

**HUMANITARIAN INTERVENTION AND CONFLICT SITUATION IN
SOMALIA, 1992-2015**

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DECLARATION

This is my original work and has not been submitted for a degree in any other University.

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DEDICATION

This thesis is dedicated to my mother Nyang'ara Osiemo, without whose upbringing, financial support, and encouragement, I could not have attained university education. All that I have undergone in my life and achieved is just because of the disciplined upbringing she offered me.

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ABSTRACT

This study examined humanitarian intervention and the conflict situation in Somalia 1992-2015. The specific objectives of the study included examining the conflict trends in the Somalia, exploring the various debates on humanitarian interventions and examining the humanitarian missions that on stability in Somalia. Historical research design was adopted to explore the escalation of conflict in Somalia despite humanitarian intervention. The targeted population of the study included representatives of regional and international humanitarian organizations in Somalia, members of civil society, academicians, government officials, security experts and the Somali population living in Kenya. The study used purposive sampling procedure and snowballing to identify the targeted population of specialists on the Somalia violence. Primary and secondary sources were utilized in analyzing the information. Primary sources included data from questionnaires and key informant interviews. Secondary data included data from books, journals, articles and other existing information on the Somali crisis. This study adopted the Just War Theory and the Fiduciary theory in explaining humanitarian intervention in relation to the Somalia crisis, methods used to terminate the war, and security and political developments guided by the assertions of the Just war theory and the fiduciary theory that evaluate whether the reasons of going to war have been achieved. The findings indicate that after the collapse of the state in 1991, the dynamics of the conflict changed and conflict trends had been evolving. The study findings from the humanitarian intervention doctrine agree with majority of other scholar's findings that there has been use of force by foreign states with an aim of saving civilians from a violent conflict, without the consent of the affected state just like Somalia. The findings also noted that the nature of sovereignty has eroded from absolute state to having the checks by the international community. The findings further indicate that the new concept of Responsibility to Protect (R2P) redefined the concept of state sovereignty; the norm was to ensure that mass violations of human rights in violent conflicts were addressed by the international community. The findings revealed that the United Nations resolved to deploy the United Nations mission assistance mission (UNISOM I) in trying to restore peace and protect humanitarian operations. In December 1992, a more robust humanitarian intervention (United Task Force) was authorized in support of UNISOM I, which was mandated to use all necessary means to establish a safe Somalia. The United Nations Security Council approved the transition of UNITAF to UNISOM II in 1993 with a mandate of covering nation-building responsibilities and restoring law and order in Somalia. African Union Mission in Somalia (AMISOM) was deployed in 2007 and urged to use all necessary measures to ensure the establishment of the transitional institutions of the Somalia government and bolster dialogue and reconciliation. This study sought to add more knowledge for the academicians and the international community and thus act as a guide in the process of finding peace and establishing governance in Somalia. establishing governance in Somalia. Equally, the study provided insights to the Somalia community in support of the humanitarian intervention efforts in the realization of long lasting peace in Somalia.

ABBREVIATIONS AND ACRONYMS

AFISMA	: African-Led International Support Mission in Mali
AIAI	: Al Ittihad Al Islam
AMISOM	: African Union Mission in Somalia
ARPCT	: Alliance for the restoration of peace and counter terrorism
ARS	: Alliance for Reliberation of Somalia
ASWJ	: Ahlu Sunnah Wal Jama'a
AU	: African Union
C.A.R	: Central Africa Republic
CFR	: Council on Foreign Relations
CIMIC	: Civil-Military Cooperation
CPEs	: Complex Political Emergencies
DRC	: Democratic Republic of Congo
DfID	: Department for International Development
ECOMOG	: Economic community of West African states monitoring group
ECOWAS	: Economic community of West African states
ENDF	: Ethiopian National Defense Forces
EU	: European Union

FMS	: Federal Member States
FPU	: Formed Police Units
FSI	: Fragile State Index
FRY	: Federal Republic of Yugoslavia
HRDDP	: United Nations Human Rights Due Diligence Policy
ICU	: Islamic Courts Union
IDP	: Internally Displaced Person
IGASOM	: Inter-Governmental Authority on Development (IGAD) Peace Support Mission in Somalia
IRIN	: Integrated Regional Information Networks
JSOTF	: Joint Special Operations Task Force
KDF	: Kenya Defense Forces
NATO	: North Atlantic Treaty Organization
MCDC	: Multinational Capability Development Campaign
MINUSCA	: Multidimensional integrated stabilization mission in Central African Republic
NGOs	: Non-Governmental Organizations
OAU	: Organization of African Union

O.I	: Oral Interview
QRF	: Quick Reaction Force
R2P	: Responsibility to Protect
SDM	: Somali Democratic Movement
SEMG	: Somalia and Eritrea Monitoring Group
SLA	: Somali Liberation Army
SNA	: Somalia National Army
SNF	: Somalia National Movement
SNM	: Somali National Movement
SSA	: Somali Salvation Alliance
SSNM	: Southern Somalia National Movement
SRCC	: Special Representative of the Chairperson of the African Union Commission
SRSM	: Somalia Revolutionary Socialist Movement
TCCs	: Troop Contributing Countries
UK	: United Kingdom
UN	: United Nations

UNSC : United Nations security council
UNISOM : United Nations assistance mission in somalia
UNITAF : Unified Taskforce
UNSOA : United Nations support office to Amisom
USC : United Somali Congress
US : United States
WCC : World Council of Churches

OPERATIONAL DEFINITION OF TERMS

Black hawk down: American military force that intervened in Somalia in October 1993

Humanitarian intervention: This is the use of a military force against a state that fails to uphold its responsibility of protecting its citizens from violation of human rights

Insurgents: Rebels defiant against established civil authority

Anarchic state: A state that is constituted without authorities and lacking orders

Terrorism: Unlawful use of intimidation and violence against innocent civilians with an aim of achieving political agendas

Pen holder: United Nations Security Council member that chairs and facilitates the informal documentation process of the council

Sovereignty: Supreme authority of a nation to govern itself without interventions from other nations

Responsibility to protect: A doctrine that introduced a new concept on state sovereignty

Abrogates: To evade a duty or responsibilities

Crimes against humanity: Deliberate actions between warring factions that cause a lot of human suffering and deaths

CHAPTER ONE

1.0 Introduction

This chapter provides the background to the study, statement of the problem, objectives of the study, research premises, justification and significance of the study, and lastly the scope and limitations of the study.

1.1 Background to the study

Humanitarian intervention is not a new phenomenon in the international system, but it has had a continuous debate in the United Nations. According to Fonteyne (1974), humanitarian intervention has been a practice since the 19th century. He gives various examples of humanitarian intervention, he begins by highlighting France, Russia and the United Kingdom intervention in Greek-ottoman empire in 1827-1830 with an aim of stopping massacres that's was taking place there against Christians. In 1860-1861, the French intervened in Syria following mass atrocities in the Lebanese region of Syria, between 1876-1878, there was a Russian intervention that was justified on humanitarian grounds in Bulgaria and Bosnia-Herzegovina. In between the period 1903-1908 and 1912-1913, when the Turkish attempted to convert Macedonia people to embrace the Turkish religion and culture, Greece, Serbia and Bulgaria intervened in stopping the Turkish attempts (Simms & Trim, 2011; Zaid, 2013). Ocran (2002) added his voice towards Fonteyne writings by stating that, despite all these historic examples on the institution of humanitarian intervention on the manner which its activities have been conducted, the institution is accepted as an integral part of customary international law.

Humanitarian intervention discourse continues and remains unabated. There is the discourse on whether, humanitarian intervention as a matter of principle ought to be accepted irrespective of the legal status of the doctrine and whether the doctrine is permissible under international law. Fonteyne (1974) points out that there is the question of principle and the question of norms. The dividing lines on the humanitarian doctrine is drawn between the proponents and opponents of sovereignty, non-intervention principle and humanitarians. Despite the strengths of the doctrinal objections, the international community cannot sit in the fence and watch human beings being butchered and massacred by their own government or warring factions. In addressing violent conflicts, the international community can pursue all measures in place in the realization of protecting of human rights.

A number of scholars have described the 1990s as a decade that humanitarian intervention became more active into armed conflicts. Siegel (2010) argues that in 1990s, humanitarian intervention became an important tool used by various international governmental bodies to realize peace and stability in countries which were not willing or could not able to protect their citizens from mass killing and violation of human rights. The UN Security Council (UNSC) authorises humanitarian intervention under the provisions of Chapter VII of the United Nations Charter (Valek, 2005).

Unauthorized humanitarian intervention that involves the use of military force across the border of another state with the aim of stopping violation of human rights without the authorization of the UNSC, has generated numerous discourses on the legality of humanitarian intervention just like the NATO intervention in Kosovo in 1999. The problematic nature of distinguishing if humanitarian intervention from an act of

aggression or the crime of aggression, this deters states from participating humanitarian intervention. If states fail to respond to a crime of aggression just like the UNSC failed in responding to act in Rwanda and Srebrenica, who will respond to the systematic violations of human rights (Fonteyne, 1974).

Hathaway et al. (2010) observed that the United Nation Security Council (UNSC) in the 1990s increasingly authorized humanitarian intervention in many countries. For example, United States and his allies participated in different humanitarian interventions after being authorized by the United Nation Security Council. In some cases, unauthorized interventions took place for instance Iraq in 1991, where the Iraq forces killed over 1.5 million Kurds. Also, the intensity of hostilities in Kosovo in 1999 led to the NATO intervention (Zaid, 2013).

They have been concerns regarding the nature of humanitarian intervention. For instance, the failure of military intervention in Somalia, Rwanda, and Yugoslavia led to the question of how United Nations military intervention should be handled (Kak, 2008). The above concerns introduced a new concept of Responsibility to Protect (R2P) that was eventually accepted in 2005 during the UN World Summit. Siegel (2010) further observes that R2P gives a directive that if a state is unable to protect its citizens from international crimes during war, the international community can move swiftly in addressing the situation to bring sanity. The R2P concept gives several ways to be used by the international community towards restoring peace and stability; the responsibility to prevent, the responsibility to react and responsibility to rebuild (Seybolt, 2010; Norooz, 2012).

The circumstances in Somalia resulted in the fourth assumption of humanitarian intervention being used. According to Teson (2006), the real expectations of humanitarian intervention are to end the revolutionary and oppressive rule. In order to bring sanity and quantum of political freedom to protect individuals from human rights violation, humanitarian intervention has to take place, nevertheless, such intervention must be reasonable (Wheeler, 2001; Jahn, 2015).

Mccall (2017) posits that humanitarian intervention success is measured by a number of lives saved from atrocities, the peaceful situation put in place by the humanitarian military intervention and if it has been able to rebuild the civil society and the political stability free from violence. The UN alone has overseen humanitarian intervention operations while national and Non-Governmental Organizations (NGOs) have emphasized on the efforts that influence civil conflicts in bringing stability in conflict regions (Regan, 2000).

Ibrahim & Sambanis (2000) observed that since 1944, there had been more than 150 clashes all over the world. Out of these 150 intrastate conflicts, about 89 have attracted interventions by either powerful individual states or coalitions of states. Forty-nine have not had any intervention, while 31 conflicts are still ongoing (Ibrahim & Sambanis, 2000). Major Powers that have had the highest number of interventions included the United States of America, the USA (35), France (10), China (6), Russia (16), and the United Kingdom UK (9). All these interventions had either succeeded or failed and thus led to the individual powers to retreat (Walters, 2000).

As observed by Lambert (2011), the humanitarian intervention had experienced a lot of challenges in the regions in it had intervened. In some nations, humanitarian intervention missions had managed to vanquish conflict, provide security and bring stability. These nations incorporate; El Salvador (1991-95), Sierra Leone (1999-2005), Mozambique (1992-94), Bosnia (1992-1995), East Timor (1999-2000), Kosovo (1999 – presently), and Althea Bosnia (2004-now), Burundi (2004-2006) and Liberia (1991-2003). According to Eland (2015), and Lambert (2011), some humanitarian intervention missions have failed, for example, Haiti (1993-2000), Central Africa Republic (1998-2000), Congo (1999-2000), Afghanistan (2001-now), Darfur (2004-2007) and Yemen (2015-to present).

Lambert (2011) notes that humanitarian intervention missions that had been successfully varied in the modality of success. In Sierra Leone, there was cooperation between the regional UN military forces and international actors. Bosnia was well supported with military and civilian intervention, while Cambodia enjoyed long-lasting international support of a multidimensional humanitarian intervention that benefitted from significant international community support. It is important to note that humanitarian intervention ailed from the beginning in some circumstances owing to the international community's absence in resolving the conflict. In Congo, for example, the failure to protect civilians and failure to reform the armed forces, even after years of humanitarian intervention, the conflict situation had been highly volatile, and the violence had kept re-escalating. On the other hand, international political disagreements about addressing the conflict in Bosnia incited the warring groups, thus creating a volatile situation. In Afghanistan, the warring party Taliban's steadfast

refusal to negotiate has led to a complex dynamic of violence. Somalia constant political discord and the rise of religious extremism and the Darfur conflict limited the aims of UN/African Union hybrid intervention (Talentino, 2005; Integrated Regional Information Networks (IRIN) Humanitarian News And Analysis 2010; Lambert, 2011; The United Nations, 2010; Jackson, 2006).

According to Hodzi (2016) and Hewitt (2012), between 2005 and 2013, twenty-five African countries experienced intrastate conflict. Twelve of these countries experienced civil wars that made it the international community difficult to resolve the conflicts. In the Democratic Republic of Congo, Sudan, and Somalia, the intrastate conflicts had kept escalating for years.

Byers et al. (2003) posit that there were a few situations whereby humanitarian interventions had been justified without the United Nations Security Council authorization on a humanitarian basis. They include; Cambodia, Bangladesh, and Uganda, while some of the interventions that had led to consultation of the UN resolutions on that basis of approval included the Liberian intervention, Somalia, Haiti, and Rwanda. All the above humanitarian intervention missions had succeeded except in Somalia, in which the conflict trends had kept on changing (Byers et al., 2003).

Immediately Somalia broke into a civil war in 1991; clans were left fighting over little resources that were left by the state authorities. Civilians were killed by Somali warlords, and starvation was witnessed (Hesse, 2010). Following the outbreak of violence in Somalia, the United Nations called for humanitarian intervention in 1992,

then later the US military-led intervention in 1993 and the UNISOM II in 1994 that eventually failed after the missions decided to hunt General Aideed (Dragana, 2008).

As Adebajo (2011) describes, humanitarian intervention in Somalia was linked to the state's conflict transformation. The shooting down of two U.S helicopters and the killing of 18 US soldiers culminated in how serious the conflict in Somalia was. Stupart (2011) states that the AMISOM intervention in Somalia brought stability within Mogadishu and some other regions. Al-Shabaab still portrayed a potential threat to some of the achievements made so far since the group had managed to conduct attacks against AMISOM troops and the federal institutions and civilians supporting the mission.

Due to the nature and dynamics of the Somali conflict, there had been various unilateral military interventions from countries such as Ethiopia, Kenya, Burundi, Djibouti, and Uganda in fear of the conflict spreading across to the other regions. Later, the mentioned countries opted to join the African Union Mission in Somalia (AMISOM) as a sole humanitarian intervention mission to find long-lasting peace in Somalia (Eriksson, 2013).

Even after the humanitarian intervention and the frequent reconciliation efforts in Somalia for the last twenty years, Somalia remains a failed state. While comparing the same with the Libya conflict, the NATO intervention in 2011 managed to avert a bloodbath in the country; however, the intervention failed to identify and address the root cause of the conflict and why the conflict has continued unabated (Neba, 2017). On the other hand, the Symposium Thematic Guide (2015) states that Liberia and Sierra

Leone were phoenix nations that had emerged from ashes of abject state failure to stable nations that had managed to beat the odds of conflict. On this ground, this study sought to examine the conflict trends in Somalia and explore the various debates on humanitarian intervention and the humanitarian intervention missions in Somalia.

1.2 Statement of the problem

The United Nations states that in an event there is a transitional threat to international peace that leads to mass abuse of human rights, humanitarian intervention can be conducted under the provisions of Chapter VII of the UN Charter. As per the UN Security Council Resolution 2372 (2017), AMISOM is mandated to pursue the strategic objectives to enable the gradual handing over of security responsibilities from AMISOM to the Somali security forces contingent on the abilities of the Somali security forces political and security progress in Somalia. Secondly, AMISOM is to reduce the threat posed by Al-Shabaab and other armed opposition groups; and assist the Somali security forces in providing security for the political process at all levels as well as stabilization, reconciliation, and peace building in Somalia. Despite that, humanitarian intervention continued to have a discourse within the international community over its legality. With the aftermath of various mass abuses of human rights in Haiti, Rwanda, Bosnia, Liberia, Libya, and Somalia, the humanitarian intervention discourses focused on its failures to compact war crimes and atrocities in Rwanda and Somalia. Regional organizations have also been facing difficulties in serving humanitarian intervention missions. The United Nations spelled out various rules that govern regional organizations that may intervene in another country in trying to solve a humanitarian crisis. The African Union's Constitutive Act Article 4 (h) emphasized

on the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely war crimes, genocide, and crimes against humanity. Additionally, Article 4 (j) stated the right of Member States to request intervention from the Union in order to restore peace and security. This is some of the rules that governed and intervention in Serbia and the AMISOM intervention in Somalia. Despite the fact that there has been various humanitarian intervention in Somalia, the country is engulfed in protracted conflict. This demonstrated that there was the need to examine humanitarian intervention and conflict situation in Somalia since 1992-2015.

1.3 General objective

The general objective of this study was to assess the humanitarian intervention and conflict situation in Somalia from 1992 to 2015.

1.4 Research objectives

This study was guided by the following specific objectives to:

- i. Examine the conflict trends in Somalia, 1992 to 2015.
- ii. Assess the various debates on humanitarian interventions.
- iii. Analyze various humanitarian missions in Somalia, 1992 to 2015.

1.5 Research questions

This research aimed at answering the following questions:

- i. Which conflict trends have defined the Somalia conflict?
- ii. What are the various debates on humanitarian interventions?
- iii. What are the humanitarian intervention missions in Somalia?

1.6 Justification and Significance of the study

This study pointed at the main gaps that existed in the humanitarian intervention in the Somalia conflict. Several researchers (Norris, 2011; Marangio, 2012; Tusma, 2016; Eriksson, 2013; Gettleman, 2011) on the Somalia situation have focused on various humanitarian interventions, but they have failed to discuss how these interventions have failed to bring stability to Somalia. Other studies (Williams, 2013; Mesfin, 2011; Norris, 2011; Somalia's Prospect Africa Briefing Report Brussels, 2010; Albrecht & Haenlein, 2016) have focused on interstate involvement in the Somalia violence. These studies have broader perspectives on humanitarian intervention in Somalia but do not give critical insights into the conflict situation in spite of the various humanitarian interventions. This study examined the trends of conflict in Somalia, various humanitarian intervention debates, and humanitarian intervention missions in the volatile situation in Somalia

The findings of this study are critical to the Somalia nation because they add more insights on the importance of supporting humanitarian intervention missions in trying to rebuild the country's structures. Also, the findings provide guidelines to

policymakers in the Somali government and other stakeholders concerned with the welfare of Somalia on the path to take in order to contain the re-escalation of the conflict. The study contributes to the growing knowledge and literature on humanitarian intervention and conflict transformation in Somalia. The study sought to generate awareness and fill the gap in the literature by bringing on board an approach linking the conflict and humanitarianism to a process that has been initiated in trying to bring stability and peace in Somalia.

1.7 Scope and limitation of the study

The study covered the 1992-2015 period; this period was essential for various reasons; 1992 was the year that marked the first humanitarian intervention by the UN following the deposition of Said Barre's government. The study focused on military intervention in Somalia by the UN in 1992 (UNISOM I and II), US military-led intervention in 1993, the Ethiopia National Defense Forces in 2006, Kenya Defense Forces (KDF) in 2011, and also the AU sponsored troops under the banner AMISOM in 2007. The study ended in 2015 because the Somalia government spelt out conditions for amnesty to al-Shabaab militia, appease al-Shabaab defectors, and embrace the call for a peaceful resolution of the conflict. However, where necessary, the study also looked at the periods before 1992 and beyond 2015 to bring out a clear perspective of the situation in the country.

1.8 Limitations

The researcher's limitations included the unwillingness of individuals who had important information to participate in the study. The strict (Islamic) religious beliefs that were secretive in nature hindered the researcher from getting important information. There was also the language barrier challenge. The researcher assured the informants that the information was for academic endeavors and maintained confidentiality. Further, the researcher worked with research assistants conversant with Somalia culture. The researcher addressed this by meeting the respondents in advance to explain to them that the research was for academic purposes and that their identity would not be disclosed.

1.9 Literature Review and Theoretical Framework

This section presents a review of the literature on Somalia Conflict, conflict transformation, humanitarian interventions arguments from various scholars, and the theoretical framework that informed the study.

1.9.1 Conflict in Somalia

There are many works done by various scholars on the conflict in Somalia. Abdullahi (2019) categorized the Somali conflict into four types among scholars. The traditional society was the first conflict that generated the second conflict; non-Islamist elite's power struggles as the third conflict; Islamist and non-Islamist ideological conflict and non-Islamist power struggles that led to the civil war as the fourth conflict. The conflict in Somalia had multiple causes, including economic, cultural, political, and

psychological causes. The competition for resources and power had been an important factor that had sustained the clan militia conflicts (Elmi & Barise, 2006).

The majority of Somalis identify the Ogaden war in 1977, which Somalia lost as the starting point of the Somalia conflict. In 1978, a military coup led by most Majeerteen clan military officers was unsuccessful. As a result, Barre attacked the Majeerteen clan and arrested some of the military officers. Those military officers who escaped arrest formed the Somali Salvation Democratic Front (SSDF), reiterating by attacking the Barre regime. In 1981, the Somali National Movement (SNM) was formed by the Isaaq clan, which launched attacks against the Barre regime from the north (Bradbury, 1994).

The SNM escalated its attacks in 1988 by targeting government garrisons in Hargeisa and Burso. Barre government responded by attacking the Isaaq clan killing over 50,000 civilians and forcing over 600,000 persons to run away from Somalia to Djibouti and Ethiopia (Bradbury & Healy, 2010). Barre's regime endorsed state violence as a method of stifling dissenting groups in Somalia. From 1988 to 1991, the dissenting groups led by United Somali Congress (USC) (Hawiye clan) opted to fight with the Barre regime leading to open civil war (De Sousa, 2014). Further, Hesse (2010) and Yuri (2011) noted that in 1991, the Said Barre regime collapsed, leaving clans scrambling to get the little resources left by the Somali state authorities. Somali clan members who Barre had primed inspired rhetoric's killing of Barre's clansmen.

Jeong (2017) discussed the spread of intra-state violence in Somalia in the 1990s as a conflict characterized by the violation of human rights. The affected groups included

women and children. Since 1991, Somalia has been described as a place of violence, Islamist extremism and piracy (Peace Insights, 2017).

Somali clan dynamics continued to facilitate violence amongst the sub-clans, and making the local in nature. The sub-clan clashes become much shorter and less lethal (World Bank, 2005). The conflict has seen the formation of armed insurgency through groups such as, Hizbul Islam, Ahlu Sunna Wal Jama'a, Al-Shabaab and the TFG. Low intensity of violence was witnessed in 1995 to 2001. Only marauding armed militias that belonged to warlords were involved in the sub-clan clashes (International Crisis Group, 2017).

Some clans opted to fight in defense of their land and fought Islamic Courts Union (ICU), which they argued was hiding under the cloak of Islam. Later, the ICU militia wing could transform into Al-Shabaab (Lacey, 2006). According to IRIN (2009) Raas Kamboni, a militia that operated in Kismayo agreed to join Al-Shabaab and Hizbul Islam militia men. In October 2009, Raas Kamboni broke the deal on Kismayo and started fighting al-Shabaab. BBC (2010), published a report on the central Somalia conflict which stated that members of the Somali Sufi opted to join the government to fight al-Shabaab which had Sunni ideologies. In 2012, Al-Shabaab was officially accepted to be a member of Al-Qaeda operating in East Africa (Steinberg & Weber, 2015).

The Somalia conflict created conducive conditions for piracy to take place in the Somalia waters (Kaunert & Zwolski, 2012). The Somali's claim that foreign companies took advantage of the conflict and intruded the Somalia waters to do illegal fishing. As

a result, the Somali's decided to protect their waters by attacking the foreign ships in the Somalia water, in return of ransoms. Despite these particular sources being of immediate relevance to this study, however, they failed to focus on humanitarian intervention and the conflict situation in Somalia that this current study uncovers.

