally ministers to withdrew the monthly salaries of their staff from the bank account and hand it to him, leaving the employees unpaid (Jay, 2012; UN's, 2012; Abrar, 2012).

purpose, and the names of the withdrawer and cashier. Due to the country's fragile and volatile situation, it is important to publicize every incoming and outgoing financial transaction with their purposes. Each of the concerned Parliamentarian Committee, General Auditor and General National Accountant must regularly monitor and follow up every single dollar spent. To implement E-recording, the cash donations paid by some of the Gulf Arabian states in the title of 'hospitality' must be terminated.

6.4.6. The Role of Clans

The Somali traditional structure contains complex sources of creating and contributing to conflicts and unrests. The same tradition also contains conflict resolution mechanisms based on traditional law among the respective clans. Taking an advantage of the latter, an implementation of the aforementioned neighborhood program can play a significant role in the disarmament mission¹⁶⁶. Besides these security operations, local neighborhoods should establish and augment the use of their human values by relying on each other for the best amicable community services. They can achieve this by mobilizing themselves collectively and training each individual for the most appropriate task. Through this cooperation, they can build pan-neighborhood alliances with residents holding similar values to increase the responsibility, power, and accountability of local government.

¹⁶⁶ Zoned elders and police officers should frequently engage in tough unexpected operations of weapon inspections. This program can be named as "*gor*" locally, which means "Eagle Program." It is to raid the residential buildings of certainly dangerous neighborhoods unexpectedly at 5.00 a.m. for mass inspection.

6.4.7. The Diaspora's Role in the Overall Transformation of the Local NGOs and Communities

The Somali intellectuals in the diaspora should endeavor to succeed where the politicians have failed, uniting their country and creating conditions for peace and good regional neighbourliness. They should establish a revolutionary movement for the recovery, restoration and rebuilding of their country of origin. The Somali diaspora may associate civil societies and scientific clubs in which they create a peaceful and environmentally friendly society in the country. Local communities can fulfill their responsibilities towards preserving the environment by following the guidelines of these scientific clubs/unions. In a good-hearted society, the burden of upholding the principles of justice and common decency, falls on the ordinary people, and that is what is expected from the Somalis in their post-conflict situation. The quintessential revolution is that of the spirit, born of an intellectual conviction in the need for change in the mental attitudes and values that shape the course of a nation's development¹⁶⁷.

Modern management systems in natural resources, environment, marine ecosystems, and marine security are relatively new to Somalia. They require a coalition of local and diaspora experts. But, both need to be trained, oriented, toured, or, at least, briefed about their respective responsibilities so that their work reflects a combination of scientific and indigenous knowledge. In order to motivate them, they must be given appropriate responsibilities. Some of the local experts may be greedily involved in financial corruption. Thus, any experts' behaviour and political activity must be regulated, limited, observed, and controlled based on one's assigned tasks and responsibilities.

¹⁶⁷ A revolution that aims merely at changing official policies and institutions with a view to an improvement in material conditions has little chance of genuine success.

The collaboration of the LNGOs must be one connected to each part of civil society such as youth, women, community activists, and community elders. Qualification-based educational clubs and unions, such as students of science, technology, laws, environment, among others, need to be established¹⁶⁸. These clubs should be encouraged and entwined with professional unions such as medical doctors, lawyers, fishers, politicians, policy analysts, environmentalists, and security experts' associations. This is how local activists and young generations can learn good governance at the grassroots level. They will practice and adopt job descriptions, roles and responsibilities, between politics and environmental/resource management, how to cooperate and collaborate with other stakeholders, political and administrative hierarchies, how to relate management and reports between provincial and federal levels, the significance of regional and international cooperation, and reasons for cooperating and reconciling in environmental management as a common interest against external threats.

Ultimately, the diaspora should bridge the link between the LNGOs and local communities until they unite them in one voice. That one voice should then approach and build strong reciprocal relationships with the provincial executive administrators including ministers, directors, managers, experts, researchers, surveyors, and day-to-day data collectors. There, the united local communities and provincial administrations must create and maintain reciprocal governmental relationships with the federal concerned ministries. As such, information sharing, knowledge

¹⁶⁸ Nowadays, local communities are eager of money-making through foreign humanitarian aids, investments, loans, developmental projects, and so on. it reached the level of where there are hundreds, if not thousands, of one man show LNGOs which are not beyond name, logos, and introductory page in papers which is in one man's handbag. Still, there is a window of opportunity for establishing effective and efficient environmental local NGOs. Most of the current titular NGOs are not environmental but social, developmental, political, and other abstract projects. But these NGOs only operate either temporarily or occasionally. Some may survive a year or less with funding challenges, and it is rare to find a Provincial Non-Governmental Organizations (PNGOs) or LNGO that has survived over a decade unless it is an extended branch of one of the INGOs or Regional Non-Governmental Organizations (RNGOs). Even INGOs give occasional, or one-time, subcontracts to implement a particular project.

exchange, collective brainstorming, inclusive decision-making, and policy formulation can be established.

