

FLIRTING WITH HYENAS: HOW EXTERNAL INTERESTS ARE FUELING INSTABILITY IN THE HORN OF AFRICA

HORN
INTERNATIONAL INSTITUTE FOR STRATEGIC STUDIES



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Foreword

Foreign interference on the African continent is not new. Since the Berlin West Conference of 1884-85, Africa has been a theater of foreign economic, political, and military adventures. In the Horn of Africa, its geostrategic location has made it particularly susceptible to such external machinations. The effect of the Cold War, an ideological struggle between the East and the West on the newly independent Africa countries saw them used as proxies in big power politics. Whereas the immediate post-Cold War era saw a relative decline in overall external activities, recent years have witnessed increased scramble for the Horn of Africa region. This scramble over the region's resources and geostrategic importance has most notably manifested itself in the establishment of forward military bases, increased foreign company involvement in the energy and mining exploration and investment, establishment of alliances or co-optation of countries or individuals within countries in the region as well as partisan support for states or non-state parties in the region. This is having an effect of further destabilizing the Horn of Africa region that is currently facing threats of terrorism, economic and political uncertainty, food and human insecurity, civil wars and potential state collapse.

One of the disputes that has attracted many external players is the Somalia-Kenya maritime dispute. While the dispute between these two neighbors is not a new one, the role of external interests in fanning the flames is not in doubt. The potential implications of an escalation of this dispute to the stability of the region are incalculable. As stakeholders in this region, the HORN International Institute for Strategic Studies (hereafter, the HORN Institute) commissioned a study to explore the role of external interests in the instability of the Horn of Africa.

The HORN Institute, a Nairobi-based research and policy think-do tank conducted a study entitled '*Flirting with Hyenas: How External Interests are Fueling Instability in the Horn of Africa.*' The study examines the extent to which the interests (commercial, political, military) of different local, regional, and foreign actors are destabilizing the Horn of Africa region. The study seeks to shed more light on the role of external players in the in/stability of the region. It also invites readers to imagine a more independent region that is progressive, more autonomous and settles its disputes peacefully through negotiations, and in the true spirit of African Renaissance of providing African solutions to African problems.

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Acronyms and Abbreviations

AMISOM	African Union Mission to Somalia
ARCSS	Agreement on the Resolution of the Conflict in the Republic of South Sudan
AU	African Union
BBC	British Broadcasting Corporation
CLCS	Commission on the Limits of the Continental Shelf
CONOPS	Concept of Operations
DP	Dubai Ports
DRC	Democratic Republic of the Congo
EAC	East African Community
EEZ	Exclusive Economic Zone
EU	European Union
FDI	Foreign Direct Investment
FOCAC	Forum on China-Africa Cooperation
GDP	Gross Domestic Product
HoA	Horn of Africa
ICJ	International Court of Justice
ICU	Islamic Courts Union
IGAD	Intergovernmental Authority on Development
IMF	International Monetary Fund
ISIS	Islamic State in Syria (and Iraq)
KDF	Kenya Defence Forces
ME	Middle East
REC	Regional Economic Community
RSF	Rapid Support Forces
SNA	Somalia National Army
SPLM/IO	Sudan People's Liberation Movement-in-Opposition
TGoNU	Transitional Government of National Unity
TMC	Transitional Military Council
UAE	United Arab Emirates
UK	United Kingdom
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Sea
UNCTAD	United Nations Conference on Trade and Development
US	United States (of America)
VOA	Voice of America

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Executive Summary

This study examines how external factors are destabilizing the Horn of Africa region. The objective is to demonstrate how external commercial, geostrategic, political, and military interests are contributing significantly to this phenomenon, and explore options for its mitigation. This study also focusses on the dynamics of the ongoing maritime dispute between Kenya and Somalia, and how the dispute is further destabilizing the Horn of Africa region.

Using select cases, the study highlights specific interests of several foreign powers in the apparent 'second scramble for Africa' in which the region has become an increasingly strategic theatre. This qualitative study is centered on content analysis of secondary data. The study finds that, in recent years, the Horn of Africa region has grown in terms of geostrategic importance; Western, Middle-Eastern (especially the Gulf) and Asian powers have been the most active external players in the region, geopolitical struggles from the Gulf and the old West-East divide, and internal factors such as civil wars, interstate conflicts have been causing instability in the region.