1.9.2 Conflict Situations

Globally, after the end of the Cold War, the threat of violence and war had prevailed in the world. There had been conflicts from Syria, Iraq, to Russia intervention into Ukraine and the disputes in the Southern China islands (Watts et al, 2017). This study took a general look on violent conflicts after the end of the Cold War. The present study approached the Somalia conflict by providing a systematic account.

Enuka (2012) had given a wider description of the possible origin of violent civil wars across the world. He argued that after the Cold War in 1989, a chain of violent civil wars, which had been producing unprecedented humanitarian suffering and catastrophes to large populations across the world which had characterized the international system. Although many of the conflicts are intra-state, their effects have spread across borders and have continued to threaten international peace and stability. However, his description was global in nature. He took a general observation on the unprecedented humanitarian suffering and may have overlooked some of the details on the Somalia conflict that this study filled the gap.

Watts et al. (2017) states that while the number of violent conflicts globally continues to fall, in some region's conflicts were on the rise. Some of the regions where conflicts were on the rise included South Asia, Middle East, Southern and East Africa. In some

regions, intrastate conflicts had remained low in intensity while in countries the conflicts had tended to be on the rise. For instance, in the Eurasia conflict, Ukraine war, Azerbaijan, Georgia and Moldova. The authors give a global view of conflict trends but not for Somalia trends. Thus, specific information could have been overlooked, and this was what the current study uncovered on the conflict trends in Somalia.

Ethnic conflicts and revolutionary conflicts had been a general trend in intrastate conflicts. Importantly, ethnic conflicts had been more common than civil conflicts. In 1970, the rate of guerilla warfare was high due to the Vietnam War, and the southeast Cambodia, Laos events. A number of guerilla warfare activities had been witnessed in several countries that ranged from Turkey, Syria, Afghanistan, Egypt, Sudan and Nigeria. Among the few forms of violence that were increasing and enduring, guerilla warfare seemed to be one of them, which was as a result of media coverage and awareness of guerilla warfare activities (Szayna et al, 2017). These authors further state that another form of violence was terrorism, which was being carried out by largely by non-state actors. Terrorism activities could be domestic, transnational or interstate. The use of violence was quite often used by terrorists to call attention to themselves or their cause, and would rather have many people watching their attack than lots of people killed by the attack. Some of these terrorists' attacks included: Rwandan Tutsi refugees attacked by Hutus in 1994; the New York City attack, September 11 (9/11) and ISIS abducted more than 1,500 Iraqi soldiers in 2014. There had been quite an increase in these kinds of terrorist attacks in places like Syria, Somalia and Iraq (Szayna et al, 2017). Even though these authors give a general overview on conflicts, they overlooked critical assumptions on the conflict trends in Somalia that this study addressed.

In analyzing humanitarian intervention, Schmid (2015) asserts that international involvement was the main reason for the re-escalation of violence in Syria. Schmid further notes that there are specific ways through which international involvement has contributed to the war in Syria. He highlights of regional involvement, whereby Iran, Iraq, and Lebanon had united to support al-Assad, while Sunni-majority states such as Turkey, Qatar and Saudi Arabia were supporting anti-al-Assad rebels. The author sheds light on the Syrian conflict and the roles of the international involvement in Syria. Schmid's study focused on international involvement in Syria and not Somalia. However, the study was important in examining how international community involvement or engagement in Somalia has enhanced or addressed the humanitarian situation.

Salmutter (2017) cites how the 1993 elections which reflected major divisions, with parties that were dominating the northern parts of Yemen and the socialist party that controlled the southern part of Yemen, led to a civil war. Salmutter claims that in January 2011 after protests erupted in Yemen, the population was expecting peaceful political change which did not happen because the political transition collapsed, consequently leading to fierce ground fighting and continuous Saudi-led airstrike. Yemen urban areas and cultural heritage to date have been destroyed, and millions of Yemen citizens have been internally displaced. This study is relevant to the current work because it addresses violence and its trends in Yemen, which is neighboring Somalia. The study does not provide clear information on armed militias involved in the conflict, and it exclusively dealt with Yemen without integrating how fragility

questions in each country influenced one another. This current study sought to fill this gap in Somalia conflict.

According to Aremu (2010) conflicts in Africa had been highly susceptible to inter and intra-state conflicts and wars. This had led to an insinuation that Africa was home to wars and instability. Conflicts had been witnessed across Africa; from east to west, north to south and central Africa, for instance, in Nigeria (1967-70), Sierra Leone (1991-2001) Chad (1965-85), Liberia (1980-2003), Sudan (1985-1990), Angola-1974, Rwanda and Burundi. This work differed from this current study because it concentrated on the general overview of conflicts in Africa while this study focused on the conflict trends in Somalia. Therefore, this study was worthwhile undertaking to fill this gap in the scholarship.

According to Rustad & Bakken (2018), Africa experienced 18 state-based clashes. While this is abatement from the unsurpassed high of 21 clashes in 2016, it was generously higher than ten years back. The principal driver of the expanded number of contentions is the inclusion of Islamic states (IS) in existing conflicts. For instance, IS had picked up footing in the region around Lake Chad, where Islamic clashes were occurring. Therefore, the contention in Northern Nigeria is not only a contention between the Nigerian government and Boko-Haram, but also between the Nigerian government and IS. In 2017, five of the state-based clashes in Africa were identified with IS, that were; in Chad, Libya, Mali, Nigeria, and Niger. The authors' ideas closely related to that study because they outline the possibility of Islamic militias in majority of African countries. Their work lays emphasis on the inclusion of Islamic states as a principal driver of conflicts in West Africa; therefore, they may have overlooked other

conflict drivers in Africa. Despite this, the authors do not discuss conflict drivers in Somalia, which this study examined

In the Liberian conflict, Ikenze (2016) notes that Gio and Mano ethnic groups fought alongside Charles Taylor militia in fighting Doe's government which was dominated by Krahn and Mandingo ethnic groups. The author focuses on ethnic groups in Liberia as the dominant trend of the Liberian conflict and not the Somalia conflict. This raised the need to study and document the conflict trends in Somalia.

United Nations (2011) reports that anti-government protests in Libya were repressed brutally by the Gaddafi regime. As a result of the repression violence escalated in Libya. The Security Council passed an arms embargo to restrict movements of arms in Libya. The parties warring against the Gaddafi regime announced that the Transitional National Council (TNC) as their official representative body. Violence escalated within few weeks after Colonel Gaddafi made it public that he would oversee the killing of Libyans fighting him. The UN report focuses on escalation of violence in Libya and how different factions fought against Gaddafi regime, the report fails to capture any information on the escalation of violence in Somalia. Therefore, that study was a worthwhile undertaking, to address the gap in the escalation of the conflict in Somalia.

The activities of extremist groups in Nigeria and Somalia were related to political violence. The extremists reverted to the use of political violence in urban areas against civilians (Colliers, 2018). This study was significant to the current one as it provides the insights on the conflict trends related to Somalia.

1.9.3 Humanitarian intervention

According to Hylan (2003), the international humanitarian intervention concept dates back to the 17th century in European politics. He observed that the first reported case where some countries intervened happened in the early 19th Century during the War of independence in Greece. This was when Russia, France, and Britain in 1827 agreed to intervene in a naval engagement at Navarino that led to the crashing of Ottoman–Egyptian fleet. The intervention was done on grounds of humanitarian concerns. This was meant to enable Greece to accomplish her freedom from the Ottoman Empire. From this period on, many countries adopted humanitarian intervention as an important tool in their foreign policies. Hylan’s study focuses on humanitarian intervention emergence and he may have overlooked other important elements of humanitarian intervention that this study sought to focus on.

Hiraclides & Dialla (2017), state that during the cold war, three military interventions qualified under humanitarian grounds: East Pakistan invasion by India in 1971: This intervention led a new state (Bangladesh); given the millions suffering under Pol Pot regime in Cambodia, Vietnam intervened to overthrow the Pol Pot regime and save lives; Tanzania invasion in Uganda in 1979 to save lives after Amin’s odious regime murdered civilians. Even though all these interventions faced criticism, they saved many lives. The authors’ thoughts shed more light to this study as far as humanitarian intervention was concerned how it saved lives from human rights abuses. However,

they fail to capture humanitarian intervention in Somalia that this current study analyzes.

Moreover, unprecedented interventionism was witnessed after the cold war on humanitarian grounds including: Somalia; 1992, US-led intervention in Haiti; 1994, ECOWAS in Liberia; 1990-1996, Australia in East Timor; 1999, and the creating of a safe haven for the Kurds in Northern Iraq (Hiraclides & Dialla, 2017). Francioni and Bakker (2013) noted that since the beginning of 1990s, the use of military force had been rife under the authorization of the UN Security Council (S.C). In Sudan-Darfur and East Timor in 2006 and 1999 respectively, the interim governments consented on the use of military intervention. In Rwanda, Bosnia and Libya, humanitarian intervention was carried out without the willingness of the governments while in the humanitarian intervention that took place in Somalia, the regime had collapse leaving behind violence among the warring factions. Even though the authors agree that Humanitarian intervention took place in Somalia, it does not discuss in length how the conflict unfolded in the presence of the humanitarian intervention forces. This study adds more insights on humanitarian intervention in Somalia and its role in conflict situation.

In his observations on intra-state violence in Sierra Leone, Beekhuis (2015) concluded that close to 17,500-armed UN troops were mandated with the responsibility of enforcing the Lomé agreement under the obligation of the UN resolution 1289 (2000). He argued that the troops worked hand in hand with the Economic Community of West African States (ECOWAS) region forces in their attempts to finding long-lasting peace in Sierra Leone. This was because the influx of refugees was becoming a burden to

neighboring countries. Eventually, RUF and AFRC faced ruthless UN and Economic Community of West African States Monitoring Group (ECOMOG) forces and succumbed into a peace deal. He also noted that the UN peace enforcement mission was accused of prolonging their stay in Sierra Leone, which worsened the armed conflict in the country. This study focused on the prolonged stay of UN troops in Sierra Leone in their attempt of stopping mass killings from taking place, however the study fails to relate the study with the prolonged stayed of Amisom troops in Somalia and if this has contributed to the escalation of the conflict situation in Somalia.

According to Francioni and Bakker (2013), humanitarian intervention in Libya in 2011, by contrast to the Syrian conflict, rekindled arguments on humanitarian intervention questions. The failure to call humanitarian intervention in Syria to act against the mass executions and atrocities revived the use of force in Libya. This incident confirmed ambiguities about the use of military force. Francioni and Bakker discuss on humanitarian intervention ambiguities by comparing the Libya conflict and Syrian conflict but fail to capture any details in regard to the humanitarian intervention in Somalia that this study sought to address this gap with regard to the ambivalence in humanitarian intervention in Somalia.

Council on Foreign Relations (CFR) (2019) reported that even though the Multidimensional integrated stabilization mission in Central African Republic (MINUSCA) was formed to safeguard civilians and disarm militia groups, the mission faced significant challenges in achieving its mandate. This is due to the reluctance to use military force and lack of infrastructure. UN peacekeepers have also faced numerous attacks from armed militia. In 2017 and 2018, 15 and 6 peacekeepers

respectively were attacked and killed by various armed militia groups. The report gives a comprehensive analysis on humanitarian intervention and conflict transformation in Central Africa Republic (C.A.R). Despite the report giving a comprehensive report on C.A.R conflict, the report does not provide any information concerning humanitarian intervention Somalia. It is within such analysis on humanitarian intervention that this study was established.

The French-led humanitarian intervention in Mali aimed at preventing *Mali-Afghanization*. Mali was falling under the control of extremist militias who wanted to implement the Sharia laws just like in Afghanistan under the Taliban rule. Owing to human right abuse and territorial integrity of Mali and regional security, ECOWAS, UNSC and African Union supported the operation (Ping, 2014). The author argues that Mali was vulnerable to extremist attacks, which led to the authorization of humanitarian intervention. However, he does not provide any information on the extremist attacks in Somalia that's is relevant to the current study, since it turned into a venturing stone whereupon this study was established.

Bere (2017) states that despite the military intervention's achievement in Mali, armed insurgency and Jihadism has kept undermining the national sovereignty and national security in Mali since 2012. Gout (2015) further argues that the dynamics of the conflict were reversed by Operation Serval in support of Mali's army, which had failed to contain the conflict. Such attention by the authors on the Mali conflict has an important bearing on the conflict trends in Somalia even though they mainly focused on Mali. This raised the concern to examine and document armed insurgency, jihadism and humanitarian intervention in Somalia.

Garwood-Gowers (2013) in his works looked at how humanitarian intervention and conflict transformation happened in Iraq, Bosnia, and Somalia. In Bosnia, the humanitarian assistance was to help and provide food to the suffering Muslims in Sarajevo. Led by the UN, the humanitarian intervention in Bosnia resulted in the resumption of diplomatic activities, the opening of Sarajevo airport and the visit of François Mitterland, president of France. Further, when the genocide reached its apex, the warring sides (Serbs, Bosniaks, and Croats) agreed to come together to the negotiation table where they settled their concerns and came up with a common goal of resolving their conflict. In Iraq, humanitarian intervention in 2003 by the America and British governments was to restore normalcy and democratic leadership. However, this is yet to be realized. In Somalia, the author traces the origin of the conflict and identifies some of the nations that have been involved in the conflict, such as the United States. He further states that the militarization of the regime was one of the reasons that led a civil war in Somalia and the eventual collapse of the state. While the author gives a wide discussion on the Iraq, Bosnia and Somalia conflicts, he gives little attention on humanitarian intervention. This study gives an in-depth examination of both the conflict and humanitarian interventions in Somalia.

According to Shannon (2013), military intervention plays critical roles in compacting violence. He further notes that military intervention troops when deployed should be in a significant number and that it includes a strong police capacity. Jones (2017) asserts that in a protracted conflict, direct humanitarian intervention is likely to succeed. This study takes a general look at the role of military interventions by highlighting the extent to which military intervention should be enhanced. He does not give us an account of

humanitarian intervention in Somalia. The present study analyzed military intervention contributions based on the de-escalation of violence in Somalia.

Akcinaroglu (2012) notes that military interventions in support of insurgency, increases the chances for insurgents to be victors, while Sullivan & Karreth (2015) argue that military intervention in support of the government is important and effective when fighting against armed militias that have a military strength that can overpower the military of the country. The authors focused on military intervention in support of rebels or governments and their possible outcomes. However, these studies give an overview of military intervention and their interactions but overlook the intervention in Somalia that this study addressed by filling the gaps in military intervention support in Somalia and their outcomes so far.

Multinational Capability Development Campaign (2014) states that every humanitarian intervention should be based upon legitimate involvement with an aim of stopping atrocities. In enhancing humanitarian intervention success, it is through maintaining the aim of the involvement. This work informs the current study on the legitimacy of humanitarian intervention, which is the foundation of the work. Moreover, Multinational Capability Development Campaign (MCDC) does not address humanitarian intervention contributions in Somalia. This study fills this gap.

Humanitarian intervention is likely to be successful when accompanied by economic interventions, for instances, foreign aid, sanctions and embargoes and diplomatic efforts (Kavanagh et al, 2019). According to the authors studies have documented that humanitarian intervention in ongoing conflicts have a chance to succeed when

combined with economic interventions. However, as much as they address humanitarian intervention, the authors fail to specifically address the Somalia conflict and the military interventions that have gone on over time. Even though they give a detailed account on what should accompany military intervention they do not state Somalia military contributions, which this study addresses.

Wolff & Dursun (2016) assert that EU military interventions in Bosnia, Macedonia, Georgia and Herzegovina aimed at security sectors reforms. The missions further developed a culture and built institutions of the rule of law, like in Kosovo and Georgia. In East Timor, the EU mission was ambitious in building a new state that transitioned from Indonesia. The new state was fully recognized by the international community. However, Wolff & Dursun's study does not provide a comprehensive analysis of military interventions in Somalia. Their study provides analysis in states where military intervention has succeeded but fail to address why military intervention in Somalia has not managed to bring to an end of the conflict. Noting this research gap, this current study thought of the need to seek more detailed clarity on the military contribution in de-escalating violence in Somalia.

Wolff & Dursun (2016) also argue that the basic components of military intervention include election organization, aid of internally displaced persons and institutional capacity building. The EU mission in Bosnia and Herzegovina and the AU mission in Darfur have demonstrated these components. The components were relevant to this study even though they were utilized in other countries this is in contrast with what is happening in Somalia that study investigated whether the same components were used in Somalia in the de-escalation of violence.

Conley (2016) states that humanitarian intervention in Bosnia provided lifesaving aid, the ending of violence in Sarajova by NATO in 1995, and the presence of military intervention troops stalled atrocities in Srebrenica. In Iraq, Conley notes that the U.S strategy played a major role in the decline of violence in 2008. Conley's study provides a detailed account on humanitarian intervention and its contribution in the de-escalating of violence in Bosnia, Sarajova, Srebrenica and Iraq. Despite shedding light to this study on the role humanitarian intervention play in the de-escalation of violence it fails to capture why even with the different interventions in Somalia, the conflict has kept changing in dynamics. It is within this paucity on humanitarian intervention contributions in Somalia that this study was established.

Gromes (2019) notes that even though Yugoslavia forces were ousted away from Kosovo by NATO troops, the intervention failed to protect civilians from human suffering. The study gives insights on military interventions and their contributions in bringing peace and stability in Kosovo. However, it fails to give provide insights on humanitarian intervention in Somalia in respect of protecting civilians from human suffering from warring factions. It is, therefore, relevant since it became a stepping-stone upon which this study was founded.

According to Ganson & Herbert (2018), after Kosovo was secured in 2000, the focus for military intervention moved Sierra Leone. The British military led the intervention in protecting the civilians and the Sierra Leone government. The British military focused on reconstruction of institutions, for example, security institutions, judiciary and public service. Although, their work on the responsibility of military intervention is on Kosovo and Sierra Leone, Ganson & Herbert do not focus on military intervention

in Somalia. Regardless of that it provides insights on the responsibility of military intervention in Somalia.

Tuck (2000) argues that after the withdrawal of ECOMOG forces from Liberia in 1999, several questions were raised on western countries' failures in Somalia. Since ECOMOG, military intervention had managed to oversee an election in 1997, which Charles Taylor won. Despite his work being on Liberia, he observes that military intervention in Somalia failed to solve the conflict, rather, it escalated the conflict situation. Based on this information, this study fills the gap in investigating humanitarian intervention and conflict situation.

Military interventions by France and the UN in Mali helped in protecting Mali's territorial integrity, the protection of civilians, and the 2013-2014 election handover to Malian authorities which has been described as a success (Bere, 2017). His argument, however, addressed the military contributions in Mali. However, they do not provide clear information on why military interventions in Somalia have not been declared successful even though his study was relevant to this study in investigating the various military contributions in Somalia.

According to Kari (2007), military intervention contributions to the Contemporary peace mediation process in El Salvador included a series of human security that reduced the conflict intensity and facilitated justice and reconciliation. El Salvador negotiated a settlement of refugees with the help of the humanitarian intervention mission which was affected by the civil war. This work shed light on this study, since it discusses contributions of military interventions in de-escalating violence, while trying to

interrogate their military activities. However, the study does not provide any insights on the contributions of military intervention in Somalia and, this study sought to fill the gap by interrogating contributions of military intervention in Somalia.

Herța (2004) denotes that despite the presence of UN forces in Somalia, the warring groups have developed the normalcy of living a lawless life and collecting taxes from civilians. He further states that UN troops in Somalia have turned away from peacekeeping and protection civilians from violation of human rights to violator of human rights, hence the need to document more on the transformation of the conflict in spite of the various humanitarian interventions.

In their contribution to humanitarian intervention and conflict transformation, the UK Department for International Development (DfID) in 2007 presented a policy paper on the possible ways of preventing violent conflicts in the world. They, therefore, identified various effective areas which if properly explored, could aid in controlling violence. They included: putting greater emphasis on preventing violent conflicts before they erupt in the first place; secondly, that all development works of DfID need be made conflict sensitive; and thirdly, there must be an effective response to violent conflict. This report gives a wholesome account on possible means of preventing violent conflicts but fail to address ways to be used in addressing Somalia conflict that this study interrogated.

The reviewed literature indicates that studies have been done on humanitarian intervention and conflict transformation globally. However, several gaps were identified, related to the Somalia conflict and intervention that needed to be addressed.

This study utilized the various literatures, in analyzing humanitarian intervention and conflict transformation, to harness relevant information to analyze the gaps. The study, therefore, examined humanitarian intervention and the conflict situation in Somalia, 1992-2015.

1.9.4 Theoretical Framework

This study adopted the Just War theory and Fiduciary theory in explaining humanitarian intervention in relation to the Somalia conflict. Just war theory is traced back to Roman and classical Greek philosophers. Hugo Grotius, St. Augustine of Hippo and Thomas Aquinas are some of its proponents. In the contemporary world, Michael Walzer has also contributed to the Just war theory. The Just War theory has three categories: *Jus ad bellum*, *Jus in Bello* and *Just post Bellum*. The theory distinguishes *Jus ad Bellum*, *Jus in Bello* and *Jus post Bellum* as the rules that govern a Just War; from these rules, warfare is regulated and governed by each party taking responsibility after the war (Lenka, 2011). While Wells (1996) explores *Jus ad Bellum* as a moral avocation for going to war, *Jus in Bello* as the rules that guide the conduct of actors in war and *Jus post Bellum* as the issues of peace agreements, justice, the termination phase of war and security and political developments. According to Kalma (2007) the Just War theory gives reasons why states go to war and is focused on specific criteria that portray a Just War (Kalma, 2007).

Just War theory is guided by the following underpinnings: Just cause, right intention, proper authority, probability of success and proportionality. Just war theory is justified when interventions are about defending others from attacks, self-defence, upholding

human rights and protection of citizens from violent regimes. All these aspects must be legitimate. The second underpinning is right intention. The right intention simply states that humanitarian intervention must have good intentions in solving conflicts and not economic and territorial gains or interests (Stanford University, 2005).

Proper authority is the third assumption that asserts that the United Nations Security Council should be among the parties that decided on matters of intervention. The proper authority assumption further underpins that the UN and AU should be the only authorities authorizing humanitarian intervention in conflict areas that show cause for intervention. Herbert & Weiss (2001) assert that the last resort assumption is that military intervention should be the last option in solving conflicts, after all peaceful measures have been taken and failed.

The Just War theory further underpins the probability of success assumption, which ensures that humanitarian intervention objectives have been tried and achieved. Conflict resolution, peace enforcement, disarmament, demobilization and rehabilitation, low death incidents and minimal humanitarian aid are some of the objectives (Stupart, 2011). Stupart further states that the proportionality criterion underpins those interventions should not only address the conflict injustices but also evaluate whether the expectations of going to war have been met.

Michael Walzer states that the Just War theory elaborates on the cause of the war, the conduct and the results for a war, as what portrays a Just War. Going by Walzer's statement, a humanitarian intervention mission has to be guided by a Just War theory to achieve its goal. While examining humanitarian Intervention, other interventions

such as NATO that have operated under the UN framework of just, feasible and legitimate that have applied, the Grotius “Just War Theory” is important in bringing a clear picture of Somalia humanitarian intervention (Stupart, 2011).

Even though the theory explains how humanitarian intervention can work, it raises questions since if the underpinnings are not followed, humanitarian intervention could be a failure. For example, the Somalia case in the 1990s that saw the UN interventions since they conducted the operation under questionable operational and strategic efficiency of the UN and US command. The failure of Somalia in protecting her citizens from human rights abuses left the burden to the international community. Thus, the responsibility to call for intervention lies with the international community which is justified to call for military force. Considering the civil war in Somalia raging between government, al-Shabaab, warring clans and the rise of piracy in the Indian Ocean, securing peace in this chaotic state in Somalia is of utmost importance in order to restore order and stability. Since this is not an easy task, humanitarian intervention in Somalia can be examined utilizing the Just War theory fully. Indeed, the current Amisom intervention that has been in Somalia for the last twelve years, that has managed to bring some sort of stability in the state. Despite the underpinning in support of Just war theory, there exist loopholes that can be pointed out in regard to intervention is concerned. The moral avocation of going to war, issues to be addressed in solving the conflict, justification on legitimacy of intervention and the different means of identify the real interest of intervening states. Thus, just war theory fails providing critical features like legal standards that regulate the conduct states that participate in humanitarian intervention on issues pertaining accountability during the intervention,

and how well the security council deals with states that intervene in other states without proper approval and if humanitarian troops are accused of human rights violation. Humanitarian intervention should balance the interests of civilians and states should provide information on the interests, values and preferences of intervention and the regular consultations with civilians affected in an armed conflict that needs reinforcement using the fiduciary theory of humanitarian intervention.