LNGOs should have local economic development committees on their Board Directors (BD). These BDs should set key development goals and strategies for their respective NGOs. At this stage, educated persons should speak out and find their position in the community without waiting for any welcome or invitation from uneducated persons. They also should not be afraid to be deemed as individuals advertising themselves, but should think about the public interest. Somalia's educated individuals need to realize that the beautiful culture of respect for knowledgeable people has disappeared. Thus, they should neither wait for respect for their good acts nor to be invited or delegated a responsibility.

6.4.8. Dealing with Actors and networks of instability

To contest external networks of instability, their local agents should be eliminated. A Ministry of disarmament, demobilization, and reintegration (DDR) should be established at each of the federal and provincial levels. It should closely collaborate with all the ministries concerned environmental, marine and security affairs. This ministerial power can marginalize all forms of IUUUO Fishing, pirates and other networks of instability engaged in the country's politics, economy, social, and environmental issues.

To tackle the internal and external networks of instability, Somalia needs the '6 Cs' that Margrum (2011) recounts: Communication based on sharing information; consultation based on formal communication with local community, federal government's involvement, and local and international NGO involved; conflict resolution based on a range of formal and informal processes for problems solving between two or more stakeholders; consensus building undertaken in a series

of steps through which individuals come together, share information, and reach a mutual agreement about problems, goals, and actions; cooperation participants working independently toward a common goal; and coordination of participants working jointly toward a common end.

At the domestic level there are several networks of instability which may neither easily be brought into governmental system nor be easily destroyed. The fully-armed warlords, unorganized pirates, and warmonger faith-lords such as Al-Shabab and Ahlu-Suffa of the ASW are the most significant internal networks of instability. They should first be approached for reconciliation and reciprocal relations. Irreconcilable and ungovernable networks must be completely destroyed using the political policy called “shape up or ship out”. But before taking such a legal step, the government should advance the following steps: to advertise the side effect of this networks’ activities and publicize its severe consequences, to criminalize it, to warn the public away from having any connection with these networks, to investigate their financial and armament sources and block them, to detach them from the local communities, and to boycott any form of their advancements and enrichments.

To challenge corruption, provincial and federal institutions must improve their capacities in financial controls. Specifically, they need to understand how the operation of weekly, monthly, quarterly, and annual financial auditing and reporting can attract funds while also sustaining and enlarging their institutions. Technically, their understanding needs to be adjusted with the common

hierarchical stages of economic and accountant concepts; the first being the ‘consistence concept’,¹⁶⁹ then the ‘prudence concept’¹⁷⁰ and finally the ‘depreciation concept’.¹⁷¹

The acceptance and adoption of these concepts will upgrade institutional reporting, report-rating, the appreciating of benchmark totals, and a proper system of project development and follow-up. Currently, most of the governmental institutions are not fully operational due to a lack of understanding and/or application of these concepts. The leaders of these institutions also need to consider two significant facets, which are personal integrity and legacy structures. When the administrative leaders are not short-sighted, their heads of state will follow suit. This is one of the advantages of the bottom up approach. Therefore, there must be an ongoing personal administrative and developmental concern among these leaders who desire to rebuild Somalia through the implementation of a sustainable marine resource consumption and environmental protection policy.

169. which means consistently applying a particular accounting methods which has been approved of being relevant to the country’s sociopolitical and economic situations (Davidson, 2014).

170 which result conservatively-stated financial statements by not overestimating the amount of revenues recognized and not underestimating the amount of expenses, but conservatively recording the number of assets, and not underestimate liabilities (Davidson, 2014).

171. Depreciation for accounting purposes refers the allocation of the cost of assets to periods in which the assets are used (Rajasekaran, V. (2011).

6.5. Concluding Remarks

There is a strong correlation between sustainability and stability/security. In order for a country to have environmental sustainability, there must be sociopolitical and economic stability in a country. However, in today's Somalia, a state that is in its early stage of recovering from sociopolitical instability, there are opportunities for the implementation of environmental sustainability practices while tactically and gradually obstructing the sources of instability.

In this dissertation, I attempted to seek practical and applicable solutions to the marine environmental degradation and insecurity in the Somali basin. These subject matters are dependent on the country's sociopolitical and economic activities engaged in by complex actors both in the sea and land. Using a multi-dimensional bottom-up approach, I found that each of the local communities¹⁷², provincial governments¹⁷³, the federal government, and regional/international state and non-state stakeholders who are the actors and networks of stability have vital and practical roles to play in creating efficient marine environmental sustainability and security in the Somali basin.

At the local community level, traditionally, Somali citizens are flexible and like to act consistently with the modern civilization and technology¹⁷⁴. Taking advantage of this essential capacity, environmental activists, NGOs, and representatives of various social organizations/groups should publicize the importance of environmental protection at individual and community levels. Secondly, since the vast majority of the Somalis are committed to their

¹⁷² individual citizens, local NGOs, social organizations, moderate religious leaders/organizations, and representatives of local fisheries

¹⁷³ Somaliland, Puntland, Jubbaland, Galmudug, South-Western, and Mogadishu. Others are still in the making.