The region's governments are thus cautioned against vulnerability and exposure to foreign and external machinations; prioritize responsive governance; adopt preventive bilateral and multilateral diplomacy in dealing with destabilizing regional conflicts; revise regional peacekeeping strategies, mobilize regional counter terrorism efforts in addressing the threat of terrorism and violent extremism; limit foreign influence through regionalism; develop and strengthen regional mechanisms for conflict management; develop closer bilateral cooperation forums and arrangements; and settle territorial questions through negotiated mechanisms. With regard to the Kenya-Somalia maritime dispute, the two countries must engage and seek a negotiated settlement, either directly or through a third party, to avoid the unpredictable and likely adversarial outcome from the International Court of Justice (ICJ) whose consequences may be too grave to contemplate.

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Introduction

The many phases of relations among states in the Horn of Africa are clearly identifiable in history. Generally, the relationship between these states has oscillated between cooperation and conflict, and has been characterized by cordiality or hostility. This relationship is attributed to many factors in the prevailing geostrategic environment, ranging from state failure and poor governance, to revisionism, terrorism and conflict, and identity politics.

In recent years, increasing external influence from countries in the Gulf, Eurasian, Euro-Atlantic, Asian, and the Middle-Eastern spheres, has been particularly prominent. Notably, Saudi Arabia, United Arab Emirates (UAE), Qatar, Turkey, United States (US), Britain, Norway, France, and Italy are presently active in the region. These powers have or seek colonial, historical, social, economic, political, and military ties and interests in the region that incidentally influence the dynamics of stability in the Horn of Africa. It is within this context that the instability in the Horn should be understood.

This study sought to establish the various external interests in the region, and the role of these interests in the region's instability. The goal of the study is to develop policy options for governments in the region to mitigate the negative consequences of instability while enhancing peace and security in a region that has known turmoil, political upheavals and general insecurity for the better part of the last two decades.

The study is guided by traditional theoretical paradigms of international relations that stress the pursuit of national interests defined in terms of power, as the defining characteristic of international relations. In this study, the Kenya-Somalia maritime dispute; the fragility of Sudan, Somalia and South Sudan; and fundamentally, the external forces in these cases, are the biggest triggers of instability in the region as will be explained in the following sections.

Findings

The findings of this study are:

- 1 The Horn of Africa's geostrategic importance to the outside world has been growing in the past two decades, providing both opportunities and challenges to the region. The growth and importance are attributed to the following factors:
 - a. Geostrategic location along one of the busiest sea trade routes (from Suez Canal, through the Red Sea to the Indian Ocean) – over 10 per cent of global sea-borne trade passes through this route.
 - b. Significance to international security – issues include: counter terrorism campaigns in the Middle East and parts of Asia; maritime security and threats to major powers' sea trade – piracy along Somali coast; internal conflicts, hostilities and instabilities; high levels of terrorism and influence of groups such as al Qaida, ISIS, and Muslim Brotherhood.

- c. Geographical proximity to and cultural ties with the Middle East region, make it a potential sphere of influence for Middle-Eastern powers.
- d. Economic and commercial leverage to global industrial powers – growing regional GDP, market size, and energy (oil, gas, and uranium) reserves.
2. The Horn of Africa is a fertile and pliable center for geopolitical power struggles from Middle Eastern powers (Saudi Arabia-UAE-Egypt alliance against the Qatar-Turkey-Iran axis); Euro-Atlantic alliance against Eurasian power (Russia); between the Far-East powers China and Japan; and at a global level between US and China.
3. The key states that constitute the Horn of Africa such as Somalia, Sudan, and South Sudan are embroiled in conflicts that have rendered them and the region unstable, insecure and weak. There are also interstate territorial disputes between Ethiopia and Eritrea, Eritrea and Djibouti, and Somalia and Kenya.
4. Key Western and Middle-Eastern powers that have commercial, economic (including energy), military, and political interests in the region include the United States, Britain, Italy, France, the Netherlands, Norway, Turkey, UAE, and Qatar. The European Union is also active in Saudi Arabia. These interests are influencing their foreign policies toward the region.
5. External interests have emerged as serious influencers of domestic politics inside Somalia, pitting competing elites against each other, regional versus federal government in Somalia at the expense of rebuilding a united Somalia. The potential effect of divided loyalties arising from the multiple citizenship of the leadership in Mogadishu with regard to the maritime dispute should be interrogated and addressed for purposes of establishing a right framework in resolving the dispute.
6. Somalia's apparent alliance with Ethiopia over the Jubaland region appears to be an attempt to reduce Kenya's influence because of perceived support that Kenya has for the leadership in Jubaland. Mogadishu resents Kenya-Jubaland ties and its move threatens Kenya's national interests in Somalia. It is also inimical to the regional mission of stabilizing Somalia.