1.9.5 Fiduciary theory

The contemporary humanitarian intervention adopts the Fiduciary theory concept that argues that all countries should allow other countries to intervene during violent humanitarian crises to safeguard and protect civilians from violation of human rights. Scholars such as Pufendorf and Vattel are some of the proponents of this theory.

According to Criddle and Decent (2016), the fiduciary theory provides legal standards that regulate the conduct of states that participate in humanitarian intervention. For instance, the fiduciary *principle of integrity* argues that countries should not take advantage of humanitarian crises to destabilize other countries with intentions of pursuing their economic interests. The *principle of impartiality* dictates that intervening countries must act by balancing the interest of foreign nationals and the people of the target states where intervention is taking place. The *principle of solicitude* argues that those intervening countries should give due information on the interests, values and preferences of it's as well as the preferences of its regional benefits. The *principle of Solicitude* has started to gain attention in other fields of international relations such as the rights of indigenous peoples and the law of diplomatic protection. The principle further dictates that countries intervening should

always consult with the civilians who are at the risk of human rights abuses and oppression in trying to find consensus on restoring law and order.

According to Grotius, the fiduciary structure of offering humanitarian intervention when a sovereign country is unable to protect its population from human right abuses, it is the responsibility of the international community to stand in and protect the masses from human rights abuses.

The fiduciary model of humanitarian military intervention supports the account that sovereign countries have a responsibility to protect their people, however, where the need arises it's the responsibilities of other states to act as fiduciaries of humanity and secure the population from violation of human rights. As per the fiduciary theory, the international community responsibility to stand in and protect arises in scenarios where individual states fail to contribute to establishing a safe environment for the benefit of humanity (Trapp and Robinson, 2018).

In the Kantian sense, responsibility is not a perfect legal duty, since it is impossible to point out the various measures that the international community can enhance to satisfy its interest in aggregate responsibility. The R2P principle does not specify on which role states, regional organizations and international institutions can take when involving themselves in the humanitarian intervention (Hakimi, 2014). Nonetheless, the fiduciary theory supports the international community idea of acting in individual countries to ensure fundamental security to protect civilians under the rule of law.

The fiduciary theory claims that the direct legatees of humanitarian intervention are the civilians that a country fails to protect from human right abuses. Just as the UNSC entrusts the protection of people to individual states, the UNSC can entrust a group of states with the responsibility to intervene to safeguard human rights from a state

neglecting its fiduciary obligations. According to the fiduciary theory, the purpose of humanitarian intervention is to protect people from being subjected to grave violation of human rights. However, in scenarios where states subject their population to the threat of mass violation of human rights, the international community can appoint other states in intervening in the state and act as fiduciaries in protecting the said population that is in danger (Criddle, 2015).

By underlining the features of a country under the international community, the fiduciary theory was in support of many nation-states that humanitarian intervention should not take place if the host government had not given consent or the UNSC authorization where need be. States as fiduciaries for their population were obliged to use coercive power within their boundaries and in some scenarios outside their boundaries to protect their own nationals from violation of human rights. Fiduciary theory states that nation-states were vested with *juris generative* authority of joining hands with other nation-states in forming international or regional institutions through which the international community could use to exercise aggregated authority to protect populations that were in danger of atrocities. This is because the UNSC is the only body authorized by the international community to call for humanitarian intervention (Tamrat, 2017; Criddle and Decent, 2016).

Under the fiduciary theory of humanitarian intervention, nation-states intervening in another country were under the International human rights laws that apply during counterterrorism and humanitarian intervention especially in armed conflict since the international community entrusts nation-states to act as fiduciaries and use force for the benefit of protecting populations from mass violation of human rights (Criddle and Decent, 2016).

Criddle and Decent (2016) states that the United Nations Security Council did not have direct command over the armed forces that participate in humanitarian military intervention. Rather it had assigned regional groups and individual states with the authority to conduct a humanitarian intervention in addressing humanitarian crises. On several occasions the Security Council in its authorizing resolutions, it had imposed meaningful constraints on intervening states and regional organizations. The Security Council has required them to pursue only humanitarian objectives. The UNSC had the right to supervise, modify and withdrawal the humanitarian intervention troops in case the mandate had been abused by the humanitarian forces.

Humanitarian intervention took a shift in the twentieth century when the UNSC involved its responsibility to be restoring or maintaining international security and peace. The UNSC was not committing itself to the responsibility for suppressing or preventing human rights abuses and violations but to step in areas where human rights abuses are being witnessed. In the 1990s, the UNSC started to interpret chapter VII according to the UN charters as it involved humanitarian intervention. In 1992, for instance, the Security Council directed its member's states to intervene in Somalia and establish a safe environment for relief operations in Somalia. The United Nations urged the United States of America to take the lead role in planning and organizing a multinational operation that could intervene to establish security issues and also address widespread famine in Somalia. From all these settings, humanitarian intervention was conceptualized to be a benevolent savior of populations that were being subjected to a mass violation of human rights.

1.9.9.1 Research Methodology

This section provided information on the target population, sampling procedure, research instruments, and data collection technique and data analysis methods.

1.9.9.2 Research Design

This research study adopted a historical research design and a descriptive research design. These designs were significant since there are based on unfolding in-depth examination, data analysis and interpretation that focuses on evidence that is valid and reliable and can be interpreted to support the study conclusions. The data collected from established facts can be refuted or defended in explaining a hypothesis.

1.9.9.3 Study Area

The study area was Somalia (see Appendix A2); Somalia was located in the horn of Africa neighboring Ethiopia to the west; Kenya to the South West; Gulf of Aden to the northeast and Djibouti to the North West. World Bank (2016) stated that the Somalia population is estimated at 14 million, the majority of the citizens being ethnic Somalis who inhabited the northern part of the country. Ethnic minorities who live largely in the southern region of the country included RerHamar, Bantu, Baravnese, Gaboye, Bajuni, Yibir, Galagala and Tumul. The major source of livelihood was rearing and trading livestock and its commodities, while the main economic activities of Somalia included fishing, agriculture and forestry. Even though the study focuses on Somalia, the primary data was collected in Kenya since the informants had worked or work in

Somalia with different international organizations and done scholarly work on issues related to the Somalia conflict and the humanitarian intervention missions.

1.9.9.4 Target Population

This study was secretive and sensitive in nature, which was likely to hamper the participation of the informants. Thus, it targeted 100 informants from across different sectors in Somalia, the informants were spread as follows: 20 representatives of regional and international humanitarian organizations in Somalia, 10 members of the civil society, 20 academicians, 10 government officials, 10 security experts and 30 Somali nationals who had information about the civil war and their perceptions of humanitarian intervention in Somalia. The targeted population was chosen because it was deemed knowledgeable on information concerning the link between the conflict situation and humanitarian intervention in Somalia. Due to the nature of this study, the research was able to reach 25 informants to interview. The study dealt with a lot of classified information which hampered participation of respondents. The 25 key informants were distributed as follows: 6 representatives of regional and international humanitarian organization in Somalia, 2 members of the civil society, 3 academicians, 2 government officials, 8 Somali nationals and 4 security experts. Convenient sampling was used in some instances, because of the nature of work the respondents engage in. The researcher administered interviews to respondents who were available even though were not chosen to be part of the targeted population.

1.9.9.5 Sampling Technique

This study used purposive sampling and snowballing sampling to gather the required information. Purposive sampling was employed since respondents were considered by the researcher to have vital information linked to the research, for example, humanitarian workers working in the humanitarian organizations, members of the civil society and academicians considered to have ideal information on humanitarian intervention and the conflict situation in Somalia. Snowballing was equally important since the study was secretive in nature and the information of the insider was important in locating key informants.

1.9.9.6 Research Instruments

For clarity of information, the researcher used in-depth interview guides to interview representatives of regional and international humanitarian organization in Somalia, members of the civil society, academicians, government officials, security experts and Somali nationals in gathering primary data. The in-depth interview guide was utilized since it conducts an intensive interview on individuals in trying investigate their perspectives on a particular situation. This is because it ensured data that was gathered was consistent, reliable and valid.

1.9.9.7 Data Collection Procedures

Both secondary and primary data sources were used by the researcher. On primary sources, data was collected by the use of in-depth interview guide, ensuring uniformity in the interviewing process, tape recording for interviews, and taking notes during

interviews discussion while secondary data was generated from existing academic journals, theses, conference proceedings, books, newspapers, magazines and internet sources.

1.9.9.8 Data Analysis and Presentation

Analysis of the data collected was guided by the objectives of the study. The data was arranged gleaned from similarities and differences by the use of thematic analysis. To establish accuracy of the secondary data collected, textual analysis was adopted. The results were then reported in the form of narratives, with research objectives' guidance.

1.9.9.9 Ethical consideration

The respondents were not compelled to participate in this study rather they were requested and informed that the information to be given was for academic purposes only. The study was voluntary based, and respondents' anonymity was considered necessary. The researcher asked the informants open-ended questions that needed straightforward answers without any need for reference. The researcher ensured the respondents gave consent to the study by assuring them of their security, while the intellectual property respect was upheld by making sure there was no plagiarism. References to the all works used were fully acknowledged. The researcher obtained the necessary research authorization letter from Kenyatta University Graduate School (see appendix A3), and then proceeded to the National Commission for Science and Innovation (NACOSTI) for the application of a research permit before embarking on the field research (see appendix A4).

CHAPTER TWO

TRENDS IN CONFLICT IN SOMALIA, 1992-2015

2.0 Introduction

This chapter examines the historical development of the Somalia conflict since 1992 to 2015. This historical development involves analyzing the changing trends of the Somalia Conflict with attention on the historiography of the conflict and the key actors. This chapter looked into why the conflict had kept escalating from one phase to another. The trends in conflict in Somalia will reveal the intrigues behind the Somalia conflict and humanitarian missions' oppositions.

2.1 Trajectory of Somalia conflict

Seybolt (2007) posit that after years of struggle for independence in Somalia, the country became an independent state in 1960. The presence of democratic transition was witnessed until 1969.

Mathenge (O.I., 10/07/2019) who works with the UN assistance mission in Somalia argues that:

“General Barre organized a military coup and took over the Somalia leadership in 1969. General Barre transcended into favoring his clan by appointing majority of his clan members into state institutions which led to a wide spread outcry from other clans.”

Ingiriis (2018) concurs with Mathenge (O.I) by stating that General Siad Barre took over power in 1969 through a bloodless military coup. Barre built up a military fascism over the region and banned all political parties and parliament.

According to Osoro (O.I., 29/07/2019), who works for the International Refugee Rights:

“The Somalia state under Barre was corrupt, authoritarian and clan-based. Barre built a public civil service and military that was led by his clan’s men. The authoritarian and repressive rule resulted to the bringing down of the Barre government. The repressions left behind a legacy of distrust in forming a central government in Mogadishu.”

The military regime established the Somalia Revolutionary Socialist Movement (SRSM). The SRSM was used to rule over the citizens of Somalia. It transcended into practicing clannism, since majority of the supreme revolutionary council were from Barre’s Darood clan (Odowa, 2013).

Somalia went into war with Ethiopia in 1977 over the Ogaden region, with Somalia suffering defeat. This defeat prompted the emergence of the Somali National Movement during 1980s, dominated by the Isaaq clan. With the emergence of armed clan movements, there was a coup attempt in 1978. Dersso (2009) further notes that opposition to Barre regime escalated. As a result, Barre unleashed a reign of terror attacks between 1980 and 1990 against clans that posed as a threat to his regime, leading to deaths of over a thousand civilians from Hawiye and Isaaq clans (Ingiriis, 2016; Odowa, 2013). State violence was endorsed as a method for stifling dissenting groups trying to topple the Barre government. Barre used the traditional Somali clan to anchor his leadership in governing Somalia (Ingiriis, 2018).

Mathenge (O.I., 10/07/2019) states

“The Ogaden war in 1977 prompted to violence escalation in Somalia after the defeat of the Somalia defense forces by the Ethiopia counter parts. A number of dissenting groups emerged in an attempt of ousting Said Barre from power.”

Barre and Ethiopia's Mengistu met and signed an agreement to stop supporting each other's opposition. The course of fighting after the agreement changed, since Somali National Movement (SNM) was frightened of being kicked out of Ethiopia. It launched an offensive attack in 1988 against Barre's regime on the two main northern cities Buraq and Hargeisa (Dersso, 2009; Cornwell, 2004). Majority of the SNM supporters were from the Isaaq clan and developed an effective guerrilla army. As a result of the SNM attack in 1988, Barre regime responded by attacking and destroying the second capital Hargeisa. The Somalia military caused over 50,000 deaths with over 500,000 civilians being displaced (Abdullahi, 2019).

Multiple militias emerged fighting in trying to take over Mogadishu and the seat of power, the most powerful militia being the Somali national alliance that was headed by General Farah Aideed leading the violent conflict in January 1991 up to August 1992 (Therrien, 2012).

According to Bashir (O.I., 2/11/2019) a Somali citizen, he states that

“The Somali people had hopes that after Said Barre regime, they would lead to a prosperous and peaceful nation. However, that was never the case, since clans descended on each other leading to a civil war.”

According to Verhoeven (2009), after the fall of Barre regime, Somalia disintegrated down under its own inconsistencies. They being no central government, absolute anarchy arose and made business unusual leading proliferation of militias. Reports of massacres of Somali civilians emerged. This prompted the UNSC to call for humanitarian intervention, in September 1992, the United Nations Operations in Somalia (UNISOM I) was deployed in Somalia. Since early 1990s, Somalia failed to

protect her own civilians from human rights abuses leading to atrocities and human rights violation by the militia groups. Thus, the burden of protecting the Somalia civilians was passed to the international community since it is the only authority justified to call for humanitarian intervention (Lambert, 2011).

2.3 Political Islam: Al Ittihad Al Islam (AIAI)

The political history of Islam in Somalia began in mid-1970s. It began because of the repressive Barre regime (Deforche, 2014). Al Ittihad Al Islam (AIAI) was the earliest group to be formed in Somalia in 1980s. Majority of AIAI founding members were from the Somalia disadvantaged population who were hiding because of the Barre regime (Duale, 2016; Hoehne, 2010).

AIAI believed that the answers to the Somalia problems were Islam. They were calling upon the Somalis to return to Islam, the group was condemning clan conflicts and tribalism. AIAI was advocating for the formation of an Islamic army in Somalia. Barre's fall and the fight over the control of Mogadishu prompted AIAI to transform into a militant group (Loewenstein, 2010). The AIAI wanted Somalia to not only be an Islamic republic but also a union of all Muslims living in the Horn of Africa (Page, 2015).

Initially AIAI was a non-violent group. The group began to conduct attacks against Barre's regime in the late 1980s (Page, 2015). Majority of the Somalia population supported AIAI. In 1991, after Barre's fall, AIAI started its primary ambition of forming an Islamic state in Somalia (Mapping Militant Organizations, 2019). AIAI formed the Islamic courts and was providing Somalis with employment opportunities

while small businesses operating under its ideology were also supported. Additionally, AIAI provided security escorts to the UN humanitarian personnel in return of payments (Lauren, 2016; Duale, 2016). Unlike other militia groups, the AIAI earned respect among the Somalis for their honesty and open-minded attitude on international aid (Deforche, 2014).

With the break out of the civil war and there being no government in place, AIAI captured the port of Kismayo in 1991. Months later AIAI forged an alliance with Darood led militias against the USC militia, under the leadership of Farah Aideded of the Hawiye clan, who wanted to control the strategic town. AIAI attempts in governing Kismayo did not succeed since they were defeated by militias and had to vacate Kismayo (Hoehne, 2010).

AIAI attempted to take control of Somalia. In the Puntland region, they failed to capture the port of Bosaso. The Somalia Salvation Democratic Front (SSDF) wrestled down the attempts of AIAI in capturing the port. As Sebastian (2008) points out, small clans from Bosaso supported AIAI activities to show their anger against the major clans. Eventually, AIAI was thrown into clan politics. The military wing of al-Ittihad was located in the Ogaden region. Its agenda was the reunification of Somalia, just as other warring groups sought. The Military wing of AIAI was active in recruiting its members from the Darood clan (Sebastian, 2008).

According to Hoehne (2010) the exercise was important in two ways. First, it started a progression of AIAI military defeats because of warlords. Other significant variables restricting the intensity of the Islamist forces were clan strains inside AIAI. Second,

before the contention over Kismayo between Aideed and AIAI, Colonel Hassan Dahir was sent by Aideed to negotiate on a peaceful handover of Kismayo. AIAI activities in Somalia made Ethiopia to involve itself in the Somalia conflict as early as from 1990s because it operated from the eastern region of Ethiopia, this was because AIAI wanted to bring Islamist and nationalist forces among the Ethiopian-Somalia marginalized population together against the Ethiopian government.

Marehan confrontations with AIAI highlighted how difficult it was for AIAI to operate outside the clan system. AIAI efforts of overcoming clannism were not accepted by everyone. The efforts provoked resistance from the Marehan faction who opposed AIAI as a foreign front (Deforche, 2014). AIAI transformed into a political party in 1997. However, there still exists little AIAI information after its transition into a political party (Mapping Militant Organizations, 2019).

2.4 Warlords

Barre's regime continued to sideline other clans in terms of power and resource allocation, which prompted to clan-based opposition, as clans felt excluded from power. In 1981, the Isaaq clan launched an Isaaq led movement Somali National Movement (SNM) which began launching small scale attacks against government's institutions. Other clans joined the Isaaq clan in the formation of movements and launching attacks against the Darood clan and the Barre regime (Human Rights Watch, 2007).

In an interview, Chamwada (O.I, 7/3/2019) reveals that

“Because of formation of movements against the Barre’s clan and government, the United Somali Congress (USC) proved to be a formidable movement against Barre regime. Immediately after the fall of Barre fighting broke out among the leadership of the USC on who would take the mantle of leadership in Somalia, which led to the rise of warlords in Somalia.”

According to Abadan (O.I., 28/05/2019), he pointed out that

“The generals from the Somalia army rose to be warlords, after the collapse of the state since the political structures that legitimized them had fallen. The Somali youths were easily lured in the recruitment by the warlords. To protect their business, businessmen also established militia gangs to prevail the anarchic state.”

According to Moller (2009), in 1991, with the set of the warlords that emerged in Somalia the political economy of violence thrived. The political economy of violence was on the rise with the illicit commercial practices, the sale of arms, smuggling and the humanitarian food supplies battle for control, in what was referred to as the triangle of death; through these activities of the warlords, they exploited inter-clan animosities to gain prominence (Dahiye, 2014).

Hussein (2008) posits that after Siad Barre was ousted from power in 1991, different opposition group leaders mobilized the clan structures, the government, and the military to fight to achieve their own political ends, which led to a renewed conflict. The warlords who dominated and led the civil war were General Farah Aideed and Business man Ali Mahdi. Somali National Movement bred out the Somali Patriotic Movement (SPM), the Somalia National Front (SNF) and United Somali Congress (USC) with its leaders using the government, military and people to pursue their interests. Even though Aideed and Mahdi were seen as frontrunners in taking the mantle of USC, their leadership and USC represented varying factions. Personal loyalty

and regime were more valued than skill and merit. Barre regime believed that it was not accountable to anyone and other political ideologies were inferior (Menkhaus et al., 2009).

Initially the differences were based on inter clan rivalry for the control of power in Somalia. Among the fighting groups in Somalia, two were influential: USC-Mahdi or USC-SSA headed by Ali Mahdi Mohammed who declared himself president in January 1991 after the ouster of Said Barre. The other group was USC-Aideed or USC-SNA headed by Gen. Farah Aideed, who was the chairperson of the United Somali Congress and a former diplomat to India. By November 1991, violence had engulfed Mogadishu, as heavily armed opposition factions fought in a desperate battle. Individuals like general Aideed and Ali Mahdi led a system breakdown that ensured that Somalia was in anarchy and completely ungovernable (Hall, 2015; Chijioke, 2013).

Menkhaus et al. (2009) argue that even though the opposing sides in United Somali Congress (USC) made a combined front and fought Barre forces and eventually overthrew him, immediately after the ouster of Said Barre the opposing groups then devolved into fighting against themselves. The fighting led to unchecked criminality of the armed militias and massive population displacement. The entire aid agencies and foreign diplomatic community was forced to evacuate from Somalia from the violence escalated

The Somali conflict involved warlords such as Ali Mahdi and Aideed who fought against each other. The international community however tried to create a ceasefire between General Aideed and Mahdi. The UN was reported to be supporting Mahdi,

causing an escalation of the fighting. The UN clearly hurt itself by supporting Mahdi against Aideed, who led an insurgency against the UN involvement (Jeffrey, 2011).

General Aideed militia led an onslaught on Pakistan peacekeepers and the QRT forces in 1993. As a result of the attacks, the humanitarian mission UNISOM II inflicted heavy casualties. This led to the UN to the termination of UNISOM II, which left Somalia without achieving its mission (Ghali, 1995; Dobbins et. al, 2003).

2.5 Somalia 1995-2005

The United Nations Operation in Somalia (UNISOM I) was established in 1992 due to the absence of a central government in Somalia, to uphold human rights. UNISOM I failed to execute its mandate which led to a US led intervention, United Task Force (UNITAF) in 1992 (Malito, 2011; Farrell, 2009). UNITAF was able to protect the delivery of aid and secured the airport and the seaports (Dragana, 2008). UNITAF transitioned in March 1993 into the United Nations Operations in Somalia (UNISOM II) (Rutherford, 2008). UNISOM II was the most expensive humanitarian intervention but met resistance immediately it was deployed. The mission tried to execute its mandate but was involved in a number of serious combat operations with the warring militias. The exchange of fire between the warring militias led to killing of the humanitarian intervention troops and the shooting down of the US helicopters that were hunting down one of the warlords. As a result, UNISOM II troops left Somalia in 1995 (Farrell, 2009; Ghali, 1995).

According to Maxi (O.I., 18/08/2019) who worked in the Amisom police department:

“Since the civil war in Somalia kept on escalating, with peacekeepers being targets of the war, the United Nations resolved to recall the humanitarian troops in 1995 leaving the conflict unabated. The warring clans took advantage of the humanitarian troops’ departure and escalated the conflict, killing more civilians especially women and children.”

The international community’s engagement after the humiliating departure from Somalia led to a decline of aid deliveries. The departure did not revive the civil war. The warring factions resumed and consolidated the gains they perceived to have made during the conflict (Bradbury and Healy, 2010; UK Border Agency, 2010).

In an interview with Shermake (O.I., 18/03/2019) he states that

“After the international community withdrew from Somalia in 1995, fighting between clans led to anarchy. Warlords, militias and the terror groups were in charge of the law of land while the pirates were in charge of the law of the sea. The unfolding of the Somalia conflict made the business men to rise to the occasion and face the warlords by acquiring their own private security to protect their business.”

Intense fighting was witnessed in Somalia as from 1995 to 1997, the conflict was being witnessed mainly in the Somalia cities including Mogadishu, lower Shabelle, and in neighboring administrative regions. The conflict involved not only the SSA/USC against the SNA/USC but a series of other parties (De Sousa, 2014; Melander and Sundberg, 2011).

The World Bank (2005) states that as from 1999 warlords desisted from being a factor in the conflict. Mogadishu businesspersons using their growing wealth managed to persuade militiamen away from warlords. The militiamen later joined the Sharia courts

as police. The armed clashes ever since 1999 became difficult to distinguish from armed criminality to counter-attacks.

In the Southern part of Somalia, different kind of institutions were developed, that included two governments in Mogadishu, district councils, Shari'a courts and councils of elders, that provided different types of rules even without government forms of. These institutions even though they were fragile and uncoordinated brought an amount of security improvement in Somalia. As 1990's was coming to an end, the Somalia situation was described as 'neither peace nor war' (Stremlau, 2019).

Bradbury (2010) and UK Border Agency (2010) state that the international disengagement from Somalia resulted to a diplomatic initiative by regional states led by Ethiopia. Ethiopia's engagement was led by security, geo-political and economic interests. In 1997, Ethiopia was concerned with the growth of the Islamist Movements in Somalia that were armed. Several clashes of lower intensity featured between 1998 and February 2000, mainly in south and central Somalia. The intensity would later decrease in May 2000, after a Somalia Reconciliation Conference Began in Nairobi (De Sousa, 2014; Melander and Sundberg, 2011).