¹⁷⁴ For instance, since the beginning of the new millennium, even though, there has been no reliable economic and effective governmental system in the country, Somalia has been the most successful country in the telecommunication usage compared to its regional neighbors (Dudde,2012).

faith, moderate religious/spiritual leaders must encourage the protection of environment, resource management and public security according to their religious commandments.

Local intellectuals, entrepreneurs, spiritual leaders, and elders must actively work on community reintegration in order to wane the clan system. Somalia's local communities have relatively reliable traditional knowledge about resource conservation. They are chiefly dependent on nature. If the external networks of instability are tackled by NATO, local fisheries will be able to pacify their seawaters, manage their coastal resources and protect their environment. All they need will be occasional workshops held by the local NGOs¹⁷⁵.

At the provincial level, in order to make local communities practices more viable according to modern environmental research findings, both governmental and non-governmental institutions must implement pilot projects in environmental science to increase local awareness concerning sustainable resource consumption. The cost of educating laypersons will be limited to a small amount of media coverage¹⁷⁶.

Overall, the provincial governments need to demonstrate good governance practices to the international community in order to attract further aid and investment. However, they need to realize that since they are not recognized as independent states, their voice will not be heard by the international community. Therefore, each of the active and passive provincial governments must be motivated by its interests, which they cannot achieve without the approval of the federal government.

¹⁷⁵ Environmental sustainability must originate from individual behaviors, local communities' demands, provincial willingness, and national efforts. This process can ensure that environmental sustainability strategies originate within the institutional and corporate policies which are reflective of local demands. As such, environmental management needs to be based on environmentally responsible practices which originate from behavioral change at the individual levels.

¹⁷⁶ Lack of restriction in the Somali trade and social movement in both internal and external locations, is one of the factors that can teach individual traders and money-lords about environmental protection and sustainable development as well as the values of security and governance. What may help the Somali traders is the hint of environmental significance that they may obtain through interacting with foreign traders. Foreign traders apply their respective countries' rules and regulations pertaining to environmental protection and may have some knowledge of it too.

The federal government should improve its political, social, environmental, economic, law enforcement, and justice capacity with regards to the provincial governments in order to create an environment of trust and collaboration. The upcoming government¹⁷⁷ has a better chance than its preceding. Since the end of the interim governments and the harsh civil war, Somalis have been gradually accepting governing authorities. What is needed is to focus on strengthening the relationships between the federal and the provincial governments and that among the neighborly provinces so as to build political consensus and trust.

By having a single voice, single representative, single policy principle, single objective, and single motive, Somalia can establish and maintain a reciprocal relationship with the external world. Henceforth, it will be able to comply with the terms of regional and international agreements, treaties and conventions. Therefore, Somalia will have working regional and international bilateral and multilateral agreements. Then, it will be able to control its marine resources and environment by detecting any form of internal and external illegal, illicit and insecurity activities. Physically, Somalia will be in a position to investigate the power, strategies, strengths, skills, weakness, and geographical activities of the networks of instability which operate in its marine territory. It should be able to study, monitor and investigate all of the sociopolitical and economic actors and networks which operate in the country. To obtain the comprehensive information, the government should seek various information sources both overtly and covertly. The active networks can be dealt with:

1. To strengthen and assist the actors and networks of potential stability
2. To approach and classify the actors and networks of instability by attracting those prone to change from negativity to either positivity or neutrality so as to promote stability or potential stability. The strategic approach to managing the actors and networks of instability must be based

¹⁷⁷ which is expected to be elected in September 2016.

on dividing them into two groups: a reconcilable group and an irreconcilable group, and then, governable and non-governable. The federal government, taking the initiative, needs to recognize, approach and invite all the networks to a win-win cooperation.¹⁷⁸

3. To avoid anything that could demoralize the actors and networks of stability, and work on how they could either attract or destroy the actors and networks of instability.

4. To attract the international and local Non-Governmental Organizations (NGOs) participate in defeating the actors and networks of instability, the government should register and reconcile with them using legal governmental authority and/or compromises.

¹⁷⁸ In order to attract all the networks, the government may unexpectedly praise them through the public media; justify and forgive their previous illegal activities, send friendly messages to them; send reconciliation and cooperation requests based on a win-win situation to them; approach them in a person and negotiate with them face to face; and talk to them through mediatory and arbitrary delegations. However, all these steps must be weighed with what is needed from them, the public interest, their power, the gravity of their activities, and so on. During all these processes, the government should be working on strategies to diplomatically fragment the networks of instability in case they intend to cheat the government, act dishonestly, blot conspiracies, and/or intend to hide negative agendas. The different levels of government must build their capacities to defeat the networks of instability by using either cold and hot/open wars strategies. They should endeavor to obtain the necessary equipment, legal instruments, technology, manpower, and facilities.

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