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Recommendations: HOA

The study makes several recommendations and offers some policy options for governments in the Horn of Africa:

1. Define and prioritize national interests and regional stability in engagements with external business or state parties.
2. Establish interests behind the sudden external or foreign involvement in the region with the view of hedging against potential exploitation.

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3. Promote responsive and participatory governance practices domestically and regionally, to help address structural vulnerabilities that cause internal and regional instability.
4. Prioritize preventive bilateral or multilateral diplomacy at a regional level to help avert, manage, and proactively reduce destabilizing impact of disputes conflicts in the region.
5. Mobilize for greater regional economic, political integration and security cooperation to reduce the divisive and damaging influence from foreign powers.
6. Strengthen regional institutional peace and security frameworks, especially through IGAD, for regional solutions to regional peace and security challenges.
7. Mobilize collective regional and international efforts for the fight against terrorism in the region, with a special focus on al Shabab, al Qaida, and ISIS.
8. Develop effective regional maritime security systems and architecture for the Red Sea.
9. Develop stronger bilateral cooperation forums, to strengthen bilateral ties and conflict and dispute resolution mechanisms for interstate disputes.
10. Increase regional efforts to stabilize Somalia.

Recommendations: Kenya Government

The study further recommends that the Kenyan government, as a significant regional power and player, should undertake the following:

1. With respect to the maritime dispute with Somalia: strongly consider and pressure Somalia to withdraw the matter from International Court of Justice, for pursuit of negotiated settlements (win-win outcomes).
2. With respect to the withdrawal of AMISOM from Somalia: it should be conditions-based. Avoid hasty decisions at all costs for it would be counterproductive to the long-term stability of the region. A carefully considered withdrawal strategy should be adopted that satisfies a criteria based on assessing whether the original objectives of military entry into Somalia by both KDF (initial period) and AMISOM, has been achieved, and whether after withdrawal Somalia will not degenerate into worse chaos and insecurity that would further destabilize the region.
3. With respect to the maritime dispute with Somalia: intensify lobbying through Ethiopia and Eritrea, and by extension, Turkey, Saudi Arabia, and Qatar, and strengthen public diplomacy to influence Somalia's concessions in the matter.
4. With respect to the judicial proceedings on the maritime dispute: Kenya should effectively demonstrate *effectivités* (actions and declaratory instruments of exercise of sovereignty) over the disputed territory.
5. With respect to regional integration: champion integration efforts, beginning with bigger and geographically closer regional economies (Kenya, Uganda, and Ethiopia) to political integration.

**Mogadishu
resents Kenya-
Jubaland ties and
its move threatens
Kenya's national
interests in Somalia**

6. Proactively initiate peace and security processes, to manage or resolve regional conflicts, through preventive diplomacy. This will magnify Kenya's diplomatic standing and leverage over regional countries and institutions in the area of peace and security.