The US ignored Somalia after 'the Black Hawk Down' incident, though the need to fight al- Qaeda made it change its policy towards Somalia. The US began to recruit warlords to facilitate the arrest of terrorist suspects in the country (Hartley, 2006). The transitional government thus decreased in power because of the policy and the reinforcing of the power of warlords and the power of clan structures (Hartley, 2006).

The September 11 attack on the US would re-conceptualize security implications from the Somalia conflict. Al-Qaeda claimed responsibilities of both the attacks of 9/11 and the twin bombing of the Nairobi and Dar les Salaam attack on the US embassies (Dagne, 2010). The US support of warlords faced another backlash from the majority of Somalis who opted for Islamists movements (Scahill, 2011). The US reacted by reinforcing its activities by arresting suspected Al-Qaeda militia members in Somalia (Bruton, 2010).

According to Moller (2009), most of the conflict in Somalia between December 2001 and early 2006 was within Mogadishu, central and southern Somalia, and spread some areas in Bay and Shabelle. The conflict involved several parties, including the TFG. Intra clan fighting and faction rivalry conflict was reported. There were few reports that the conflict involved directly the TFG or the TFG and the civilians. However, in mid-2006 the dynamics of the conflict changed with the emergence of the Islamic Court Union (ICU). Some radical individuals led the ICU, the individuals included Adan Farah Ayro who was in-charge of the Al-Shabaab and Hassan Dahir Aweys who used to be in charge of the AIAI.

Additionally, from analysis of the international disengagement from Somalia after the UNISOM II failed to execute its mandate, the conflict intensity reduced, with only urban regions of Mogadishu and lower regions of Somalia experiencing intense conflict. Due to various terrorist attacks, the international community re-conceptualized on the conflict implications in Somalia in 2001. The international community in turn attempted to fight the terrorist groups. However, this was received

with a backlash by majority of Somalis. With the emergence of the Islamic Court Union (ICU), the dynamics of the conflict changed.

2.6 Piracy

According to Mwikali (O.I., 28/6/2019)

“The illegal shipping boats that tried to hose Somali fishermen and the breaking of Somali boats which were acting as guards in the Somalia waters led to the growth of piracy in Somalia.”

Saferworld (2011) state that the illegal overfishing by foreign companies in the Somalia waters lead to piracy activities. Owing to the overfishing by the foreign companies, pirates emerged acting as coast guards demanding hefty payments for fishing or protection services from the warring clans with interest in the Somalia waters.

According to Mathenge (O.I., 10/07/2019) who works for the UN Assistance Mission in Somalia he states that

“For over a decade, piracy activities and lawlessness has been linked to Somalia. This is because globally, Somalia piracy activities were on the rise between the period 2005 and 2010. The piracy activities were on a rise since the Somalis were claiming foreign fishing vessels were illegally fishing Somalia marine resource since Somalia was considered to be a failed state. Additionally, foreign fishing vessels illegally dumped harmful waste in Somalia waters resulting to health challenges to the Somalia populations.”

According to Esther (O.I., 09/07/2019) who works with an NGO in Somalia;

“Lack of employment opportunities, poverty and lack of an effective punitive system in Somalia created conducive conditions for piracy to take place in the Somalia waters.”

Clans have been cooperating in the horn of Africa with the intent of participating in piracy for profit rather than the defense of the fishing waters. Political careers and opportunities have been launched from the large ransoms that exchange hands in Somalia (Hansen, 2009; Last & Seaboyer, 2011).

The political authorities in the Puntland collaborations with the pirates have seen grand bargain on the exchange of ransoms from the international communities, with Puntland in the control of piracy in the region (Percy & Shortland, 2013; Last & Seaboyer, 2011). The authors further argue that Somaliland and Puntland are more efficient at governing and taxing than the Somalia-Mogadishu which is anarchic.

During an interview with Mandela (O.I., 6/192019), he revealed that

“Piracy has been as a result of armed conflict, lawlessness and economic deprivation after the fall of Said Barre government in 1991, piracy has flourished by the thriving arms trade within Somalia.”

UN Monitoring Group on Somalia indicates that pirate’s access and control weapons in Somalia through the money they obtain through ransoms (Security Council Adopts Resolution 2442, 2018).

According to Ochieng (2014), around the world, it is known that Somalia is a noteworthy area of piracy. Somali piracy has been a continuous issue and has not received the necessary consideration and assets required to address the issue. The pirates have attacked ships and killed innocent travelers at the off shores of Somalia. Pirates attacked over 151 ships in 2011 in contrast to 127 the previous year. The pirates have attacked ships from across the world, including ships owned by the United States and other countries; they managed 25 successful hijacks in 2012 and 159 hostages. The

weapons used by the pirates are of low technology that includes AK-47s guns and hooks for capturing ships (Percy & Shortland, 2013; Browne, E., & Fisher, J., 2013).

Further, Amnesty International (2013) reported that armed piracy in the shores of Somalia has been a major concern and threat to the international community. Since, the pirates have been threatening the life and safety of maritime crews and the delivery of aid to the starving citizens of Somalia.

The international shipping industry has faced a significant threat from the emergence of strong piracy networks in the shores of Somalia. Pirate attacks reported by the International Maritime Bureau increased from ten in 2006 to thirty in 2007 and to even a note high of one hundred and eleven in 2008, though still a modest number considering the twenty-two thousand vessels that traffic the Gulf each year. The piracy threat has caused losses to the shipping industry. Even though the international naval launched different responses to fight back the attacks, in 2009 the number of attacks rose to 214. The European Union's Operation Atlanta, the U.S. Naval Forces Central Command's Combined Task Force, independent national navies and the North Atlantic Treaty Organization's Operation Allied Protector are currently patrolling the Gulf of Aden. These measures taken by the shipping industry have brought significant developments on the industry's security which has seen a decline in the ships' capture rate. The counter piracy efforts along the Somalia coast have also undermined al Shabaab's financing (Bronwyn, 2010).

Somalia piracy has existed for a while, but the piracy attacks increased during the second half of 2000s. The pirates have managed to make financial reaps from these attacks leading to the growth of the nexus between piracy and terrorism in Somalia. Somalia piracy increased from 1000 in 2006 to 1,500 attacks by 2008. In 2008 alone, the pirates were paid ransom ranging from \$20 million to \$40 million. Individual pirate could earn an amount that range from \$30,000 to \$100,000 for a successful hijacking (Christopher et al., 2014).

Christopher et al. (2014) posit that pirates are normally armed with night vision goggles, automatic rifles, global positioning system devices, hand grenades, mobile phones and RPGs. Christopher et al. have identified the pirate attacks into three: clashes between armed smugglers battling to control the north-south migrant route, armed pirates with fast moving small crafts that interdict vessels in the east-east vessels lane while another one boarding in maritime version of a drive by shooting.

Daniels (2012) identifies the main Somali pirate groups as: The Somali Marines, the Marka group, the National Volunteer Coast Guard and the traditional Somalia anglers' group from Puntland. These Somali pirate groups normally operate throughout the Red Sea, Gulf of Aden, and Indian Ocean. However, Somali Puntland coast is thought to be the worst in terms of piracy activities.

By the time the Islamic Courts Union (ICU) was coming to power in 2006, piracy activities were the norm of the day. However, ICU outlawed piracy and termed it as anti-Islamic. As a result, pirates were expelled from the Somalia ports leading to a

decline of piracy in the Somalia waters. The pirates however regrouped after ICU was dethroned from Mogadishu by the Ethiopian forces in 2006 (Hamilton, 2010).

Isaak (O.I., 28/2/2019) notes that

“Somalia piracy solution is not only military rather resolving the conflict, and installing a stable government with legitimate police and army officer that can enforce law and order in the Somalia can help in curbing piracy activities.”

2.7 Islamic Courts Union (ICU)

According to Mathenge (O.I., 10/07/2019) who works for the UN Assistance Mission in Somalia,

“A coalition of factions in 2005 formed the Islamic Courts Union that established security, law and order in majority of Somalia nation.”

The ICU was linked to Al-Ittihad and had become a dominant political body in central and southern Somalia as of 2006. Al-Ittihad was based on the strategy of direct political and military confrontations in order to expand its influence in bringing stability in Somalia (Mulugeta, 2009).

Gerrie, cited in Osman & Souare (2007) argues that the ICU had a simple beginning. In 1991, after the Barre regime was ousted, the state collapsed, the civil society and businesspersons came up with the idea on how to deal with the lawlessness that had engulfed south central Somalia. As Gerrie Swart put it “*in order to bring law and order in anarchic state they must be local initiatives*”. According to Dersso (2009) the Sharia courts began as legal entities to deal with crimes and provide healthcare, education and public services, their political importance was felt immensely in 2006.

The ICU and the extremist elements in the midst were perceived as a threat to the transitional Federal government based in Nairobi and Ethiopia. This led to the Ethiopian invasion in late 2006 to try to oust ICU'S control in Mogadishu. The ousting of ICU from Mogadishu led to several insurgency groups fighting against Ethiopian forces, but al-Shabaab become the most dominate one in the struggle (Deforche, 2014).

The developments in 2006 led to the transformation of the ICU military wing, Al-Shabaab to its current political posture. Islamist militia linked to Al-Qaeda defeated the Mogadishu warlords and took control of southern and central Somalia. According to the World Fact book (2016), the Al-Shabaab victory in Mogadishu showed a step forward for the restoration of stability in the capital. The key Islamist leaders appeared to be aware of peaceful commotions, hinting at willingness of working with the Transitional Federal government that had relocated to Baidoa, and making their intentions clear that there were not after imposing an Islamist regime in Mogadishu. The ICU '*talk peace, make war*' strategy eventually reached its limits. ICU had managed to expand its influence across to areas of the central and southern Somalia, the group used to display their massive arms to locals which scared them away (World Fact Book, 2016).

The ICU continued to make cross border attacks as it had done as Al-Ittihad. On 22 December 2006, ICU made another cross-border attack that led the Ethiopian government to respond by launching strikes against the ICU state militias. Following these initial conflicts, the ICU militias started to flee from central and southern Somalia after the advances made by Ethiopia and Somali transitional federal government forces (Taarnby & Lars, 2010).

Dersso (2009) states that the Ethiopian intervention in Somalia in an attempt to oust Al-Shabaab, the military wing of the ICU led to an insurgent attack that could be the bloodiest conflict that had never been witnessed in Somalia since the 1990s. The Ethiopian army was bogged down after fighting with Al-Shabaab for two years, and the Al-Shabaab insurgents took control of south and central Somalia including Mogadishu and gained military support.

UK Border agency (2010) recognizes that there have been different attempts in Somalia by an assortment of Islamist groups to make Somalia an Islamic state. The groups include the traditionalists Sufi Orders, Al Ittihad Al Islamiya, Salafi and Al Islah seeking a global agenda. In 2006 with an alliance of the clan militias and Islamic Court Union, the Alliance for the Restoration of Peace and Counter Terrorism was ousted from central Somalia. Some presence of peace was felt in Mogadishu, which made the ICU win the public support. However, Ethiopian forces, with the support of the United States, entered Somalia in December 2006 to dislodge ICU from Mogadishu and install TFG. ICU retreated and took refuge in Eritrea. Mwikali (O.I.,28/6/2019) stated that the ICU mobilized fellow Somalis' support against the Ethiopian Intervention which led to the emerging of the insurgent group al-Shabaab.

2.8 Alliance for the Restoration of Peace and Counter Terrorism (ARPCT)

The popularity of ICU in Somalia, led to the establishment of the Alliance for the Restoration and Counter Terrorism (ARPCT) sponsored by the United States. ARPCT comprised of clan militias from the Hawiye clan and businesspersons whose main opponent was the growth of ICU's military wing (Menkhaus, 2007; Deforche, 2014).

The United States justified its support noting that ICU was a branch of Al-Qaeda that wanted to control Somalia (Scahill, 2011). Warlords and business moguls joined forces in 2006 in the establishment of the ARPCT, in the wake of terrorist activities in the entire region of East Africa. ARPCT was defeated by the ICU'S militia, Al-Shabaab in June 2006 (Steinberg and Annette, 2015).

Hoehne (2010) conceptualizes that the leaders of the Alliance for the Restoration of Peace and counter terrorism had an intention of controlling ports and business in the cities, which were in the hands of ICU and their supporters. However, fighting erupted between the ARPCT and the ICU in February 2006.

Transitional Federal Government (TFG) and the ARPCT opposed ICU attempts to control Mogadishu between February and June 2006. This second battle of Mogadishu had different forms military support and the eventually breach of UN arms embargo (UNSC S/2006/229; Bruton, 2010). The military and economic support of the TFG comprised different nations including Uganda, Yemen, Ethiopia, Saudi Arabia and the USA while the armed ICU had support from Iran, Egypt, Syria, Eritrea and Libya (Regan and Aydin, 2006; DADM, 2012). The ICU managed to battle the TFG forces and triumphed in mid-June, taking control of Mogadishu and southern regions of Somalia. The ICU restored law and order in Somalia and tried to provide some services to the Somali (Scahill, 2011; Hartley, 2006; Isaak O.I., 28/2/2019).

2.9 TERRORISM IN SOMALIA

After Somalia collapsed, a few Somali's endeavored to frame another constitution to rebuild the state but they failed. For more than 20 years, Somalia was operating without a central government, which resulted in an increase in Islamist interests. Fundamental Islamic ruling courts emerged in the mid-90s in trying to supplement the lack of justice in Somalia. From that point, the extremist began to operate in Somalia as an avenue for running their activities they being no government in place (Tahir, 2017).

The long devastating civil war in Somali threatened to spill over to Kenya and Ethiopia. The conflict developed into a regional and global conflict hence, Somalia part of the United States battle grounds in the 'war against terror' (Daniel, 2008).

Somalia has been identified as a safe haven for terrorists after the 9/11 attacks in the New York and Washington. Menkhaus (2003) feels that Somalia is a relatively hospitable environment for foreign terrorists to live in and operate from. Remittance companies have been often accused of having relations with terrorist transactions that continue to give the terrorist groups in Somalia finance muscles to run their activities.

2.9.1 Al-Shabaab

During an interview with Isaak (O.I., 28/2/2019), he noted that

“Al-Shabaab emerged from the Islamic court union that was governing in Mogadishu and some areas outside Mogadishu in 2006.”

This confirms the findings of other scholars who note that after the Ethiopian invasion and the ousting of ICU from the capital Mogadishu, its members retreated

and crossed over to Kenya while others went to Eritrea. While in Eritrea, the leaders received support, and returned to Somalia forming Al-Shabaab. The leaders of Al-Shabaab included Aden Farah also known as 'Ayro' and Hassan Dahir Aweys. Hassan Dahir took the leadership mantle of Al-Shabaab in 2007 after Aden Farah was Killed (Roland, 2011; Vidino & Kohlmann, 2010; Keating, 2018). The origins of Al-Shabaab lie from an early Somali Islamist group that is Al Ittihad Al Islami (AIAI), which conducted a number of terror activities in Somalia (Steinberg and Annette, 2015). Equally, the group advocated for clan-backed conflicts; the conflicts spilled all over the country. This led Somalia to witness the decline of social order and weakened traditional authorities (Wise, 2011).

Al-Shabaab has received support from clans and the Islamic identity in Somalia. Al-Shabaab's capacity increased, while its Islamic agenda faced clan-based opposition. The nation building attempts have failed since and the constant shifting and splitting of alliance limit national cohesion in Somalia (Last & Seaboyer, 2011).

Evidence from an oral source indicate that Al-Shabaab's ideology has been based on religion, and that the leadership of the group is not based on the clan politics (Ambrose, O.I, 6/3/2019). Al-Shabaab managed to grasp an extreme interpretation of Islam. The fundamental objective of Al-Shabaab has been to assemble a militia to safe guard its interests of Islam as a religion (Tahir, 2017).

According to Bryden (2013) & Roland (2011), the Ethiopian armed intervention almost eradicated the Al-Shabaab group in December 2006. However, the Somali population blamed Ethiopia for its irresponsible tactics that killed a large number of Somalis. In

2007, Al-Shabaab reinvented itself and started fighting Ethiopian forces and the Transitional Federal Government and its allies.

In an interview with Bilinda (O.I., 09/07/2019) who works for the UN Assistance Mission in Somalia, she states that

“Between the TFG members of parliament and the Al-Shabaab militia, the Al-Shabaab militias are perceived to be more educated. Al-Shabaab used religious emotions in recruiting the youth into the militia. They offered more than remuneration or a weapon; they also used faith to contend with the society that they shared the same values and beliefs in brain washing them.”

Bilinda (O.I., 09/07/2019) further noted that

“Al-Shabaab received a recruitment boost from clan divisions and resistance against the invasion of the Ethiopian troops in Somalia in 2007. Still with a power vacuum in Mogadishu, Al-Shabaab appeared to be in the position of filling the power vacuum.”

According to Urawen (O.I., 18/03/2019),

“Al-Shabaab has been using intimidation such as outright murder to collect information. As a result, they have conducted severe attacks on civilians and humanitarian forces especially the Ethiopian and Kenyan forces in Somalia. Urawen further notes that socio-economic challenges in Somalia that range from lack of education, political experiences and unemployment have made recruitment of Al-Shabaab much easier.”

Al-Shabaab’s future was uncertain at the start of 2007. Majority of the Al-Shabaab top leaders were dead and the remaining forces were defeated and demoralized. Despite these setbacks, the group was unified but had a conflict with the leadership of ICU, which acted as a source of funding and recruitment of Al-Shabaab members (JSOU Report, 2013).

According to Mwikali (O.I., 28/6/2019):

“There was a surge of nationalism that al-Shabaab took advantage of foreign fighters who flocked to fight against the Ethiopian intervention in 2006, al-Shabaab areas of control became more stable.”

Ambrose (O.I., 6/3/2019) who works with a non-governmental organization in Somalia notes that:

“In 2008, Al-Shabaab shifted its military strategy from guerrilla warfare to terrorist tactics that ranged from kidnappings, bombings and suicide attacks.”

This concurs with other scholarly works that note that Al-Shabaab’s main target was the UN compound in Hargeisa and Baidoa in 2008 and 2016 respectively (Crouch, 2018). Al-Shabaab also attacked hotels used by politicians and restaurants frequently visited by civilians. Al-Shabaab’s attacks on civilians and government targets have often been dramatic (De la Calle and Cuenca, 2015).

During an interview with Judas (O.I., 07/07/2019) who worked with the American refugee committee in Somalia he noted:

“Al-Shabaab troubles range from the high rate of losing credibility and popularity. Their attempt of enforcing the harsh Sharia laws alienated a large section of the Somalia communities. As a result of the communities’ disquiet, it became the group’s intention to radicalize the communities.”

During an interview with Yusuf (18/03/2019)

“Al-Shabaab has been attracting scathing criticism among the Somalia people because it has been initiating violence within areas out of their control. Even though, it has been facing criticism, Al-Shabaab has been supporting schools within their areas of their jurisdiction that promote their ideologies.”

Al-Shabaab's strength began to wane in 2011. In October 2014, the group lost the port of Baraawe that was a source of revenue for the militant fighters (Kimani, 2016). The Jamestown Foundation (2016) further states that after Al-Shabaab lost the Baardheere region which had been its base, *Jilib* town that is located in Juba region turned to be Al-Shabaab's base in 2015.

During an interview with Isaak (O.I, 28/2/2019) he stated that:

“Al-Shabaab was accepted as a member of al-Qaeda in 2012.”

Al-Shabaab announced plans to merge with Al-Qaeda in 2012, even though they were strong links between the groups through personnel, financing and training (Vidino et al., 2010). The plans to merge did not go well within the Al-Shabaab as there were internal killings, with the majority of the group members opposing the merger, while the Godane's faction was for the merge, aspiring to strengthen the military component of the militia group (Meleagrou-Hitchens Maher, & Sheehan, 2012; Browne, E., & Fisher, J. 2013). The objectives and structures of Al-Shabaab were similar to those of Taliban. However, Al-Shabaab continued to operate autonomous, even after it professed to Al-Qaeda loyalty (Steinberg Weber, 2015).

Internal wrangles increased in 2013 between Al-Shabaab's group leader Ahmed Abdi Godane and his critics who accused him of killing true Muslims, having dictatorial tendencies and of committing strategic blunders (Menkhaus, 2014). The internal differences led to the killing of Ibrahim “Al-Afghani” and Abdihamid Hashi Olhaye, alias “Maalim Burhan (International Crisis Group, 2014). The killing of these two allowed Godane to consolidate control over Al-Shabaab. The disagreements were not

only limited to the Godane led group (Al-Shabaab) but were witnessed within al-Qaeda fighters, led by Fazul who was the leader in East Africa. Many observers even suspected the tension between Godane and Fazul may have led Godane to engineer Fazul's death in 2011 during a shootout at a government checkpoint in Somalia (Bryden, 2014).

Al-Shabaab attacks in 2014 mainly targeted lawmakers, TFG security forces and Amisom forces. Indeed, Al-Shabaab conducted an attack in May 2014 at the premises of Somalia Parliament killing at least 10 people. In December 2014, a twin attack was carried out by Al-Shabaab targeting UN convoys, killing at least 15 people. Earlier on, in August 2014, Al-Shabaab had attacked the national intelligence headquarters which prompted severe gunfight between the group and the TFG forces. Following the death of Ahmed Godane in September 2014, who was in-charge of Al-Shabaab, Umar Ahmed, as its new leader making it the third time the group witnessed leadership transition. Considering the state in Somalia, the TFG seemed unable to protect its own civilians from violence by Al-Shabaab, Ahlu Sunnah Wal Jama'a or clan militias. Going by this inability by the TFG government being unable to protect its civilians from violence, the UNSC and "just cause" were satisfied for considering humanitarian intervention (Huzafah, 2015).

By 2015, Majority of Al-Shabaab's fighter were defecting, majority of the territory they were controlling was in the arms of Amisom forces. Nevertheless, despite military and political setbacks, Al-Shabaab managed to conduct more terrorist attacks (Seth et al., 2016).

The threat to security and peace in Somalia remains, this is because Al-Shabaab has remained resilient. Al-Shabaab has managed to conduct large -scale attacks against Amisom forces, an example being the El-Adde attack in 2016 against the Kenyan military operating base. Serious attacks on Somalia's six largest hotels which claimed over 120 lives (Molony, 2018; Chamwada, O.I., 7/3/2019; Isaak O.I., 28/2/2019).

According to Maxi (O.I., 18/08/2019) who worked in the Amisom police department in Somalia:

“Despite the military surge against Al-Shabaab, its defeat remains a task. This is because the conflict in Somalia is entrenched in the clan-based competition and other existing radicalized groups that continue to carry out terrorist's activities and assassinations. Even though the group has lost majority of the areas of control, it continues to control both minds and money”.

Reuters (2017), International Crisis Group (2017) & The Guardian (2017) agree that even though Al-Shabaab has suffered setbacks in its areas of control, including Mogadishu and central Somalia, the group does not appear close to elimination. ‘Operation Juba corridors’ became one of the major setbacks of Al-Shabaab in July 2015. However, the group made a steady campaign of attacks against Amisom and Somalia National Army (SNA) forces. This steady campaign allowed Al-Shabaab to take control of infrastructure routes, expand its sphere of influence and raid weapons from SNA and Amisom bases for use in future attacks. The nature of Al-Shabaab violence has since changed to include a string of devastating car bombings and suicide attacks against the government, military and civilians.

During an interview with Somali analyst, Fetoli (O.I., 23/4/2019), it was noted:

“Al-Shabaab has managed to conduct a series of attacks killing several people. In 2009, al-Shabaab managed to attack an Amisom military base killing six humanitarian troops. In 2010, Al-Shabaab also conducted an attack in Mogadishu killing civilians. Al-Shabaab militants attacked the presidential villa in 2013 killing several civilians. Al-Shabaab has managed to conduct large-scale attacks ranging from a truck bombing in Mogadishu, Nasa Hablood II hotel attack and the Junction attack.”

This concurs with Baadiyow (undated) who states that in October, 2017, a lorry stacked with explosives detonated in the Somalia capital leaving over 400 fatalities and about 500 injuries. This has been one of the most lethal attacks by al-Shabaab and any terrorist acts anywhere in the world since 9/11. The further notes that after the Al-Shabaab militia was ousted by the Ethiopian troops in 2006, Somalia has never witnessed such kind of an attack.

ACLED (2017) reported that the Al-Shabaab insurgency was persistent with its attacks. In September 2017, Somalia witnessed 225 separate attacks and over 400 fatalities. Al-Shabaab managed to conduct offensive attacks in Lower Shabelle, Gedo and Juba land. September 11-12, 2017 saw one of the largest attacks in Belet Hawo and its temporary capture from the government forces.

According to ICG (2016), Al-Shabaab notched up a series of attacks that were successful. Its main targets have been the African Union humanitarian intervention mission and the Somalia civilians. ICG further reports that Al-Shabaab managed to conduct high profile attacks on Amisom troops inflicting heavy casualties. Human Rights Watch (2017) contends that having areas liberated by Amisom and the SNA

from Al-Shabaab left majority of Somali civilians trapped within areas of disputed control.

Ambrose (O.I. 6/3/2019) working with a non-governmental organization in Somalia stated,

“Al-Shabaab has been attacking civilians perceived to have supported or engaged with the government forces.”

This is congruent with Crouch’s (2018) observation Al-Shabaab burned down towns and villages in lower Shebelle for switching of alliances to the government side as a sign of punishment.

During an interview with Bashir (O.I., 02/11/2019), he states that

“The government has an inability to control territories liberated from the al-Shabaab militia. This is because the government has got no military capacity to keep the pace and take in-charge of the territories.”

An interview with a Somali analyst alludes those areas under control of the Al-Shabaab have witnessed lower levels of violence compared to areas that are under controlled of Amisom and the SNA (Fetoli, O.I., 23/4/2019). Areas under control of Al-Shabaab are less subject to violence as there is less need to combat communities directly (Crouch, 2018).

Going by the words of Al-Shabaab that it has spies and informants in both the Amisom troops and the government should not be ignored since the group has managed to attack secure sites in Mogadishu that are heavily protected by Amisom officers (The Jamestown Foundation, 2017).

Osoro (O.I., 29/07/2019), agrees with the Jamestown Foundation's sentiments by stating that:

“There have been allegations that Amisom troops have been working with Al-Shabaab. Some of the Amisom weapons have been found with the Al-Shabaab militia. Al-Shabaab has over time claimed that it has secret informants in the federal government. This is evident going by the number of Al-Shabaab attacks against the federal government institutions.”

Malema (O.I., 6/4/2019) noted that there was an increased presence of pro-Islamic sympathizers in Somalia. He further notes that even though Al-Shabaab was using terrorists' tactics in its attacks, the United Nations had failed to list the group as a terrorist group but continued to condemn Al-Shabaab attacks.

International Crisis Group (2017) described Al-Shabaab as a force to reckon in Somalia, given its ambushes, suicide bombings and targeted assassinations across south-central Somalia. The Jamestown Foundation (2017) reported that since Amisom presence had not been felt in the rural areas, Al-Shabaab moved to interior regions to take control of smaller towns and rural areas. However, Mandela (O.I., 6/19/2019) notes that

“Al-Shabaab has been conducting terror activities in Somalia and within the East Africa region. It has sworn allegiance to al-Qaeda which is listed as a terrorist group. The international community has been reluctant on the listing Al-Shabaab as a terror group. He further alleges that the government of Somalia has been against the listing of Al-Shabaab arguing that it will affect foreign investment in Somalia.”

Naserion (O.I., 24/4/2019) revealed that

“Since Al-Shabaab was overwhelmed by the Amisom forces, it shifted its strategies of operation (Silent-attacks). They opted to move to interior rural areas where they could plan and execute their attacks without any armed opposition from the humanitarian forces.”

According to Bryden (2013) & Roland (2011), Al-Shabaab strength at the moment lies with the weakness of the TFG and humanitarian intervention forces and the economic situation in Somalia.

From the above, it is evident that Al-Shabaab remains a formidable threat in finding long lasting peace in Somalia. It has conducted several attacks targeting humanitarian intervention forces, federal government leadership and institutions and economic hubs. The international community should consider listing Al-Shabaab as a terrorist group since it swore allegiance to Al-Qaeda, a terrorist group.

2.9.2 Ahlu Sunnah Wal Jama'a (ASWJ)

Ahlu Sunnah Wal Jama'a (ASWJ) was formed to counter ICU military wing Al-Shabaab. ASWJ comprised a Sufi Alliance of the Galgudud and the central regions of Hiiran. The group was perceived to be a moderate Islamic movement observing Sufi practices (Somalia's Prospect, Africa Briefing Report, Brussels, 2010). ASWJ group witnessed some political and military successes and even managed to take control of regions initially under Al-Shabaab. Majority of ASWJ activities has been influenced by Ethiopia. ASWJ was even coerced by Ethiopia to negotiate and agreed to share power with the TFG in 2010 (Al-Amin & Al-Hadi, 2010).

This agreement provoked a section of members within ASWJ; some members entered the deal with the TFG while others did not want to be part of the power sharing deal. Additionally, a section of the TFG members were against the involvement of the ASWJ in the government activities. Somalia political unification remains to be highly elusive.

Also, to note, the TFG and ASWJ are considered as surrogate powers for Ethiopia (ICG, 2011).

ASWJ is an armed militia, which normally fights Al-Shabaab in the central region of Somalia. The ASWJ militia purports to represent the Sufi Traditional Islamic order and it is believed to be fighting for the national interests (Al-Amin & Al-Hadi, 2010). A leadership divide appeared to be in ASWJ, consisting the Farah faction which led the fighting arm, while the Mogadishu faction was not involved in fighting (Stanford University, 2012). The prolonged conflict in Somalia and the chronic manner of human suffering exists because of a complete state collapse. It is thus within the 'just cause' underpinning threshold to consider involving humanitarian intervention, since there has been a raging civil war from Kismayo to Puntland, between warlords, Islamist militia and the TFG troops, with no peace in sight. The emergence of piracy in the waters of Somalia has also been a major scourge. However, securing Somalia in order to put in place measures for post conflict development has been of utmost importance. Securing Somalia is not to say that it would be an easy task. The rich "just war" theory and the fiduciary theory were used in examining the military feasibility of and justification for humanitarian intervention in Somalia since the different actors in the Somalia conflict were abusing civilian's human rights.

2.9.9.1 Conclusion

This chapter provided the background to the conflict situation in Somalia. After years of struggle for independence, Somalia became an independent state in 1960. However, nine years later Barre organized a bloodless coup and took over power establishing a military fascism. The military regime transcended into practicing and favoring certain clans and as a result, while opposition militias started to emerge. State violence was used to fight back dissenting groups, the multiple militias' escalated violence against Barre's regime led to its fall in 1991. Since 1991, the Somalia conflict has witnessed different trends. This chapter has also highlighted the factors that have sustained the conflict, in terms of acquiring weapons and recruitment of foot soldiers, and the development of Islamic ideologies and terrorism in Somalia.

This chapter also discusses events after the withdrawal of the UNISOM II from Somalia. Low intensity of violence was witnessed among the warring clans. It has also highlighted various Islamic insurgents in Somalia. The use of religion is considered to be behind the formation of the various groups. This chapter notes that Al-Shabaab has shown resilience by morphing itself and launching large-scale attacks in Somalia. Piracy was identified as one activity that has been financing violence related activities in Somalia. With the transformation of the violent conflict in Somalia, the international community has an obligation as a legal entity of advocating for peace in the international system to provide humanitarian intervention in trying to bring order.

CHAPTER THREE

DEBATES ON HUMANITARIAN INTERVENTION

3.0 Introduction

The immediate previous chapter provided the historiography and the transformation of the conflict in Somalia. Following the unfolding violent conflict trends in Somalia, there was need for humanitarian intervention, which is an important mechanism for finding stability and peace. This chapter therefore contextualizes various debates on humanitarian intervention and its tenets, by specifically focusing on the concepts of sovereignty and responsibility to protect (R2P) and their pillars.

3.1 Contextualizing Humanitarian Intervention

The humanitarian intervention doctrine is normally connected with the early international law and natural law. Hugo Grotius (1583-1645) had an ambition on regulating the conduct of states in the international system by bringing new political and moral norms that ranged from contracted agreements and respect for sovereignty. Hugo further refined the Just Way doctrine in order to promote international order by stressing that conflicts should meet some certain legal reasons. In Hugo's opinion a right of revolution existed in case of extreme cases of human right abuses by tyrannies. The suppressed population can ask for a foreign nation's support. In Hugo's defense, humanitarian intervention is always linked to legitimate resistance to cases of tyranny and abuse of human rights (Danish Institute of International Affairs, 2000).

After the Second World War, the question at hand has been whether human rights need to be protected in order to address conflict and build peace. They have been a continuous debate on the protection of human rights over time. The Universal Declaration of Human Rights -1948 has been connected with the protection and promotion of human rights through humanitarian intervention in violent conflicts. The Universal declaration stated that it is important for man not to be force to have an alternative as the preceding option to rebellion against oppression and tyranny, human rights need to be protected by the rule of law (O'hanlon & Singer, 2004). Thus, the international community seeks to use humanitarian intervention as a possible mechanism to finding peace and stability during civil wars.

In understanding humanitarian intervention in Somalia, it is important to understand what humanitarian intervention is. Humanitarian intervention is aggression of another country military in where violation of human rights has been reported with an aim of upholding and protecting human rights during unrest caused by the disintegration of a state. Humanitarian intervention further helps create conducive conditions in which a civil authority can run its activities (Kardas, 2001).

According to Dembinski et al. (2019), humanitarian intervention is a threat or the use of force by a foreign state or group of states with the aim of saving civilians from a violent conflict. The purpose of humanitarian intervention is to protect civilians within a sovereign state and humanitarian activities (Higashi, 2013). Finnemore (1996) contends that humanitarian intervention is armed military intervention with an aim of protecting civilians and foreigners from human rights abuses.

According to Jahn (2012), the use of force by other states to help citizens in a violent conflict has been regularly practiced in the past. The humanitarian intervention concept therefore does not portray new policies, rather, it hides the nature of humanitarian policies and function in the contemporary world as a 'doctrinal advance guard' in the new international order.

Zaid (2013) states that humanitarian intervention as a justifiable use of armed force to protect civilians of a nation that has persistently abused its citizen's human rights. The intervention can occur even without the consent of the said nation. According to Valek (2005), humanitarian intervention can be authorized by the United Nations Security Council (UNSC) given that it operates under chapter VII of the UN charter. The Security Council provides the mandate for intervention if a humanitarian catastrophe treated is treated a threat to peace under article (39) of the United Nation is violated.

However, not all scholars agree with the said humanitarian intervention definitions; Richard Folk (1996) opposes humanitarian intervention by pointing out aspects of hypocrisy to the call of humanitarian intervention. He asserts that humanitarian interventions are desperate moves by foreign governments and private companies to sustain humanitarian military budgets in violent conflicts.

According to the World Council of Churches (WCC) report (2001), humanitarian intervention can encompass a wide variety of activities that seek to provide protection to civilians from violation of human rights. Ramsbotham and woodhouse (1996) have echoed this argument by arguing that humanitarian intervention in form of forcible military intervention is no longer the only option for intervention. Different international actors that include UN agencies and NGOs are to date recognized as

conducting humanitarian interventions in violent conflict areas. Fulton (2001) states that, UN agencies, NGOs and humanitarian agencies have been crossing borders to provide aid in terms of food, shelter and health care. These agencies have provided effective entry points for non-military interventions in areas of concern of grave human right abuses. The main aim of the agencies is to protect and assist vulnerable populations that are prone to human rights abuses that lead to crimes against humanity in areas where there is a breakdown of authority.

From the above definitions, majority of the scholars share the same thoughts about the elements of humanitarian intervention as the use of force by foreign states of regional states with, the aim of saving civilian from a violent conflict, with or without the consent of the affected state.

The affected state in an armed conflict does not include government violence but circumstances in which state apparatus fail to protect human rights. For example, the civil war in Somalia between two opposing factions led to an anarchy situation in the 1990's where the state authorities collapsed.

For the purpose of this study, humanitarian intervention can be construed as the use of military force in a country, with or without the consent of the country's authorities with an aim of stopping violation of human rights and establishing governance structures that may have been broken due to the conflict. However, from the definitions of humanitarian intervention doctrine, it seemingly collides with key tenets about the nature and existence of the affected state, the use of military force, the international community and other related philosophical understanding on issues related to humanitarian intervention. However, one of the greatest challenges to the nature of

humanitarian intervention is the doctrine of state sovereignty and the R2P. This study therefore discussed the question of sovereignty and R2P.

3.2 Concept of state sovereignty

There are conflicting views on state sovereignty; some scholars argue that the state is absolute within its territory, while others are of the opinion nation-state has the sole responsibility to protect its civilians, failure to which the international community can rise to stop any violations of human rights. According to Krasner (2001), since 1945 there has been an erosion of the traditional state sovereignty. The Westphalia model of sovereignty has had various degrees of compromise and conflict which have led to cession and loss of sovereignty. Challenges for the Westphalia model come from the outside actors of the state (Trans and international) as well as and the inside actors of the state. As a result, sovereignty has been eroding by choice; nations states have ceded voluntarily some significant aspects of sovereignty while the growing corpus of international obligation in the globalizing world has de-facto diluted the norms of Westphalia sovereignty (Kallis, 2018).

The state system dates back to the Westphalia treaty of 1648 that stopped thirty years of war in Europe. The Westphalia treaty formed the key principle of state system that is sovereignty. Harrison and Boyd (2018) point out that sovereignty is a distinguishing feature of a state. Sovereign states have the right have absolute power both legal and political within its territory (Bello, 2013).

According to Ronzitti (2015), sovereignty means individual nations are free to make their own decisions on how to relate with in the global space. He further notes that sovereignty usually does not stand on its own; for any state to be qualified as a sovereign state, it must have control over its territory and population. Moreover, states are not allowed to violate the human rights of their citizens or impose degrading and inhuman treatment on its own citizens.

State sovereignty has defining features that include external and internal sovereignty. External sovereignty describes two elements: All states have legal equality in the international system, in achieving external sovereignty, a state must be recognized by other state of the international system. Internal sovereignty also consists of two elements that is, legal and practical. Legal element includes the right of a state to make laws for its civilians to follow, while the practical element ensures that all the laws made are obeyed within the country. However, the practical element of state sovereignty can be undermined by an internal revolt (Fassbender, 2002).

There are different interpretations on the nature of state sovereignty, but most pertinent to this study, state sovereignty is often tied with states' role in protecting their civilians and upholding their human rights (Khan, 2018). Many countries continue to maintain the traditional view of state sovereignty that included the rule of non-intervention, the rule of equality among the state and exclusiveness in state internal affairs (Khan, 2018).

Reisman (1984) states that the main goal for inclusion of the promotion of human rights in the UN charter is to have the UNSC call upon other states to intervene, if a state violates its citizen's basic human rights. The violating government cannot argue that

the humanitarian intervention is against the tenets of state sovereignty. Reisman (1984) further claims that the main goal for humanitarian intervention is to protect civilians against the depredations of the sitting government.

However, according to Rattan (2019), the principle of sovereignty argues that no state should interfere in other state's affairs either directly or indirectly. He further opines that intervention should only happen to safeguard human rights and avoid atrocities. The UN can intervene in a state affair on the grounds of promoting human rights, but this can only happen when a state is oppressing its civilians or it's unable to protect its civilians and the situation affects international peace (Rattan, 2019).

The legal definition of state sovereignty implies *prima facie*, the general principle of non-intervention by any state in any other state (Turner, 2015). Gozen (2011) concurs with Turner by stating that the notion of state sovereignty and the rule of non-intervention are interconnected as per the UN charter Article 2 (7) that state as follows:

Nothing contained in the present charter shall authorize the United Nations to intervene in matters, which are essentially within the domestic jurisdiction of any state or shall require the members to submit such matters to settlement under the present charter.

In The Hugo Grotius' 1625 work, *De Jure, Belli ac Pacis*, he points out that the principle of sovereign power was limited by treaties. The application by the sovereignty domestic rule with other sovereign state broke new basis. While the governing authorities were affirmed to have the right of regulating their domestic affairs, the authorities however, were to give space to dissenting groups within the community to practice their own form of religion. The frame of treaty, rules that each party was

expected to embrace certain limits for its own self-interest, the treaty gave provisions of external intervention by other parties, if the agreement was abused by one party. In Hugo Grotius conclusion, the legal definition of state sovereignty implies *Prima facie*, the general rule of non-intervention by any country in any another country (Turner Johnson, 2015).

According to McMaken (2019), state sovereignty is always problematic since it reflects a state's capacity to asserts its legal and political institutions and within its territory. Meanwhile, humanitarianism has been condemned to be violating nation sovereignty by large states seeking to explore and expand their power presence within some certain areas.

Mearsheimer (2001) notes that respect for states' sovereignty has been eclipsed as from the mid-1990s since the sovereignty norms were eroding. He further refers to the rise of humanitarian interventions as a means used by powerful states to invade, bomb and military dominate weaker nations.

According to Hathaway et al (2010), at its root, sovereignty was not only view as an avenue for a state to control its territory and civilians, but had a responsibility to protect its civilians from human right abuses. Humanitarian intervention that has been consented by a state offers as a tool for the state to meet this responsibility even when they find themselves in a crisis. This kind of consent-based intervention offers states means to assert their sovereign power even in such situations. However, today's state sovereignty has evolved since states have an obligation of protecting the welfare of its

civilians. The international community has often promoted the sovereign responsibility idea over a period of time now.

According to Annan (1999), state sovereignty was redefined from a notion of supreme authority of a nation, to a notion that is based on people's rights "popular sovereignty". After the cold war period, sovereignty changed to civilians' sovereignty rather than the initial sovereign's sovereignty. It is the primary responsibility of a nation to protect its civilians. However, if a nation is unwilling or unable to meet its primary obligation, it creates room for its sovereignty to be exercised by other states through interventions (Radice, 2019).

According to the Danish Institute of International Affairs (2000), sovereignty is still a contentious debate in international system, but to some extent, the traditional view of state sovereignty is being challenged by the standard of responsibility and the principle of representations. This is not a sudden change of sovereignty; the principle of sovereignty has been changing and re-defining for over 300-400 years of history. Even though the principle of sovereignty is constant, the content of sovereignty has changed to accommodate concerns like, what are the roles of a state, and other roles that do not fall under the jurisdiction of state sovereignty.

In the past two decades, the concept of 'state failure' in international security has emerged. The international system continues to uphold the norm of statehood that allows the Westphalia sovereignty of a state to continue uncompromised. However, the practice of the Westphalia sovereignty on failed states indicated that the external sovereignty norm can be rejected. Even though it appears that the traditional state

sovereignty continues uncompromised, failed states sovereignty has been either rejected as a result of the ineffectiveness of their governments. Depending on the level of functionality of state authorities, the international community can take the external sovereignty away, something that states use to shield against intervention in international relations. Indeed, after the Cold War, this has happened in states such as, Iraq, Somalia and Afghanistan (Chan, 2013).

All state authorities become dysfunctional as a result of the civil war in Somalia, the sovereign authority for Somalia that could have provided a road map for intervention or negotiations was missing. Secondly, since there was massive flow of refugees fleeing Somalia that was treated as a threat to international peace. As a result of the unfolding events, there was a connection between human rights and the UN; the course of the UN action was to try and solve the threat of international peace in Somalia (Mills, 1997). According to Janmyr (2009), with the absence of a functional government authority in Somalia, the Security Council had to act instead. Even though there was the use of force without any party's consent in Somalia, this could not disqualify the intervention as the UN assumed the responsibility of protecting human rights in Somalia, considering an existing government was missing.

Negeri (2011) posits that after the cold war, the UNSC has adopted numerous resolutions on the right of humanitarian intervention. Under article 39 of the UN charter, member states are authorized to intervene where violation of human rights is purely domestic in nature. This is what the UNSC did in addressing the Somalia situation.

3.3 Responsibility to Protect (R2P)

The responsibility to protect is a doctrine that introduced a new concept on sovereignty, as addressed by the International Commission on Intervention and State Sovereignty (ICISS). The R2P concept originated from the African union's constitutive act that the African union has a right to intervene in member state in cases of human rights abuses (Terwase, 2012). The right of intervention by the African Union was labeled as the non-indifference principle; the act called upon regional governments to respond to human rights abuses taking place in the territory of other states. This was a clear switch from the Westphalia non-intervention principle, which was adhered by Organization of the African unity that was later preceded by the African Union; the non-indifference principle has a political importance of permitting other governments to scrutinize other states' actions (Schefer and Cottier, 2012).

The R2P norm meant ensuring the international community never fails in halting mass atrocity crimes that violate human rights. Prior to the R2P norm, individual states and the international community valued political sovereignty and the non-intervention principle in the internal affairs of other states above the value of human rights (Hameed, 2014). Political sovereignty is a long-established principle and is upheld by the international community. The principle of political sovereignty is codified by the UN charter that preserves the independence of each nation and prohibits any other nation or regional organizations from intervening and interfere the international affairs of other states without any authorization. The principle of non-intervention left states free to organize their economic, political, social and cultural activities. However, this principle has been used over the years as an avenue by brutal heads of governments to

mistreat their citizens without any fear of accountability by any individual. The international community has often resisted any attempts of intervening on behalf of victims out of the fear that the principle of sovereignty could erode and that it could taint its image by intervening in a sovereign state (Knight & Egerton, 2012).

The Responsibility to protect doctrine is an outcome of diplomatic negotiations by the international community and states on how and under what situations that calls for humanitarian intervene to uphold human rights and protect citizens. This doctrine has caused a considerable controversy in the recent years (Norooz, 2015).

Gagro (2014) asserts that as the 20th century was ending, the necessity of relooking unto humanitarian intervention arose. In his millennium speech, the UN Secretary General identified several events in which the Security Council failed to act conclusively, these events included the atrocities in Rwanda, Yugoslavia, and the failure of the UN missions in Somalia in 1992/93. According to the Responsibility to Protect Report (2001), several questions arose during the Kosovo case in 1999, humanitarian intervention legitimacy in a sovereign country. Whether the intervention received the right authority or all peaceful ways were explored to solve the crisis, how could a coalition of states by-pass the UNSC system and act with the approval and be possibly justified? Are some of the concerns that came forth? Against all these arguments, there was the sensation that if the NATO could not have intervened, the events in Kosovo occasion could have been worse than Srebrenica. These events led to the UN Secretary General to put the following challenge to the UN member states:

“If humanitarian intervention is indeed, unacceptable assault on state sovereignty, how should we respond to Rwanda, to Srebrenica, to gross violation of human rights that offended every precept of our common humanity?” (Millennium Report, 2000).

In reaction to this challenge by the UN Secretary General, the Canada government formed the International Commission on Intervention and State Sovereignty. The commission was given a responsibility to answer the Secretary General question. In December 2001, the commission released the report “Responsibility to protect” that embraced state sovereignty idea. At the core of the commission report lay two-dimensional understanding of responsibility: a) It is the state’s primary obligation to protect its civilians from human rights abuses and b) if a state fails to act to stop human right abuses in its territory, the international community has an obligation to step in and react to stop the human rights violations (Gagro, 2014).

According to Stahn (2007), the ICISS wanted to overcome the between state sovereignty and humanitarian intervention by bring a new doctrine about the responsibilities that are shared between states and the international community. The doctrine pointed out that there is need for mutual support by individual countries to protect their civilians from human rights abuses (Borgia, 2015).

The commission’s Report reconceptualized the sovereignty principle. The report claims that states no longer have absolute sovereignty but rather, sovereignty as a responsibility of the state in protecting its citizen. The report further states that state sovereignty is awarded by the international system as long as, the state uphold the principles of human rights. In addition, if a state fails in its duty, the international community has an obligation to take on the responsibility (Norooz, 2015).

The ICISS report brought on board a new idea of R2P from the controversial humanitarian intervention principle. The report brought on board four fundamental contributions in this respect. The first viable one was the introduction of new way of discussing about humanitarian intervention and the right to intervene (Stahn, 2007).

The report further introduced the concept of sovereignty as responsibility; all states are bound to protect their civilians against crimes against humanity and where states fail in their sovereign duty, the international community steps in to provide the essentials of protecting the civilians. Thirdly, the commission extended the values of intervention to a broad distinction of responsibility to prevent, react and rebuild. The commission addresses the matter of 'just war' intervention by claiming that military intervention should take place after crimes against humanity and mass atrocities have been witnessed (Stahn, 2007: Eaton, 2011).

According to Thakur et al. (2012), R2P portrays a different notion towards humanitarian intervention. R2P focuses on the international community obligations, and the non-military strategies of protecting population, however, it is limited to responding to or promoting human rights and democracy. R2P principle indicates that it's the sole responsibility of the UNSC to authorize military intervention. Holzgrefe and Keohane (2003) assert that the core assertion of the ICISS report was that sovereignty is tied together with state's primary objective of protecting its civilians. However, the principle of non-intervention could make the international community to intervene when state authorities are unwilling or unable to stop violation of human rights. The R2P tackled also the most controversial aspect of humanitarian intervention by outlining the precautionary principles. ICISS report further affirmed the UNSC role by stating that if the Security Council fails to act in a dispute that has generated mass violation of human rights, the United Nations General Assembly under the 'Uniting for Peace' regional groups can intervene using Chapter VIII of the UN charter.