Conclusion

The study concludes that the ever-changing regional dynamics require firm and purposeful actions by leading countries in the region. Kenya, as a key regional player, should shape the political and economic discourse in the Horn of Africa to ensure that national interests of the countries are insulated from both local saboteurs and exploitative and rapacious external interests. Recently, Sudan and South Sudan imploded; the region cannot afford further instability. Somalia has remained in the throes of instability and conflict, exacerbated by the rise of terrorism spearheaded by al Qaida's affiliate al Shabab, and the inability of the warring Somalia clans to embrace peace. These render the need to forestall further disputes in the region paramount. It is critically important for the Kenya-Somalia dispute to be resolved through negotiated settlement because of the potential it has for far-reaching implications on the stability of the Horn of Africa region.

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SECTION
A

Instability in the Horn of Africa: A Theoretical Perspective

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Instability in the Horn: A Theoretical Perspective

Anarchy in the International System

Realists see interstate relations in terms of national interests (Kissinger, 1969; Morgenthau, 1948). The ultimate objective of any state is the pursuit and achievement of its national interests defined in terms of power. The fact that the interests of states vary means that the international system is characterized by conflict and anarchy (Waltz, 1959) where the interests of strong states prevail at the expense of those of the weak states. War is therefore, a constant feature in regional and global politics.

Morgenthau (1948) aptly captured international relations 'as a struggle for power among nations.' Given the skewed nature of the international system, it is the national interest of the main powers that define international politics. Realists further argue that even alliances are informed not by a desire for states to pursue common objectives, but more by calculations aimed at achieving the selfish interests of states in their struggle for power and influence.

On the other hand, idealists argue that it is possible to have peace in the international system provided individual states give up part of their sovereignty to create supra institution such as the United Nations. They further argue that the interdependence inherent in the international system dictates that states will find more avenues for cooperative relations than conflict. The security of the international system is largely dependent on international and regional organizations as opposed to individual nation states. As noted by Pan Africanist Kwame Nkrumah (1963), small states are more predisposed to aggressive behavior due to their frustrations and inability to fulfill the development needs and wants of their people. The way to international peace is for states to come together in the form of a 'Commonwealth' and create a bigger whole, such as the African Union (AU), where the needs of states will be fulfilled leading to lasting peace. Regardless of the approach adopted, either realism or idealism, the state remains a central actor in the struggle for power and peace in the international system.

Regional Specific Factors

a. Poor governance and illiberal political systems

The toxic mix of poor governance characterized by endemic corruption, political exclusion and marginalization, poor public services, economic mismanagement, and illiberal political systems which diminish the political space and limit participatory governance, creating structural conflicts in these countries. Such conflicts include civil wars (South Sudan), popular uprisings (Sudan), armed rebellions (Darfur region of Sudan), and ethno-nationalist separatist movements (Ethiopia, coastal Kenya).

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b. Identity

Regional countries with religious, ethnic and cultural diversities in which political mobilization introduces aggressive identity politics in the region. Such aggressive social relations between different religious, ethnic, cultural and social groups, result in sectarian divides which threaten the stability of Horn countries.

c. Ideology

Political and religious competition contribute significantly to political and religious conflicts, which threaten the stability of a number of regional countries. On the other hand, certain ideologies which seek to fuse religion and the state or de-link the two exacerbate tensions in countries such as Sudan and Somalia, and lead to violent extremism and terrorism.

d. Terrorism

The Horn of Africa region is one of the most terror-prone regions in the world, harboring groups such as al Shabab, and cells of al Qaida and ISIS, which inspire terrorist activities across the region. Somalia is the epicenter of terrorism and violent extremism, having left vast ungoverned space for militant struggle for power, after the collapse of the state in 1991. The Somalia-based and al Qaida-linked al Shabab group is the leading terrorist group in the region, and second largest in Africa after West Africa's Boko Haram.

e. State Failure or Fragility

The region has a number of fragile states such as South Sudan, Somalia, Sudan, and Eritrea exhibiting structural-functional failures, which threaten their peace, security, and stability. The recent attempted coup in Ethiopia is a cautionary tale of the fragility of the states in the region. Further, such state fragility prevents state institutions and security apparatus from ensuring the rule of law, controlling populations, providing security, protecting human rights, carrying out development programs to improve standards of living, providing employment and supporting economic growth. Such failures create public pressure on governments, which in turn use repressive measures to guarantee stability.

f. Border or Territorial Disputes

Several unresolved territorial questions in the region threaten regional stability in the long-term. Disputes arising from competing territorial claims and aggressive revisionist designs, have resulted in interstate wars between Ethiopia and Eritrea (1998-2018), Djibouti and Eritrea (2009-2018), Somalia and Kenya (1963-65), Ethiopia and Somalia (1977-78), and Sudan and South Sudan (2012 Heglig crisis). Other such questions creating interstate tensions include the Hala'ib triangle between Egypt and Sudan and maritime boundary between Kenya and Somalia.