From 2001 to 2005, the R2P doctrine was developed to a concept and was approved by the UNGA. According to Thakur and Weiss (2009), the R2P development is today's 'Nuremberg and the Genocide convention of 1948. The R2P doctrine has been under tough criticism in various writings by the ever-increasing debates that focus on state sovereignty and the risk of state interference by powerful states, the growing number of military interventions and dependence on the political will of states (Norooz, 2015; Cater and Malone, 2016; Ercan, 2012).

According to Cater and Malone (2016), the ICISS report was adopted by the UNGA on September 2005 without a vote. The resolutions included three long paragraphs (138 to 140) in a part entitled, 'Responsibility to protect populations from genocide, ethnic cleansing, crimes against humanity and war crimes'

Paragraph 138 states that:

States have responsibilities of protecting their populations from genocide, war crimes, crimes against humanity and ethnic cleansing. These responsibilities of individual states have to check on check on prevention of crimes against humanity using proper means that are available. The international community should take necessary measures to assist states exercise these responsibilities.

Paragraph 139 notes that:

The international community can step in and protect populations against human rights abuses by states or when a state fails to perform its responsibility.

Cater and Malone (2016) further states that the core part of the text argues that: the UN should be prepared to take necessary action through the Security Council, being guided by Chapter VII of the charter on all cases being referred to the UN. The UN together with regional organizations can take peaceful actions, however if peaceful actions are inadequate then military action can be called for.

According to Payandeh (2010), R2P interventions are bound within a state that fails in its primary role of protecting its citizens from massive human rights violations hence any intervention that takes place is for the realization of the common responsibility that both the state and the international community share. This was a global commitment agreed upon by the UN member states to address crimes against humanity and their key concerns. The R2P principle is founded on sovereignty, since it entails the responsibility to protect all civilians in a state from all form of human rights abuses (Judson, 2012). The R2P principle is based on the respect of the tenets of the international law that provide guidelines on human rights, armed conflict, security, peace and state sovereignty (Cunliffe, 2011). The responsibility to protect doctrine provides different mechanisms in the protection of human lives. These mechanisms included: early warning mechanisms, mediation and economic sanctions. The UNSC has the powers to authorize the use of force in the event all mechanisms have failed to provide a lasting deal on the protection of civilians from crimes against humanity (Guterres, 2018).

3.3.1 Pillars of the responsibility to protect

According to the ICISS report (2001), the responsibility to protect concept was beyond military intervention, which was fundamental in humanitarian intervention. The concept brought on board three pillars namely:

- (I) The responsibility to prevent
- (II) The responsibility to react
- (III) The responsibility to rebuild

The commission further noted that the R2P is an important tool in addressing a conflict because humanitarian intervention is a clear action that preventive measures have failed in a given state.

According to Francioni and Barker (2013), R2P is broader than the concept of humanitarian intervention. This is because the report was divided into three different pillars. The pillars included: The responsibility to prevent against abuse of human rights, the responsibility to reach to such abuses being perpetrated and finally the responsibility to rebuild. This is to say that the civilian's protection from war crimes and human rights abuses belongs to a state, the responsibility to encourage and help states fulfill their mandate belongs to the international community and finally, if a state is unable to protect its civilians against violation of human rights, the international community has every obligation to use collective action and protect the civilians against violation of human rights (Borgia, 2015; Hilpold, 2010). Evans (2016) further asserts that after the responsibility to react, it is important to provide full assistance with reconstruction, recovery, addressing the root cause of the conflict and reconciliation.

Turner (2015) opines that the R2P report spells out humanitarian intervention conditions. These conditions evoke the traditional moral thought of a 'just war' idea. The principle of military intervention reflects the following ideas: just cause, precautionary principles and the right authority to call for humanitarian military intervention. The report defines the terms of violation of human rights against the primary obligation of the state, which oversees large scale human rights abuses. When the two violations descriptions of just cause are put in place then the international

community is justified to respond by the use of military force to address the human rights abuses rights (Haider, 2013).

According to Albright and Williamson (2013), the issue of humanitarian intervention should not be controversial, since the R2P concept rests on the pillars: the responsibility to prevent, responsibility to react and responsibility to rebuild. These could be interpreted as the responsibility of protect belongs to a state, the international community assistance and the collective action should be timely when a state is no in a position to protect its population from genocide, war crime, crimes against humanity and ethnic cleansing. They further argue that these three pillars are neither separable nor sequential, since each pillar demands continuous action to minimize the number of times the international community takes responsibility in calling for military action to address conflicts.

Blackford (2014) and Rahman & Akon (2020) concur with other scholarly works that the pillars provided by the concept of responsibility to protect are universal and are bound together. The first pillar states sovereign powers have a responsibility to protect their civilians from human right abuses that include genocide, war crimes and crimes against humanity. The second pillar asserts that the international community has the responsibility to assist and encourage individual states to protect their civilians. Finally, the third pillar asserts that when a state fails to protect its civilians, the international community has a responsibility employ coercive measures that include humanitarian intervention in protecting populations from mass atrocities.

Bellamy (2011) argues that the R2P principle biggest international concern is civilian protection; Humanitarian intervention through military action is viable in achieving this concern. Regional bodies may work effectively in endorsing the military action but the UNSC is the permitted organ that can call upon humanitarian intervention in protecting civilians. Badescu and Bergholm (2009) points out that the central feature of responsibility to protect us that sovereignty comprise responsibility. Individual states have a primary role in protecting its population from human rights abuses. However, in scenarios that a state cannot protect its population or carry out its function of responsibility, it abrogates its state sovereignty and the international community through the UNSC begins to protect the copulation from human rights abuses.

The Somalia situation is well envisioned under the R2P concept. The Somalia conflict has witnessed massive humanitarian suffering, human rights abuses and strong evidence of crimes against humanity. Considering the Somalia scenario, the Somalia state has been unable to protect its civilians as a result of the collapse of the state, the non-intervention principle bores to the international community responsibility in the country. For over 20 years Somalia has been referred to as a failed state because of the ongoing civil war. Armed with the urge of solving African problems by African solutions the African union formed the African Union Mission in Somalia (Amisom) with a mandate to help re-establish governance in an effort of stabilizing Somalia, helping in creating long-term stabilization conditions and reconstruction, and facilitating the movement and provision of humanitarian assistance. The Amisom troops were to provide protection to the Transitional Federal Government personnel and infrastructures to enable them perform government duties in the re-establishment of a new Somalia (Nash, 2010; Hodali, 2017).

3.4 Conclusion

This chapter contextualized various debates around humanitarian intervention through its evolution and development. The chapter highlighted the various definitions of humanitarian intervention and their tenets. From the discussion, it was established that humanitarianism is not a new idea in today's sovereign states; this is because various humanitarian interventions have taken place in saving populations from human rights abuses. The various concepts of sovereignty are also discussed, starting from the evolution of sovereignty in the Westphalia treaty of 1648 to the redefinition of sovereignty by the R2P doctrine. Since the Somalia sovereign power was missing after the civil war broke out, the international community took over Somalia in an attempt of re-establishing the state authorities that had become dysfunctional. The chapter also highlighted the emergence of R2P as a doctrine, its formation and its core pillars which guide states on their primary role of protecting civilians, and the international community obligation of reacting to conflicts and helping states rebuild after conflicts. The chapter further addressed humanitarian intervention and states' responsibilities towards their own citizens, since the debates on humanitarian intervention have taken place alongside the discussion of state sovereignty. Somalia scenario of human rights abuses prompted the African Union to call for the establishment of the Amisom intervention to attempt to establish a transitional federal government that could pave way for the re-construction of the broken-down state authority in Somalia. It is upon these debates that in the next chapter, focuses on humanitarian intervention missions in Somalia and how they have executed their mandates in an attempt of stopping the violation of human rights and human suffering.

CHAPTER FOUR

HUMANITARIAN INTERVENTION MISSIONS IN SOMALIA, 1992-2015

4.0 Introduction

The previous chapter examined various debates on humanitarian intervention and their arguments in dealing with violent conflict situations like the Somalia situation. These debates range from contextualizing humanitarian intervention, sovereignty concept, and responsibility to protect and its pillars. In the wake of the conflict situation in Somalia, the deployment of a humanitarian intervention force was the only hope of containing the conflict since the Somalia institutions were unable to contain the conflict. This chapter thus focuses on understanding humanitarian intervention missions and their mandates in containing the conflict since 1992-2015. This section addresses the various humanitarian intervention missions in Somalia and their influence in the conflict.

4.1 Humanitarian Intervention Missions in Somalia

4.1.1 United Nations Operation in Somalia (UNISOM I)

According to Mwikali (O.I., 28/6/2019), the absence of state authority in Somalia meant that there was no protection to social order or peace. Due to the collapse of the state, the United Nations operations in Somalia (UNISOM I) was established in April 1992, the missions was mandated to restore peace and protect humanitarian operations. The United Nations Security council adopted resolution 794 that was calling for the use of all necessary means to create a secure environment in Somalia for humanitarian

service delivery. This is because the situation was deteriorating and conflicting parties in Somalia were stealing humanitarian food and using it like shields (Malito, 2011). The presence of UNISOM I in Somalia, is in line with the Just War theory and the fiduciary theory that underpins that the only authorities to call for humanitarian intervention are the United Nations and African Union in a scenario that a state is unable to protect its civilians from violation of human rights.

The United Nations Security Council (UNSC) had authorized for the deployment of 4000 forces for the formation of UNISOM I, but nearly 1000 troops were deployed. The warring factions prevented the humanitarian mission from conducting patrols around Mogadishu (Encyclopedia Britannica, 2014).

The UNISOM I mission was restricted due to the kind of armed opposition General Aideed had, he calls for a smaller number of troops to be deployed than authorized by the Security Council. The Aideed led group was suspicious with the UN, the group thought the UN has an intention of depriving Aideed the presidency, this suspicion was reinforced after a UN plane delivered military material to Ali Mahdi (Adebajo, 2011). General Aideed also distrusted Boutros Ghali because his was Barre personal friend since his tenure as an assistant foreign minister of Egypt. This act of delivering military equipment's to Ali Mahdi led to military exchange between the UN nation's forces and Aideed forces (Adebajo, 2011; De Sousa, 2014).

On April 1992, the UNSC passed another resolution 751 that called for the strengthening UNISOM I, establishing observers' presence and ensuring adequate protection personnel to safeguard the activities of the observers (Malito, 2011). While

UNISOM I was trying to create some sort of stability in Mogadishu and safeguarding the activity of the observers, Somali National Front (SNF) under Barre was reorganizing their troops to move to Mogadishu (MSF, 2013).

Given that Barre was organizing his forces, the United Somalia Congress (USC), Somali Patriotic Movement (SPM), Southern Somali National Movement (SSNM) and Somali Democratic Movement joined hand and formed the Somali Liberation Army (SLA). Fighting was witnessed from Baidoa to Lower Juba until June 1992 when the SLA forced Barre to retreat. The balance of power in June 1992 was clearly in favor of Aideed. When Mahdi was calling upon the UN to deploy a mission operation in Somalia, Aideed was against any kind of humanitarian mission in Somalia since he saw it as a mean of cutting his position Fighting (Abdisalam, undated).

The presence of humanitarian intervention troops, Mahdi hoped that it would act as a deterrent against Aideed, while Aideed and his group harbored suspicions that the UN was biased and in favor of Ali Mahdi. The continuous redefinition of the aims of the UNISOM I was based on Ali Mahdi requests, which made Aideed suspicious. The Security Council authorized for the deployment of adjunctive peacekeepers, however Aideed disputed this deployment. Aideed continued to dispute the deployments of troops in Kismayo and Berbera claiming that there were not acceptable, in November 1992, he demanded that the UNISOM I forces leave the airport where they were based (Malito, 2011).

The 1992 course was compromised by three events that led to the escalation of the conflict. The, first event was the activities of UNISOM I were undermined by the limited resources (Ali Jimale Ahmed, 1995). The second event happened in 1992 when a Russian plane marked with the UN portraits transported arms and money to Mogadishu apparently to Mahdi militias (Ford, 2008). The UN opened an investigation on what transpired but up to date the results from the investigation have never been tabled (Ford, 2008). General Aideed continued to threaten the UNISOM I forces in Mogadishu essentially threatening the U.N. relief efforts. This prompted for the expansion of the mission to try to bring law and order in Somalia (Harned, 2016).

The United States Institute of Peace (1994) reveals that the Pakistan troops under the UNISOM I initiative never left the airport. This was because of the warring friction between the warlords led by Mahdi and Aideed. UNISOM I failed to carry its mandate effectively since the relief supplies were not distributed but looted by fighting factions. According to Chijioke (2013), Aideed declared that he would not tolerate the presence of the Pakistan peacekeepers and fought them, which led to the killing of the 28 Pakistan forces. Aideed forces were so daring that they even attacked the UNISOM I forces; The UNISOM I troops were poorly enhanced in fighting back. Questions arose as to why two opposing enemies the Aideed and Mahdi were opposed to the UN mission. Chijioke state that the simple explanation is that the mission was aimed at preventing violence, seizing unauthorized small arms, disarming militias, criminals.

The UN announcement on the increase of troops in UNISOM I, without any negotiations with the warring factions undermined UNISOM I credibility (Adele, 1995). The increase of UNISOM I forces gave rise to volatile situation in October 1992.

Many Somalis led by Aideed threatened to kill and send the UNISOM I contingents back to their home countries in body bags (Patman, 1995).

The UN missions and states that had deployment their forces in Somalia had different objectives. The UN commander's orders were not accepted by the troops who waited for their government's opinion before acting. UNISOM I was acting in accordance with Chapter VII of the United Nations Charter, which was under the recommendation of the UN secretary general of establishing a secure environment for the humanitarian aid efforts in Somalia (Walker, 2013). However, a central command was set up by the Americans to help in the humanitarian intervention. The UNISOM I initiative manage to provide, seaport security, airport security, security at food distribution centers and security for food convoys (Cowdrey, 1994 in Walker, 2013).

The mission faced challenges in demobilization and disarmament, which caused conflicts between local clans to emerge. The goal of UNISOM I later changed in June 1993, to include the hunting down of factional leaders. The changing nature of the mission objectives contradicted the original mandate and resources that were unprepared to face these challenges. The mission further faced difficulties in communication and coordination of its activities (Cowdrey, 1994 in Walker, 2013).

According to Mathenge (O.I., 10/07/2019) who works for the UN Assistance mission in Somalia:

“The different factions actively opposed UNISOM I intervention. As a result, the humanitarian personnel at times were shot at, delivery of aid attacked and ships carrying aid prevented from docking were shot at leading to mass starvation of civilians.”

With the difficulties faced by UNISOM I, it was clear that it could not sustain the provision of enough security in Somalia. This led to the calling for more reinforcement by the Security Council. In December 1992, United Task Force (UNITAF), a U.S led mission was deployed in Somalia (Dobbins et al., 2003). Concisely, UNISOM I failed in executing its mandate, prompting the call to have a more robust humanitarian intervention in trying to create a peaceful situation for the delivery of aid.

4.1.2. United Task Force (UNITAF)

United Task Force (UNITAF) was authorized as a UN peace enforcement mission (UNSC 794/1992) in December 1992, in support of UNISOM I. this is in line with the fiduciary theory that states that the UNSC should give consent for authorization where need be. Farrell (2009) argues that UNITAF was required by the UNSC resolution 794 to use all necessary means to create a safe environment for humanitarian relief operations in Somalia as soon as possible; UNITAF was also referred to as Operation Restore Hope. This mission has about 37,000 military personnel, the personnel were guided by their mandate and ultimately achieving it (DADM, 2012). UNITAF did not use force to achieve systematic and comprehensive disarmament (Rutherford, 2008; De Sousa, 2014; Mwikali O.I, 28/6/2019).

UNITAF planners developed ‘a three track’ plan in solving anarchy and statelessness in Somalia. The military activities were planned in different phases. The phases included: Securing Mogadishu and calling for voluntary disarmament, assisting in delivering humanitarian relief by protecting NGOs, calling for the creation of political authority and police to facilitate law and order (Adele, 1995). Just like the just was

theory, which is in three categories; *Jus ad Bellum*, *Jus in Bello* and *Just post Bellum*, the UNITAF intervention was also divided into three various categories. This was through the ‘a three track’ plan. These were planned in different phases. The phases included securing Mogadishu and calling for voluntary disarmament, assisting in delivering humanitarian relief by protecting NGOs and calling for the creation of political authority and police to facilitate law and order (Adele, 1995).

UNIFAT managed to secure the ports without meeting any resistance. Planes and helicopters flew over Mogadishu as warships patrolled the Somalia coastal line. As a result, the warring militias left Mogadishu (Ghali, 1995). Maxi (O.I., 2019) conquers with Ghali by stating that the US led force intervention managed to open roads for food aid delivery to the civilians who were starving. Conversely the mission never had a political agenda of rebuilding the Somalia authorities that had broken down due to the violence.

The U.S led force used force in self-defense. Gangs and criminals made attacks on UNITAF, especially within urban areas. This forced UNITAF to use force in creating a more conducive environment. Even though, disarmament was not primary in UNITAF’s mandate, the mission’s mandate was drawn into disarmament of militia groups, which required the use of force. However, substantial battle of control over Kismayo was witnessed between UNITAF and warring militia groups (Harned, 2010). Furthermore, UNSC (1994) urged that UNITAF conducted disarmament as per the agreement of the warring movements. UNITAF also conducted routine inspections on weapons storage sites.

Nyamutata (O.I., 23/4/2019) noted that:

“UNITAF action was implemented successfully: aircrafts ports and were secured, relief food managed to arrive in many parts of Somalia, as UNITAF was trying to expand its operations.

According to Findlay (2002), The UNITAF forces made efforts to avoid confrontations and involvement of disarmament between the warring groups. However, in December 1992 the warring groups had a Seven-Point Agreement on withdrawal of heavy weapons from Mogadishu. UNITAF forces used its humanitarian intervention powers on 24 January 1993 against General Mohammed Siad Hersi (known as Morgan) using the US helicopter gunships and Belgian armor in Kismayo. General Morgan forces were attacked for breaking the Addis Ababa agreement on ceasefire by attacking Colonel Omar Jess.

Nyamutata (O.I., 23/4/2019) points out that:

“UNITAF achieved its mandate by demilitarizing zones around aid operations and calmed down the conflict by using its military powers to fight and scare away armed militia from its areas of operation. However, the UNITAF withdrawal from Somalia led to polarizing of the conflict again.”

Operation Restore Hope tried to somewhat bring stability in Somalia and reduce the number of civilian deaths. In May 1993, the transfer to the UN troops was implemented too fast, which was influenced by political timeline in United States of America (USA), more than the results of attaining and bringing law and order in Somalia. The US forces withdrew and UNISOM II was fully staffed (Holt et al., 2009; Recchia, 2018).

According to Adele (1995), the UN and US-led intervention disagreed on the transition of UNITAF to UNISOM II. The disagreement involved the scope and timing of disarmament, UNITAF geographical limits and UNITAF duration in Somalia. These disagreements were never resolved until UNITAF transitioned to UNISOM II.

The UNITAF operation was successful, despite the fact that it did not manage to resolve the conflicts root causes, hence even after its termination from Somalia, the success it had already managed become polarized again. The US led humanitarian intervention, in May 1993, passed over the responsibility to the UNISOM II force of 28,000 personnel that was adopted by Resolution 814 (Lambert, 2011).

Maxi (O.I., 18/08/2019) argues that:

“The US led force intervention managed to open roads for food aid delivery to the civilians who were starving. Conversely the mission never had a political agenda of rebuilding the Somalia authorities that had broken down due to the violence.”

The above views reveal that UNITAF managed to de-escalate the conflict but did not solve the root cause of the conflict. UNITAF enhanced the delivery of aid to the starving civilians. The mission later transited to UNISOM II in 1993.

4.1.3. United Nations Operations in Somalia (UNISOM II)

The UNSC approved the transition from UNITAF to a UNISOM II in March 1993 under resolution 814 (Rutherford, 2008). The forces were under the UN command, and was mandated to forcible disarm the warring factions and nation building responsibilities (H.J.RES.152, 1993). UNISOM II was established and allowed to use force as envisaged in Chapter VII of the United Nations Charter. The main

responsibility of UNISOM II was to undertake reconciliation, disarmament, restoration of stability and law and order in Somalia. Just like the Just War theory that guided this study which argues that interventions should not only address the conflict injustices but also restore stability and order in a conflict. Equally the fiduciary theory claims that the direct legatees of humanitarian intervention should be civilians that have been subjected to human right abuses (Dragana, 2008).

UNITAF forces withdrew before the arrival of forces from other countries: As per May 1993 UNISOM II had 18,000 forces, half of what UNITAF had deployed. The size of UNISOM II was reduced by 1/3. UNITAF most qualifies contingents, Australians and Canadians left without any replacement in their areas of deployment (Philipp, 2005; Findlay, 2002). UNISOM II mission was embroiled in the conflict immediately it was deployed (Adele, 1995).

UNISOM II was the generally expensive humanitarian operation ever, with an estimated annual cost of \$ 1.55 billion, amid countries unwilling to provide their contributions, reducing the mission's true potential. UNISOM II lacked a strategic plan on the entire process while they pursued disarmament among the warring groups without having a ceasefire between the factions. The use of force during the disarming of factions led to the exchange of fire between the UN troops and the USC/SNA (Farrell, 2009).

On 5th June 1993, UNISOM II contingent that was inspecting Radio Mogadishu owned by the SNA faction was attacked by the SNA militia, killing 23 Pakistan UN peacekeepers. On the following day, the Security Council passed resolution 837 calling

upon the forces to use all appropriate measures to hold those who were responsible for the attack on Pakistan forces serving in UNISOM II (Farrell, 2009). UNISOM II was involved in a series of armed opposition with the warring militia. Between June and October 1993, the Humanitarian intervention mission suffered heavily due to wide-scale casualties. This prompted the international community to pressurize on the call to increase the number of troops and firepower in the mission and critically review UNISOM II mandate (Adele, 1995).

An oral source revealed that the Security Council did very little in the planning of the deployment of the UNISOM II (Nyamutata O.I., 23/4/2019). The United States had advised the United Nations that for a successful transition between UNITAF and UNISOM II, a team was required to assess the Somalia situation (Chijioke, 2013).

The Security Council resolution 837 was intended to serve as a warning to all militia groups harassing and threatening peacekeeping troops in any region of the World (UNSC, 1993). This resolution, on the contrary became a UN's declaration against Aided. On 12th June, 1993, UNISOM II with the assistance of the US Quick Reaction Force started a campaign aimed at neutralizing the SNA, but in return the SNA answered by guerrilla warfare targeting UN personnel and facilities while the UN and U.S made air missiles that caused a high number of casualties (Bademosi, 2012). The operation was not successful and it called for another resolution 837, which called for a total disarmament from the warring factions. The US forces serving in the UN command carried out attacks on the factions but suffered heavy casualties (Farrell, 2009; Dragana, 2008).

Lorenz (1993) points out that UNISOM II challenges more were formidable than those faced by UNITAF. Disarmament and nation building responsibilities were assumed by UNISOM II, even though THE MISSION was aware it could face resistance in disarming the militia groups.

According to Farrell (2009), Somalia is the peacekeeping equivalent of Vietnam, in spite of resources worthy (\$1.6 billion) being spent into Somalia, the UN failed to re-establish law and order in the state. UNISOM II attempted to do a lot with nearly nothing: It did not have the direction capacities and battle intensity like that of UNITAF, yet it was entrusted to accomplish some of the activities UNITAF had intentionally avoided that is, the disarming of warring factions. In the wake of the breakdown of UNISOM II, the little accomplishments of UNITAF mission were forgotten.

The deployment of a Joint Special Operation Task Force (JSOTF) was authorized by the US on August 22, 1993. The UN requested the US for the deployment of JSOTF in response to the SNA attacks. The Ranger Task Force was not part of the UNISOM II command it remained under the American control. In September 1993, the fighting worsened, culminating the battle of the Black Sea. On October 1993, the US Black Hawk choppers were shot down by the Aideed men killing 18 US soldiers. It was also estimated that there were thousands of General Aideed military men and supporters were killed (Adebajo, 2011).

According to Osoro (O.I., 29/07/2019) he noted that:

“After the constant civil war combined with drought in Somalia, over 300,000 deaths were witnessed and the Somalia dissolution state prolonged. The international community response to address the conflict was initially slow and effective. The international community programmes of disarmament encountered armed resistance from factions. As a result of the confrontations the UN mission withdrew from Somalia in March 1995.”