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SECTION B Geopolitical Interests and Instability in the Horn of Africa

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Geopolitical Interests and Instability in the Horn of Africa

This section examines external interests and how they have contributed to the growing instability in the Horn of Africa. A combination of commercial, political, geopolitical and other interests are at the heart of the growing instability in the Horn of Africa.

Kenya-Somalia Maritime Dispute

Somalia's claim on Kenya's maritime territory bears the hallmarks of external actors particularly several Middle Eastern, Asia, and European countries. *The East African*, an authoritative regional newspaper has noted that behind the Kenya-Somalia dispute, "...are economic and political interests as Western, Asia and Gulf Powers scramble for the vast gas and oil deposits in the Indian Ocean triangle covered by the two countries" (Mutambo, 2019, p. 4).

a. Oil Appetites

At the risk of falling into the trap of the oil 'curse' by the region, the *East African* further notes that "at play are oil companies from the West - Norway, the US, UK, France, Netherlands and Italy - and the political divide in the Middle East that pits a group of countries led by Saudi Arabia and the United Arab Emirates against those led by Turkey and Qatar jostling for an upper hand in Mogadishu" (Mutambo, 2019, p. 4). The jostling for oil blocks on offer by Somalia can also be understood in the context of a desire by these Western and Middle East countries to take advantage of the relatively weak Somalia state to strike cheap oil exploration deals and possibly production deals that they would probably not get were they to deal with a more stable and united region.

It is important to remember that prior to 1991, when the Somalia state collapsed, oil blocks had been licensed to major oil companies and their subsidiaries notably British Petroleum (BP), Italy's CENI, Netherlands Royal Dutch Shell, and France's Total. In fact, two-thirds of the oil map was awarded to US firms namely Conoco Phillips, Amoco and Chevron (Mutambo, 2019, p. 4). Another interesting twist is that in 2014, Soma Oil and Gas Exploration got a deal from the Somalia government with the right to exploit 12 offshore oil and gas blocks amounting to 60,000 square kilometers. Notably, the current Somalia Prime Minister was the Executive Director for Africa at Soma Oil prior. This points to the intriguing clash between personal economic interests of the elites who control political power in Somalia, and the national interest that they swear to protect when they take the oath of office.

b. Gulf 'Cold War'





With regard to the Middle East, Saudi Arabia and the UAE on the one hand, and Qatar and Turkey on the other, are battling for political, economic and military influence in Somalia and the Indian Ocean waters. For instance, in 2016, a UAE-owned company (P&O Ports) is reported to have negotiated and signed a contract worth millions of dollars to expand the port of Bosaso in the state of Puntland, thereby causing friction

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with the Somalia authorities (Garowe Online, 2017). On its part, Turkey has invested millions of dollars in Somalia, funding the improvement and running of Aden Adde International Airport in Mogadishu. In addition, Turkey has built roads, schools and hospitals in Somalia. Former Prime Minister Ali Mohamed Gedi therefore called Turkey a ‘friendly and brotherly country’, thanking the country for training and equipping soldiers and providing economic assistance (Garowe Online, 2019). Qatar has also provided more than USD 385 million to Somalia for infrastructure, education, and humanitarian assistance.

It is clear from this struggle for ‘spheres of influence’ by Middle Eastern states that they are eyeing lucrative state contracts in the oil sectors and could be responsible for driving the Somalia state’s claim over Kenya’s maritime territory with which to reward Western and Middle Eastern ‘allies’. The other dynamic which should be gleaned from the growing interest in Somalia by Middle Eastern states is the destabilizing effect it has elicited in relations between Somalia, Puntland, and Jubaland on the one hand, and Somalia’s Horn of Africa neighbors on the other.