These series of events signaled how the international community was to involve itself in the Somalia conflict. On 6th October 1993, all US soldiers in Somalia were ordered by President Clinton to evacuate from Somalia, by 31st march 1994, American involvement in Somalia came to an end. Although UNISOM II dragged on until 1995, it achieved little. By March 1995 the mission had been terminated, troops and staff reduced gradually, which led all internationally recognized actors to leave Somalia in a worse situation than they had found it (DADM, 2012; Farrell, 2009; Malito, 2011). UNISOM II had challenges bringing together the Malaysian force and Pakistan tanks and armored vehicles that were left after Aideed ambushed the US QRF (Farrell, 2009).

During an interview with Shermake (O.I., 18/03/2019), he noted that

“The reason to why the humanitarian forces in Somalia failed is because they lacked respect to the Somalia culture. As a result, the warring factions termed them as strangers wanting to impose new cultures on them. The factions responded by engaging the humanitarian troops with armed resistance.”

Mwikali (O.I., 28/6/2019) states that:

“UNISOM II suffered heavily in terms of casualties. American helicopters were shot down and 18 American rangers killed. These events led the U.S to change its decision in taking part in the humanitarian intervention in Somalia hence its termination.”

The humanitarian intervention mission (UNISOM II) was weakened by the withdrawal of contingents from the western countries. The Security Council in February 1994 passed a resolution 897 stating that “due to numerous attacks on UNISOM II, the mission could come to an end before March 1995”. By second march 1995, UNISOM II pulled out of Somalia and all the UN staff was evacuated. This mission left Somalia without achieving its objective (Ghali, 1995; Consort, 2018).

4.1.4 African Union Mission in Somalia (AMISOM)

African Union Mission in Somalia (AMISOM) is traced back from the Intergovernmental Authority Peace Support Mission in Somalia IGASOM, the Intergovernmental Authority on Development had agreed on the mission in 2005. The IGASOM was unfit to spend effectively principally because there were challenges on where to get funds and the difficulties with the impartiality of the Troop Contributing Countries (TCC). This was because the TCCs countries were adjacent Somalia neighbors. These challenges drove the African Union to start another initiative and the result was the formation of the Amisom organization in January, 2007. This is in line with the fiduciary theory underpinnings that states that regional groups and individual states are assigned with the responsibility to intervene in a country in addressing humanitarian crises just like the Amisom mission (Nduwimana, 2013; Shinn, 2013).

The Security Council through resolution 1772 of 2007 approved Amisom mission and urged the mission to use “all appropriate measures” *to inter alia* and ensure the establishment of the Transitional Institutions of the Somalia Government and the Transitional Institutions of the Somali government and "bolster negotiation and

reconciliation". Through resolution 2036 of 2012, the Security Council approved Amisom extension and was mandated "to diminish the Al-Shabaab threat and other armed militia factions and build up effective and legitimate governance over Somalia". Apart from *Operation Restore Hope* that was a major operation facing militias in Somalia. Amisom has also justified its cause of intervention in fighting al-Shabaab and other armed clan militias (Freear and De Coning, 2013; UNSC Resolution 2124, 2013; Mwikali, O.I., 28/6/2019).

Amisom mandate was outlined as protecting government institutions, implementing a national security plan, conducting humanitarian intervention operations against warring militia, principally al-Shabaab, and training the Somali security forces (Williams, 2013).

EPON (2017) reported that since 2007 Al-Shabaab militia-controlled Mogadishu and south-central Somalia. Despite the fact that Amisom troops suffered extremely in terms of casualties, Al-Shabaab was push out of Mogadishu by the Amisom force in 2011 and expanded its operation. This is in line with the 'just war' theory that underpins that humanitarian intervention must have good intentions. Amisom intentions of solving only the conflict without economical and territorial interests bring a clear picture of the intervention. Amisom intervention has made remarkable progress in a volatile environment, even though it had limited resources.

According to the East African Report (2012) in March 2012, Amisom re-organized and sector commands were created. The re-organization stated that: Uganda would take responsibility in engineering; Kenya, intelligence and logistics; Sierra Leone, training;

Burundi, planning and Djibouti was to be responsible of Civil-Military Cooperation (CIMIC). Somalia was equally, divided into four sectors. Sector one (Shabelle and Banadir) under Uganda, sector two (Jubba) under Kenya, sector three (Bakool) under Djibouti, and Gedo and Bayo as sector four under the watch of Burundi.

Amisom mandate has evolved since its inception. The mandate changed from protecting Somalia authorities to counter-insurgency against militants, stabilization of the entire Somalia and systematically handing over security responsibilities to the Somalia army (EPON, 2017; Resolution 2297, 2016).

According to Dewitt and Daniel (2016), the security and political interests of Somalia's neighbors drove Amisom deployment. Owing to the hurried deployment, the situation on the ground had not been assessed to ascertain the real need for the intervention.

According to Fetoli (O.I., 23/4/2019), he revealed that

“After the military intervention officers arrived in Somalia they were received by attacks from Al-Shabaab, the group in control of Mogadishu.”

Since 2007, the Ugandan-led AMISOM had stepped in executing its command with a feeling of confidence and strength. Backed by political determination and support and political support, Amisom was ready to weaken Al-Shabaab in 2011, they opted to take advantage of the dry season afflicting Somalia to reclaim the city centers from Al-Shabaab (Kalinaki, 2016; Country Watch, 2018). However, Al-Shabaab launched a serious assault on the Amisom Force Headquarters in September 2009, killing the deputy force commander and other personnel. This did not however deter the operation, rather, AMISOM resolved to face Islamist armed forces and bring long

lasting peace in Somalia. AMISOM has developed from battling in Mogadishu to scattering its forces over an extensive territory in Somalia (Freear and De Coning, 2013).

Amisom has battled with insufficient equipment though, the international community has always stepped in and supplied the specific military equipment needed for fighting. In the years of Amisom deployment, the mission depended predominantly on respective support and funding from the United States, the United Kingdom and the European Union on African Peace facility to support the TCCs. The United Nations in 2009 ventured in trying to help with the existing challenges of revenue support. Resolution 1872 out in place measures by the UN willing to fund the mission as the United Nations Support Office to Amisom (UNSOA) (Freear and De Coning, 2013; Human Rights Watch, 2010).

The Ugandan and Burundian troops who were part of the Amisom mission that defended the TFG started to experience extensive assault from al-Shabaab, after their Ethiopian counterparts withdrew. Mogadishu witnessed bloody battles in 2009 to 2010, yet the two warring parties: neither Al-Shabaab nor Amisom could definitively vanquish the other and declare victory. Amisom then went in an all-out attack mode and engaged in various streets, fighting against Al-Shabaab in and out of Mogadishu to expand its areas of control (Pham, 2011).

Throup (2012) posits that the Ugandan forces in AMISOM were able to push Al-Shabaab away from their stronghold in Mogadishu and its outskirts, even though there lost over 120 soldiers in serious street battling in early November 2011. The Ethiopians

also made progress in the northwest border with the assistance of the Somali army. The humanitarian troops aimed to capture the fundamental militia forces in a pincer operation in Somali land, where the neighborhood is embraced Sufi ideologies and hostile to the Salafist ideologies of Islam embraced by the Al-Shabaab.

Al-Shabaab launched a new wave of assaults in the summer of 2011, the attacks ranged from assassinations, suicide attacks, explosive devices, and roadside improvised and small hit-and run ambushes. By 2012, Amisom's mission was enlarged to approximately 17,000 military personnel by the introduction of Djibouti and Sierra Leone forces, making it easy to conduct operations outside Mogadishu alongside TFG forces (Seth et al., 2016).

Amisom forces alongside TFG forces took control of important territories throughout south and central Somalia from Al-Shabaab. These territories included the towns of El-Maan, Miido, and Sooyac in Jubbada Hoose and port town of Merka in Shabeelaha Hoose (ICG, 2012; Seth et al., 2016).

Al-Shabaab made it clear in August 2011 in a recorded message shared on its social media platforms of its intentions to withdraw its militants from the capital Mogadishu. This was after a series of attacks by AMISOM forces that took control of key revenue sources of Al-Shabaab such as the Bakara market, and the loss of the 13 of the capital's 16 districts (Asylum research consultancy, 2018; Seth et al., 2016; Tran, 2011).

Amisom was able to get an engagement strategy from the United States that was successful in the weakening of the terror group Al-Shabaab. The engagement strategy involved ground operations led by AMISOM in support of TFG forces, while the U.S

and other forces conducted kinetic strikes. In 2011, the situation took a new turn when Kenya and Ethiopia launched separate military operations along their borders to blunt Al-Shabaab activities that were threatening their state security (Seth et al., 2016). Furthermore, the Chicago Tribune (2012) states that the U.S assured AMISOM troops of support and provisions of equipment, in order to step-up the insurgency and its influence in Somalia. This was because of the AMISOM successful military operation against al-Shabaab.

Finnish immigration service (2016) points out that in July 2014, the AMISOM forces began to regain areas that were under the control of Al-Shabaab for seven years launched Operation Jubba Corridor. In July 22, the forces successfully took control of Baardheere and Diinsoor.

Mwikali (O.I., 28/6/2019) revealed that

“Ethiopia joined Amisom forces in January 2014. However, from the onset of the conflict in Somalia, Ethiopia had fought in support of the transnational government of Somalia against Al-Shabaab and against other militia groups.”

According to Eriksson (2013), the Ethiopian National Defense Force (ENDF) is additionally a noteworthy military force in central and south of Somalia. The ENDF force in Somalia play a critical role in offering help to AMISOM forces in sectors 3 and 4, which are the towns of Baidoa and Beledweyne. In contrast to the Kenyan forces, the Ethiopian army has been in Somalia since mid-1990s consistently doing cross outskirts battles against the Islamist Militants. In spite of the fact that ENDF is not part of AMISOM, it is broadly viewed as an effective force in Somalia, as is affirmed by the Al-Shabaab’s rushed retreat from urban areas, for example, Baleweyne and Baidoa.

Human rights associations, nevertheless, have condemned the exercises of the ENDF. In March 2013, after the Ethiopian army withdrew unannounced from Hudur, the capital of Bakool, Al-Shabaab quickly retook over control of the region (Eriksson, 2013).

Miyandaz (2012) indicates that the KDF invasion in Somalia made Kenya more vulnerable, in domestic fronts, to the attacks by Al-Shabaab. Al-Shabaab made good of its threat on attacking Kenya and started attacks on Kenyan soil since they were against any foreign intervention in Somalia. KDF victory in taking charge of the Kismayo port meant that Al-Shabaab had lost ground. However, Al-Shabaab used similar tactics as those of Taliban in Afghanistan, in retreating, emerging stronger and launching attacks in Kismayo. By the virtue that the Kenyan government accepts its forces to be in corporation with Amisom, it should call upon its forces to join hands with AMISOM in pursuit of law and order in Somalia. The Ethiopian and Kenya forces joined AMISOM in 2012 and 2014, however they continued to conduct their operation bilaterally outside the command of AMISOM (Asylum Research Consultancy, 2018).

Over several occasions AMISOM and the TFG troops have posed a threat to civilians and have been accused of causing harm to civilians. Regardless of the efforts that have been put in place to reduce the risks faced by the civilian population, there exists a view among the Somalia civilians that AMISOM troops have been evading disciplinary actions when they violate the various rules of engagement. However, a number of the AMISOM troops have been repatriated from Somalia when found with disciplinary issues (Lotze and Kasumba, 2012).

During an interview with Judas (O.I., 07/07/2019) concurs with Lotze and Kasumba by revealing that:

“The Somalia National Army and the Amisom forces that were tasked with providing protection to the civilians have at times posed a threat by arbitrary arrest, committing rape and violation of human rights towards civilians.”

Reuters (2016) pointed out that Al-Shabaab force managed to attack a Somali armed force base and entered an adjacent town near the border of Kenya, claiming that they had killed several Kenyan forces in the AMISOM force supporting the TFG administration. Al-Shabaab acknowledged that it was responsible of the attack and it has killed over 60 Kenyan troops. However, AMISOM accepted that there was an attack on the said base but did not give any details. Kenya's Defense Ministry said the two-armed forces endured setbacks, however they said numbers were not affirmed. “This assault was to send a clear message to the Kenyan government that they were unwanted in the Somalia soil and the slaughter of guiltless Muslims executed by the Kenyan forces won't be without extreme outcomes," al-Shabaab said.

According to Judas (O.I., 07/07/2019) it was revealed that:

“Part of the humanitarian troops under the banner of Amisom that is mandated in supporting the state and federal government to defeat Al-Shabaab has been accused of creating a standoff between the federal authorities and the state authorities. This standoff if not addressed in time can cause a major source of instability in Somalia and challenge the efforts met so far.”

Abadan (O.I., 28/05/2019), he revealed that:

“The installation of the federal government by Amisom in Somalia resulted in a phase of warfare. The new phase of warfare led to heavy attacks on civilians which produced mass displacement of civilians.”

Despite the remarkable progress, Amisom mandate in Somalia has faced new challenges from the international community, as Malema (O.I., 6/4/2019) at the ministry of foreign affairs indicates:

“The European members sitting at the UN Security Council are adamant to Amisom Troop Contributing Countries (TCC) and the AU on the issue of a 1000 drawdown of troops. On the one hand the African representatives (A3) at the Security Council have stood the ground in seeking that the AU decision to freeze further troops reduction is frozen until the condition in Somalia proves otherwise.”

Malema (O.I., 6/4/2019) further revealed that

“The pen holder for Somalia, which is the United Kingdom (UK) went ahead to put the draft resolution on silence procedure on the issue of a 1000 troops drawdown against the will of AU. The AU has maintained that it could not consider the drawdown of troops issue and insisted the Security Council considers the decision of the African Union Peace and Security Council the Security Council to freeze any envisioned draw-down of the Amisom Troops.”

According to Naserion (O.I., 24/4/2019), he argues that

“Despite the progress Amisom troops have made, the troops should not be cut down in size since Al-Shabaab is within and is a force to reckon in Somalia, it will take time for it to be overpowered. Any attempt to cut down the size of Amisom troops means Al-Shabaab will be regrouping to fight back.”

4.2 AMISOM achievement in de-escalating violence in Somalia

According to Tusmo (2016), there are many lessons that have been learnt from humanitarian intervention in Somalia, the country portrayed the worst scenario in regards to command and control of the use of forces in humanitarian intervention missions. Hence, the coordination and control of humanitarian intervention operations must be clear and unambiguous.

From the above literature, it is evident that humanitarian intervention in Somalia has experienced different dimensions in terms of success. UNISOM I failed in executing its mandate. The establishment of UNITAF in late 1992 and later its deployment led to partial success in creating a safe haven for relief deliveries, while UNISOM II failed totally in executing its mandate, as a result of the failure the international community disengaged from Somalia in 1995. The deployment of an African led force (Amisom) has made progress in fighting Al-Shabaab and achieving some stability that has not been witnessed in Somalia ever since war broke out in the country. However, Al-Shabaab remains a threat in achieving stability in Somalia.

Over the last decade African regional actors have shown their indispensability as allies and leading actors in international efforts to strengthen Africa's peace and security. For instance, 'African problems solved by Africans', led to the formation of Amisom to help provide security in Somalia (De Coning et al., 2016; Chamwada, O.I., 7/3/2019).

4.2.1 Political and security developments

According to Chamwada (O.I., 7/3/2019):

“AMISOM today enjoys support from civilians than the previous years. AMISOM has had respect to the Somalia culture and has incorporated the civilians in their activities”

The support is attributed to the security situation in Somalia is a result of the small sort of stability. However, AMISOM ‘exit strategy’ remains a major issue (Freear & Coning, 2013; Harper, 2013; Browne & Fisher, 2013).

Tezazi (O.I., 13/5/2019) agrees with Abadan (O.I., 2019) that

“The Somalia security situation changed significantly after Amisom intervention. Even though not the entire nation has been liberated from the conflict, instability remains an incredible issue in many territories in Somalia, what has been accomplished by Amisom has started to establish solid foundation for the reclamation of stability and peace.”

The security situation improvement for instance has empowered the nation to take part in politics based on democracy. A major step is the Move from a transitional government to an elected government in Somalia after 21 years of turmoil (Nduwimana, 2013).

According to Mathenge (O.I., 10/07/2019) who works for the UN Assistance mission in Somalia:

“The AMISOM humanitarian forces have provided security in Mogadishu and the federal government institutions in the absence of state authority and a stable security force that can manage to tackle the conflict between the armed militias and the Al-Shabaab threat.”

According to Bryden (2013), the new parliament that was constituted was a representation of a new step forward. The newly constituted parliament was a process based inside Somalia. The members of parliament were perceived to be of a better caliber than the predecessors who were after sitting allowances more than the mandate of legislation. Somalia has witnessed the return of Somali residents back to Mogadishu, the gradual restoration of a sense of normalcy and a significant inflow of investment. AMISOM forces that were deployed in 2007 have eroded the influence of the Al-Shabaab and have overseen the training of Somali security forces. Tezazi (O.I., 13/5/2019) states that the FGS and Federal Member States (FMS) need to accelerate the progress towards an inclusive political settlement.\

Further, Chamwada (O.I., 7/3/2019) alleges that:

“The security developments in Somalia have led to stabilization of the economy, businesses are thriving back, the hospitality industry is getting a new image and the Diasporas returnees are flocking back in trial of rebuilding the fallen Somalia.”

During an interview with Hadebe (O.I, 28/02/2021), he asserts that

“Over a period of time, AMISOM police and the Somalia police force have been conducting intensified patrols together, as a way of enhancing security in Mogadishu. This collaboration has reinforced the security situation in Somalia.”

As a result of the security situation being reinforced, AMISOM re-established political administration structures, organizing the Federal Government as central government in 2012, in place of the transitional government. Security situation was restored for government authorities, humanitarian workers were able to operate within Somalia again (Segui, 2013).

The Special Representative of the Chairperson of the African Union Commission (SRCC) Ambassador Francisco Madeira depicted 2017 as a successful year in the battle against the Al-Shabaab by AMISOM. However, forewarned that there were difficulties confronting the change from the multinational force to Somali security forces, the SRCC named the effective conclusion of the constituent process that saw another Parliament and Senate, stating the election of new president as a portion of the achievements accomplished in 2017 (AMISOM news, 2017).

Tezazi (O.I., 13/5/2019) notes that:

“Somalia held parliamentary and presidential elections in 2017 in a stable atmosphere with the presence of the humanitarian intervention officers.”

The African Union Mission in Somalia (AMISOM), deployment in 2007 has been a key factor in establishing stability. However, Al-Shabaab activities that have been destabilizing Somalia remain a threat in finding long lasting peace (Africa Center for Strategic Studies, 2018).

AMISOM intervention has been successful in protecting the transitional and federal governments of Somalia. AMISOM also provides security to international actors who operate in Somalia (Williams, 2018).

According to Fetoli (O.I., 23/4/2019):

“The successful last two general elections and the Parliamentary proceedings that have happened in Kenya are now done in Mogadishu as a result of the presence of humanitarian military interventions.”

Just like the just war, theory that ensures humanitarian objectives have been met fully, including objectives like political and security developments, demobilization, peace enforcement and rehabilitation, these objectives have been achieved in Somalia through interventions with good intentions. Somalia is presently encountering the best opportunity for sustainable peace and advancement in an age it needs. In 2012, the Somalia members of parliament elected a president instead of a general election. This election was the first to be held in Somalia after years of war, this election was considered transparent and representative of Somali people. Despite the fact that the most recent political and security achievements are real, they remain to be a challenge in solidifying the entire Somali region in finding long lasting and suitable peace (Wiklund, 2013).

The Federal government of Somalia was instructed by the UNSC to finalize the documentation and adoption of a new constitution by December 2015, to pave way for the 2016 election (UNSC Resolution 2124, 2013). This study established that the political and security developments being witnessed in Somalia today are because of the robust mandate of Amisom in executing its mandate.

In an interview with Michael (O.I., 02/11/2019), he states that:

“AMISOM has managed to make progress on its mandate by reducing the threat of al-Shabaab and preparation are underway to handover the security responsibilities to the Somalia security personnel.”

United Nations Somalia and Eritrea Monitoring Group (SEMG) (2017) noted that from 2011 to 2015, military activities against the Al-Shabaab militia by the SNA and AMISOM, supported by the US airstrikes successfully diminished Al-Shabaab regional

control and extended the reach of the Somali state. Al-Shabaab endured losses over regional control during this period, including loss of major economic centers and ocean ports, for example, Mogadishu and Kismayo which had given vital economic support to the Islamist group. However, Al-Shabaab stayed close by frequently working around few kilometers outside of major urban areas and influencing rural areas and key infrastructure routes.

One can argue that the AMISOM led military intervention in Somalia has had a great impact in fighting armed insurgencies. After close to four years of battling over the control of Mogadishu, AMISOM pushed the rebels out of Mogadishu, the AMISOM mission has progressively been hailed as successful. It stood in and facilitated the election of Hassan Sheikh Mohamud as a new president. More AMISOM troops were sent to enhance the achievements Amisom had made thus far (Williams, 2013). Nevertheless, disregarding these significant achievements, Amisom kept on experiencing various problems.

These issues are a legacy of a few uncertain key problems, which the mission has faced since its deployment to Mogadishu in March 2007. Top members of the TFG and a number of outskirts in Mogadishu have been protected by Amisom from the armed opposition of Al-Shabaab. These locations include the presidential residence, the K4 junction, air and ocean ports (Williams, 2013).

The Somalia National Forces are largely unfit to safeguard zones without the help of Amisom. This was featured when Al-Shabaab attacked the urban centers of Afmadow and Afgoye in October 2016, Amisom had to respond and rescue the SNF (Shabelle

News, 2016). Al-Shabaab also fought with Somalia National Forces in September 2016, around the border town El Wak in Gedo government (Garowe Online, 2016). Al-Shabaab in this manner assumed responsibility for the city before the administration powers got help from Amisom in recovering it (AFP, 2016).

Crouch (2018) argues that although military endeavors have managed to push Al-Shabaab out of a large are of control in Somalia, neither the Al-Shabaab nor the Somali government has the capacity to change the conflict dynamic, or progress toward its end. Political instability and uncertainty about the future of Amisom have been a benefit to Al-Shabaab. It has maintained its ability to generate income, execute attacks, and make constrained territorial gains. Although the government has made progress in developing stability in territories under its control, it has found out that retaking, holding and settling new areas is progressively difficult, as this is dependent upon effective military activities to push back Al-Shabaab. As the two sides keep on missing the mark concerning decisive victories, the devastating human expense of the conflict keeps on mounting.

This study acknowledges that the Amisom led military intervention in Somalia has been an integral part in matters pertaining political and security developments in Somalia. In addition, the findings reveal that a stable government in Somalia, with institutions, will lead to reduction of violence hence attaining stability.

4.2.2 Military and Police Training

As from 2007, there have been endeavors to build the Somali National Army. The major weakness of the SNA originates from the breakdown of the army in 1991 when it was split along tribal lines. The primary source of recruits to date is a rivalry among the clans that remains pervasive in the force. The Operational Readiness Assessment report of the government (2017) reveals the strategic, financial, and operational gaps confronting the military. Turkey, United Kingdom and United States have provided trainings for the SNA. The United Arab Emirates (UAE) also provided a training program and provided stipends to some of the SNA troops but stopped after disagreements between the TFG and the UAE (BBC, 2009; Africa Center for Strategic Studies, 2018).

The Ethiopian forces withdrawal in 2009 left Amisom with setbacks since it was unable to contain Al-Shabaab and was losing its territories to the group again. The Ethiopian withdrawal led to the call of training more Somali military personnel, in Djibouti, Ethiopia and Uganda (Bruton and Williams, 2014; Bryden, 2013).

Tezazi (O.I., 13/5/2019) notes that:

“International and regional partners in coordination with UNSOM have been working in line with the Somali security pact in providing mentoring, training, capacity building and remuneration of police and military forces. AMISOM has been working on a plan on how to hand over the responsibility to the Somalia counterparts.”

According to Esther (O.I., 09/07/2019),

“Amisom has been training the Somalia military and police, on how to collaborate with the humanitarian groups and protect vulnerable groups that include women and children.”

Amnesty International (2010) states that in April 2009, at a conference in Brussels, states and intergovernmental organizations promised over \$213 million of subsidizing for Amisom and Somali security institutions. Different scopes of governments and intergovernmental institutions have already put in place strategies on providing training and equipment for the TFG military police in the south and central Somalia and other regional states including Somali land and Punt land. The leader of the TFG's military, on 22 October 2009, was cited as saying that over 3,000 Somali police and military personnel were being trained in Kenya, Uganda, Ethiopia and Djibouti. Nonetheless these international efforts have been tainted by international community's lack of transparency and adherence to the international standards; The UN Sanctions Committee notes that some states reported of their training of the Somalia TFG forces after they had completed the training. The UN Monitoring Group reports that Ethiopia and Kenya did not apply to the UN sanctions committee even though they conducted the trainings. The report further indicates that the training curriculum of the TFG forces and police used by Ethiopia in 2008 was unavailable but just ambiguously portrayed and that it contained references to counter-insurrection.

The TFG additionally initiated a military court in October 2009 to prosecute TFG security forces accused of crimes against civilians, including killings, burglaries and extortions. This, it was hoped could flag political will to address long-term complaints about the conduct of the TFG armed forces (Amnesty International, 2010).

Amisom facilitated state building by introducing training for Somalia's security forces mostly at the Jazeera Training Center by conducting police training, expanding state authority, providing political merchandise (AU, 2014), and facilitating talks between the warring parties (Rwengabo, 2016).

The training of the Somalia military has been supported by the European Union Training Mission in Somalia (EUTM) of close to 4,500 personnel of the SNA in Uganda. Majority OF the personnel trained so far are principally from the file and rank, leaving gaps in junior positions that AMISOM has begun filling by working with the Federal Government States to undertake training for new military officers at the restored Jazeera Training Center in Mogadishu (Nduwimana, 2013). Since 2016, there have been significant advancements relating to Somalia's military capacity; the focus is now on the eventual fate of Amisom, the international actor's role (United Nations Somali and Eritrea Monitoring Group (SEMG), 2017; Crouch, 2018). This reveals that extensive training of the Somalia military could enhance the formation of a formidable army able to secure Somalia from clan militias and Islamist insurgencies.

The Amisom police component is mandated with ensuring that rule of law is enforced in Mogadishu. Amisom has been working also to improve the capacity of the Somalia Police Force (SPF), with the agenda of making it a credible police force able to provide security to the Somali civilians. The restructuring, reform, professionalization and reorganization of the SPF have been for the support of Amisom police through various activities and programs. Amisom together with the Formed Police Units and SPF in Mogadishu have established police mentoring, training and advising the Somali police on a wide scope of issues pertaining, policing, human rights and the administration of

crime. The SPF has 1, 680 personnel and at present has 362 conveyed faculty comprising of two FPU's of 140 work force each, 76 singular cops and a senior administration group of 6 personnel. The FPU's need more personnel in order to make more successful responses in case of an emergency and assist the SPF (Nduwimana, 2013; United Nations Development Programme, July 2010).

According to the SRCC, plans were underway to handover to a legitimately capacitated Somali National Army with not less than 10 Forward Operating Bases as part of military intervention transition. Discourses between the government and Amisom on modalities of this hand over are still being worked on" (Amisom news, 2017). Amisom's priority has been training the Somali security forces and improving the forces' capacities, as is the civilian component's function in assisting the government in establishing effective governance of Somalia by the government in areas recouped from Al-Shabaab. The international community concerned with keeping the peace need to work hand in hand to achieve long lasting peace (Freear and De Coning, 2013).

In March 2015, Turkey started constructing one of the largest military training camps in Somalia; The Somali national army will be using the camp to get skills on countering insurgencies. The military base will include three military schools, dormitories and depots (Reuters, 2017).

There has been extensive training on human rights with an aim of reducing human rights violation (Mwema, O.I., 27/5/2019). A four-day training oh human rights was conducted by Amisom aimed at strengthening accountability and transparency in the Somalia enforcement personnel. Officers that attended the training, organized by

Amisom included the Somali Police Force (SPF) Immigration Department, National Intelligence and Security Agency (NISA) and Ministry of Internal Security (Amisom news, Mogadishu, 24 April 2019).

As a way of intensifying military training in bringing stability in Somalia, it was revealed that the United Nations relaxed the arms embargo for Somalia in 2007 to let the Somalia allies to assist in arms, ammunition, military equipment and training of the Somali security forces (Mwema, O.I., 27/5/2019).

In an interview with Esther (O.I., 09/07/2019) she reveals that:

“With the help of Amisom, the Somalia police completed training on prevention of crime through community policing. The training was worthy undergoing since it can help the Somalia police and community to combat crime within the community.”

According to UNSC Resolution 2124 (2013), the UN urged the FGS to continue its efforts through the support of the United Nations Assistance Mission in Somalia (UNSOM), other international partners and Amisom (in accordance with its mandates), to map the organization of the Somali National Security Forces and develop specific command and control systems; to enforce effective policies, codes of conduct, and training to ensure the safe storage, registration, repair, and distribution of military equipment; and to finalize and implement a national policy for the care and handling of disengaged combatants. This statement explains the importance of strengthening a Somalia National Army in curbing attacks from Al-Shabaab and clan militias. As a result, the army will take up its role of protecting the civilians and the country from any attacks that can lead to a number of hostilities being witnessed.

4.2.3 Army Integration

Since 1978, Somalia has not had a unified army. The military factionalized along tribe lines and ravaged due to the corrupt regime of the despot Siad Barre. Somalia military broke up in 1991, and the warlords and militia groups were left to compete for state control (World Peace Foundation, 2015).

Army integration was meant to bring on board different clan militias and former Al-Shabaab fighters, with an aim of having a one strong army in Somalia (Fetoli, O.I., 23/4/2019). This remark concurs with (Africa Defense Forum, 2017) which states that the National Commission for Somali National Army Integration and Military Institute were created by the government with the aim of selecting cadets from all clans. The initiation of the *Danab programme* established units that have been credited with arranging and making attacks that have killed key Al-Shabaab figures. To be a genuine national armed force, the SNA needs to mirror the nation it serves. In March 2015, the FGS endorsed the plans to rebuild a strong SNA, the plan was referred to as *Guulwade Victory Plan*, headed by Minister for Defense, Mohamed Ali Hagee (Camacho and Abukar, 2017).

The army integration plan began in 2015 under the *Guulwade* plan, which worked by incorporating regional forces into the national army force to reinforce and build the force. The National Security Architecture adopted urged regional states to contribute 3,000 forces to join the national army and over 10,900 troops joined the Somali security forces. Just like the ‘just war’ theory, with the underpinning of probability of success, the army integration is a clear strategic path when evaluating the probability of success

in humanitarian intervention (UN SEMG, 2015; Journalists for Justice, 2015; Resolution 2245, 2015).

According to Dacko (O.I., 5/27/2019)

“AMISOM have initiated the integration process of Darwish civilian army in Juba land to pave way for their incorporation into the Somalia national army with hopes of building a one Somalia army.”

The TFG is determined to build an army and police force with the help the military intervention missions ranging between 28,000 professional soldiers and 12,000 police officers. The SNA training has attracted several external actors. These incorporate the European Union, Turkey, United Arab Emirates, United States and Bancroft Global a private security organization. Jazeera Training Center in Mogadishu was opened in Somalia in 2006, which incorporates study halls and mock scenes where troops can be tried on a scope of situations related to warfare (Africa Center for Strategic Studies, 2018).

According to GOOBJOOG news (2017), 2400 members of the Puntland army were integrated into the national army in a ceremony held up in the 54th camp of the Puntland forces in Garowe and attended by members of the regional administration and members of the TFG government that included the Puntland deputy president Abdihakim Abdullahi Amay, Federal government state minister of defense Mohamed Ali Hagaa and military chief Said Mohamed Hersi (Africa Center for Strategic Studies, 2018; Goldberg, 2017).

During an interview with Hadebe (O.I, 28/02/2021), he asserts that

“As part of preparation of handing over the security responsibilities to the Somali forces, Amisom and the Somalia forces have been conducting series of meetings on providing a roadmap on how the Somalia security forces can take a lead role in the fight against militia. Amisom managed to handover the Afgoye military base to the Somalia army. The handover is part of the transitional plan of giving the Somalia authorities the security responsibilities.”

Xinhua (2018) states that the African Union Mission in Somalia started a two-day training on biometric enrollment for the federal government staff members to help lead the coordination of professional civilian armies into the Somalia national army. The Amisom course being trained was for preparing authorities to acquire essential skills to register pro-government militia members operating in Galmudug state in central Somalia.

According to Xinhua (2018), Paul Kissi Frimpong states, ‘the exercise was done to capacitate the officers to go to Galmudug state in order to enroll the regional forces there,’ the Amisom Police Deputy Coordinator accountable for Reform, Restructuring and Development said in an announcement in Mogadishu. Frimpong said that after the Federal Government demanded the AU Mission's assistance in registering pro-government armed groups, the Pan African Mission’s police agreed to train Somali officers to participate in the exercise.

He further states that "Aside from the SNA, a portion of federal states has some security forces that have been supporting them to battle the al-Shabaab. These forces are outside the SNA and it is the group targeted to be enlisted." Frimpong said this arrangement is

part of Amisom of creating a Somali national police force to empower it assume control over security obligations once Amisom exits (Xinhua, 2018).

Naserion (O.I., 24/4/2019) A Somalia citizen living in Kenya states that:

“Somalia is a state with clan militias that cannot be integrated into one national army. The clans are always pulling towards their clan leaders. He further notes that a more comprehensive approach needs to be employed in bringing together the clan militias since before Somalia went into war, the army was biased.”

This study established that army integration in Somalia has taken place because of the Amisom led military intervention in the country. Army integration could reduce the conflict intensity and the number of casualties killed from the conflict, since the warring clans will be solidified under one Somalia army. Owing to the integration, the army could consolidate its position in ensuring that there is stability in Somalia and a decline in the number of hostilities.

Goodman (2015) suggests that an unexpected end to this humanitarian intervention mission could make up an ascent of insurgents in Somalia in spite of endeavors made by Amisom. Despite the view that AMISOM has made remarkable progress in Somalia, it still remains under-sourced and has been on the receiving end of the large-scale attacks by al-Shabaab. It is important to note that any backdrop of Amisom troops should be done after Somalia national army is well equipped to fight back any attacks otherwise the remarkable progress made will be in test again. Justification for humanitarian intervention in Somalia is self-evident.

4.3 Conclusion

This chapter delved into humanitarian intervention initiatives in Somalia. From the discussion, it is evident that conflict transpired even in the presence of the humanitarian intervention forces. Of significance is that only the UNITAF mission managed to create a safe haven for the humanitarian relief delivery, UNISOM I and II witnessed a series of attacks from the conflict perpetrators. Because of these attacks, the United Nations decided to withdrawal from Somalia in 1995. This chapter also discussed the deployment of Amisom, which placed Somalia at the helm of hope by bringing long lasting peace in the Country. The chapter also highlighted the involvement of Kenya defense forces and the Ethiopian national defense forces as part of Amisom, though they both had individual intervention missions with different reasons. Amisom troops have to an extent achieved their mandates in providing security to Somalia institutions, enhancing military training and army integration in Somalia, following the army's divisions along tribal lines after the clashes broke out. The Amisom intervention has at some point faced international politics on the need to backdrop the number of troops in Somalia despite the threat of Al-Shabaab.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.0 Introduction

This study set out to examine humanitarian intervention and the conflict situation in Somalia (1992-2015). This chapter thus provides a summary of the findings of this study according to the chapters discussed. It contains conclusions and insights from the findings of the study and further gives recommendations on thematic areas that need further research.

5.1 Summary

The objectives of this study that were explored include: The conflict trends in Somalia, various debates on humanitarian intervention and humanitarian intervention missions in Somalia. Chapter one problematized humanitarian intervention and the conflict situation in Somalia, which indicated that more needed to be done in the realization of long-lasting peace in Somalia.

The second objective formed the background of chapter two, which focused on conflict trends in the Somalia conflict. This was carried out by examining the various inclinations in the Somalia conflict after the state collapsed, and why the conflict has continued unabated. It was established that between 1995 -2005, Somalia was abandoned by the international community. However, this changed with the emerging of the Islamic Courts Union, which later transformed to be Al-Shabaab.

In the historical inclination of the conflict in Somalia, this study gives an analysis of the trends of the Somalia conflict from 1992-2015. The troubled state of Somalia as found out in this study faced different levels of conflicts among different warring parties. Some notable trends include the Alliance for the Restoration of Peace and Counter terrorism, piracy and warlords. This study revealed that the threat of Al-Shabaab emanated from the invasion of Amisom and Somalia neighbors notably Kenya and Ethiopia.

The study established that Al-Shabaab joined al-Qaeda in 2012 which led to internal differences in the group. Al-Shabaab has also lost majority of its territories to Amisom forces which has pushed it to rural areas. Also, to note is that the threat to stability in Somalia also that remains since Al-Shabaab is resilient and its insurgencies have increased. The study further contends that the piracy solution should not be military action rather but addressing the conflict situation. The chapter concluded that Somalia would continue to be embroiled in conflict as long as the underlying factors of the conflict are not solved.

Chapter three, attempted to thematically debate on the various issues pertaining humanitarian intervention. Majority of the scholars defined humanitarian intervention as the use of force to protect civilians of a nation that has persistently abused its citizen's human rights. The intervention occurs without the consent of the affected state. The intervention has to be authorized by the UNSC under chapter VII of its powers. Since the greatest challenge to the doctrine of humanitarian intervention is state sovereignty, this study discussed the question on state sovereignty which has been eroding from the Westphalia model of absolute state, to states ceding voluntarily some

of the key tenets of sovereignty to the international community. International Commission on Intervention and State Sovereignty introduced a new concept called R2P. The concept redefined state sovereignty by introducing an aspect that if a state fails to protect its civilians, then the international community has a moral duty to intervene and provide protection to the civilians. The R2P norm introduced three pillars that are important in addressing conflict situations. The R2P pillars include, responsibility to prevent, react and rebuild.

Chapter four conceptualized various humanitarian intervention missions in Somalia, the subjective nature of humanitarian intervention and the conflict situation. In respect to this, an effort was made on the historical perspective of Somalia before the collapse of the state which culminated in conflict. It emerged that the Somalia conflict demonstrated the need for intervention in trying to bring stability in the country. After the cold war, with the rise of conflicts globally, questions arose on the need for humanitarian intervention in restoring law and order in conflict prone countries

Even though UNISOM I managed to create a safe haven for the deployment of humanitarian assistance, it did not manage to contain the Somalia conflict. In December 1992, UNITAF was authorized as a UN peace enforcement mission in Somalia mandated to use all appropriate means to manage the conflict. UNITAF was successfully in securing airports, seaports, and roads. In May 1993, however, UNITAF mission was concluded and differences between the UN and U.S on the mode of successful transition began. The UN Security Council authorized UN operations in Somalia (UNISOM II) with a more robust Chapter VII mandate. However, UNISOM II lacked a strategic plan on the entire process. It pursued disarmament among the

warring groups without having a ceasefire between the factions which led to a clash between the UN troops and the warring groups, and the eventual UN withdrawal from Somalia. The changing nature of violence in Somalia led to the intervention of AU and thus the establishment of Amisom, which the UN Security Council embraced resolution 1772 in 2007. The ENDF and KDF made bilateral intervention, that is both individually and being part of Amisom. The chapter also highlights the conflict transformation intensity in the presence of the humanitarian intervention troops. The chapter concludes that humanitarian intervention in Somalia has always triggered violence, with claims from the warring parties of interference in Somalia affairs by the outside world.

However, the Amisom intervention has made major strides in bringing forth stability to Somalia. The strides made by Amisom include political and security developments, military and police training and the army integrations. In 2012, Amisom troops managed to secure and legitimize the Somalia federal government and re-established minimum political administration structures that oversaw at least two general elections. This study noted that international community cooperation on the military and police training should be supported with a goal of building strong army and police that will take over the responsibilities of Amisom troops after their withdrawal. The cooperation though needs to be checked in terms of the provision of a training that meets the required parameters that will not result into the abuse of human rights in future. The chapter concludes that despite some setbacks, Amisom has managed to create a relatively more stable Somalia though more needs to be done before Amisom troops start to withdrawal. More so, the troops should consider leaving in batches in

considering supporting the TFG forces in case insurgencies arise again. The prospect of finding long lasting peace and stability in Somalia remains bright.

5.2 Conclusion

This study managed to address the objectives. Objective one analyzed the conflict trends in the Somalia conflict, objective two explored the various humanitarian intervention debates and their tenets while objective three explored the humanitarian intervention mission in Somalia. On trends of the Somalia conflict, the findings revealed that the conflict has been transforming from low intensity to high intensity of conflict depending on the nature of intervention from the international community. After the withdrawal of UNISOM II from Somalia and the abandonment of Somalia by the international community, the country saw a low level of conflict intensity where only clans were fighting over resources. However, with the introduction of ARPCT against ICU led to the re-escalation of violence, which in turn led to a more dynamic violent Al-Shabaab that has kept changing its warfare tactics. The study established that Al-Shabaab joined Al-Qaeda in 2012 and has been conducting terrorism activities, the UN Security Council members and the Somalia government have been reluctant to accept and list the group as a terrorist group.

On the various debates on humanitarian intervention, the findings established that, humanitarian intervention is the use of force in a country, with or without the approval of the state authorities with an aim of stopping violation of human rights and establishing governance structures that may had been broken as a result of a conflict. Even with the humanitarian intervention the conflict situation in Somalia has kept on

escalating with new actors emerging. Since the humanitarian intervention doctrine collides with key tenets of a state, the study sought to examine state sovereignty and found out that the traditional view of state sovereignty, of absolute state, has eroded with a new concept of civilians' sovereignty being embraced. States have the moral obligation of ensuring that civilian' human rights are protected at all cost, however, if a state fails then it creates room for intervention. The findings of this study further revealed that the concept of R2P redefined state sovereignty to responsibility of a state to protect its civilians from human rights abuses that include atrocities and crime against humanity but the international community also has a responsibility to step in and react to massive human right abuses, when a state fails to perform its primary role of protecting its citizens. The R2P norm was beyond military intervention which is deemed core in humanitarian intervention, hence the introduction of the three pillars namely: responsibility to protect, react and rebuild in attempting to address violent conflicts.

On the various humanitarian intervention missions in Somalia, the findings established that, the Somalia conflict kept re-escalating even with the presence of humanitarian intervention forces, especially in the period 1992-1993. The study for example revealed that violence erupted against the humanitarian troops by the warlords who perceived that the humanitarian troops were sidelining against them. General Aideed clashed with Pakistan forces after they attempted to inspect a radio station owned by Aideed troops. The conflict also led to the famous "black hawk down" that led to the humiliating departure of the UN troops, leaving Somali to battle on its own. Amisom forces have been a target of Al-Shabaab, who have initiated large-scale attacks against them and

the TFG. However, Al-Shabaab has been conducting hit and run attacks since 2011 after they were driven out of Mogadishu. Amisom troops have managed to bring some sort of stability, even though Al-Shabaab remains a potential threat to finding a long-lasting solution for the Somalia conflict.

The findings of this study also established that, the Amisom intervention contributions in Somalia are debatable in terms of success. The Amisom interventions have managed to lead Somalia in enjoying relative peace since al-Shabaab left Mogadishu in 2011 and decided to operate from the rural areas of Somalia. The study further revealed that at least Somalia has a new federal government, with government institutions that are under watch by the Amisom troops and the TFG. The military and police training and the army integration process in Somalia have taken place because of the coercive military operations led by Amisom. In order to realize the objectives of this study, the study was guided by the 'just war' theory which assumes that humanitarian intervention must be justified and gives reasons why states go to war or intervene, and is focused on specific aspects that portray a just war. The underpinnings of the theory aided this study by giving insight in understanding humanitarian intervention and conflict transformation in Somalia since 1992-2015.

5.3 Recommendations

Despite the various humanitarian interventions in Somalia, the Somalia conflict has continued unabated. However, there are prospects to finding a solution in the Somalia conflict, the counter strategy of Amisom in 2007 against Al-Shabaab has shown clear

intentions that peace can be found in the once labeled "Switzerland of Africa" (Somalia). The following are some recommendations from the study:

- I. Since Al-Shabaab has been conducting terrorist activities within Somalia and outside Somalia borders, hampering the AMISOM humanitarian intervention activities in bringing peace in Somalia, the UN should consider listing the group as a terrorist group.
- II. AMISOM humanitarian intervention forces should not withdraw until a strong army and police force are established in Somalia. The study further, calls upon the AU and the AMISOM intervention to provide progress report on the Somalia army and police training, upon which the basis of the backdrop of the troops should be drawn from.
- III. The study calls upon AMISOM, FGS and the UN to work hand in hand against Al-Shabaab. Indeed, this study notes that the threat of Al-Shabaab cannot be defeated by humanitarian intervention means alone but also diplomatic means. The study further urges for the increase of diplomatic efforts by international partners.

Since there has been relative peace in Somalia, the study recommends further research on Amisom humanitarian intervention and Somali Transitional plan.

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APPENDICES

A.1: LIST OF KEY INFORMANTS

NO	NAME	DATE OF INTERVIEW	LOCATION OF INTERVIEW
1.	Ambrose	13/6/2019	Upper hill, Nairobi
2.	Chamwada	7/3/2019	Telephone call
3.	Dacko	27/5/2019	Kenyatta University
4.	Fetoli	23/4/2019	CBD, Nairobi
5.	Isaak	28/2/2019	Telephone call
6.	Judas	07/07/2019	Electronic mail
7.	Malema	6/4/2019	Ministry of Foreign Affairs, Nairobi
8.	Mandela	19/6/2019	CBD, Nairobi
9.	Mathenge	10/07/2019	Harambee House
10.	Maxi	18/08/2019	Telephone call
11.	Mwema	27/5/2019	Karen
12.	Mwikali	28/6/2019	KCA university
13.	Nyamutata	23/4/2019	Kenyatta University
14.	Osoro	29/07/2019	Telephone call
15.	Tezazi	13/5/2019	Upper hill, Nairobi
16.	Bashir	02/11/2019	Electronic mail
17.	Shermake	18/03/2019	Electronic mail
18.	Yusuf	18/03/2019	Electronic mail
19.	Naserion	24/4/2019	Telephone call
20.	Abadan	28/05/2019	University way
21.	Esther	09/07/2019	Telephone call
22.	Bilinda	09/07/2019	CBD, Nairobi
23.	Urawen	18/03/2019	Eastleigh

24	Michael	02/11/2019	Westlands
25	Hadebe	28/02/2021	Electronic mail

A.2: SOMALIA MAP



Source : Mapdata @2018

A.3: RESEARCH APPROVAL



**KENYATTA UNIVERSITY
GRADUATE SCHOOL**

E-mail: dean_graduates@ku.ac.ke

Website: www.ku.ac.ke

P.O. Box 43844, 00100
NAIROBI, KENYA
Tel. 020-8704150

Internal Memo

FROM: Dean, Graduate School **DATE:** 23rd April, 2019
TO: Mr. Osiemo Obed Nyabicha **REF:** C50/37345/2016
C/o Department of International Relations,
Conflict & Strategic Studies

SUBJECT: APPROVAL OF RESEARCH PROPOSAL

This is to inform you that Graduate School Board, at its meeting on 18th April, 2019, approved your Research Proposal for the M.A. Degree entitled, "Humanitarian Intervention and Conflict Transformation in Somalia, 1992-2013."

You may now proceed with your Data collection, subject to clearance with the Director General, National Commission for Science, Technology & Innovation.

As you embark on your data collection, please note that you will be required to submit to Graduate School completed Supervision Tracking Forms per semester. The form has been developed to replace the Progress Report Forms. The Supervision Tracking Forms are available at www.ku.ac.ke under Graduate School webpage downloads.

Thank you.

JULIA GITU
FOR: DEAN, GRADUATE SCHOOL



CC. Chairman, Department of International Relations, Conflict & Strategic Studies

Supervisors:

1. Dr. Peter Ogecha
C/o Department of Security and Correction Science
Kenyatta University
2. Dr. Joseph Wasonga
C/o Department of International Relations, Conflict & Strategic Studies
Kenyatta University


A.4: RESEARCH PERMIT

THIS IS TO CERTIFY THAT:
MR. OSIEMO OBED NYABICHA
of KENYATTA UNIVERSITY, 2450-40200
KISII, has been permitted to conduct
research in Nairobi County

on the topic: HUMANITARIAN
INTERVENTION AND CONFLICT
TRANSFORMATION IN SOMALIA,
1992-2015.

for the period ending:
23rd May,2020

Permit No : NACOSTI/P/19/70886/30072
Date Of Issue : 23rd May,2019
Fee Received :Ksh 1000



Applicant's Signature

Director General
National Commission for Science,
Technology & Innovation