Table 1: Gulf States Interests and Instruments in the Horn

	 Saudi Arabia	 United Arab Emirates	 Qatar	 Kuwait
Main Target in the Horn of Africa	Sudan	Eritrea, Somaliland	Sudan, Somalia, exploring options in Ethiopia	Sudan
Dominant Political Interest	Containing Iran, Qatar, Turkey	Isolating Iran and Qatar	<ul style="list-style-type: none"> • Leverage vis a vis Saudi Arabia, UAE • New diplomatic partners 	Regional stability
Dominant Economic Interest	Food production	Regional trade, port’s expansion	<ul style="list-style-type: none"> • Financial diversification • Diplomatic leverage 	Food production
Key Policy Instruments	<ul style="list-style-type: none"> • Aid and grants • Support of Islamic Institutions 	<ul style="list-style-type: none"> • Budgetary support, DP World • Aid and grants 	Central Bank of Qatar, Qatar Foundation	Bilateral and multilateral development funds
Military Presence	Assab Djibouti	Assab, Berbera and Mogadishu	None (presence on Eritrean Djibouti border withdrawn)	None

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c. Asian and Western Interests

Tables 2 and 3 below show a summary of some Asian and Western interests and their key policy instruments

Table 2: Asian Powers Interests and Instruments in the Horn


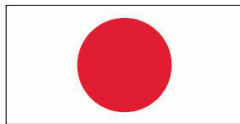

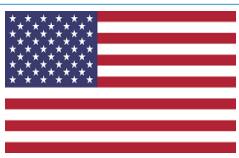



	Turkey 	Japan 	China 
Main Target in the Horn of Africa	Somalia, Sudan, Ethiopia	Kenya, Djibouti	Ethiopia, Djibouti, Kenya, Sudan, Somalia
Dominant Political Interest	Challenge Saudi dominance Establish foothold	<ul style="list-style-type: none"> Countering the influence of China Economic diplomacy 	Spreading political ideology Establish Forward Base
Dominant Economic Interest	Trade, Investment opportunities for Turkish firms, resources extraction (oil/gas)	Trade, investment opportunities for Japanese firms; resources extraction	Trade, investment opportunities for Chinese firms, resources extraction
Key Policy Instruments	Budgetary support, grants for construction of roads and ports	Infrastructure development (roads, railways, ports, foreign aid), technology, education support	Infrastructure development (roads, railways, ports foreign aid), Support to peacekeeping operations, educational and cultural exchange programs
Military Presence	<ul style="list-style-type: none"> Military base in Somalia Intent to build a military outpost in Sudan 	Naval presence in Gulf Aden waters	Military presence in Djibouti

Table 3: Western Powers Interests and Instruments in the Horn

	United States 	France 	United Kingdom 	Norway 
Main Target in the Horn of Africa	Ethiopia, Djibouti, Kenya, DRC, Sudan, Somalia	Djibouti, Somalia	Kenya, Somalia, Ethiopia, Djibouti, Sudan	Kenya, Somalia
Dominant Political Interest	Liberal Democracy model, fighting terrorism, protecting the Red Sea and the Gulf of Aden	<ul style="list-style-type: none"> Containing al Qaida, Forward Base Maintain Francophone control 	<ul style="list-style-type: none"> Fighting terrorism, spread of democracy and liberal economics New partners post Brexit 	Peace and stability, democracy

	United States	France	United Kingdom	Norway
Dominant Economic Interest	Resource extraction (oil, gas, minerals); Investment for US firms	Trade, Resource extraction (oil and gas)	Resource extraction (oil, gas, minerals); trade and investment for British firms	Trade, investments, oil and gas
Key Policy Instruments	Military operations, educational exchange, civil society support, budgetary support through foreign aid and grants, military aid	<ul style="list-style-type: none"> • Foreign aid • Military intervention • Cultural Exchange 	Budgetary support, foreign aid and grants, military aid, civil society support, educational and cultural exchange programs	Foreign aid
Military Presence	Djibouti–Camp Lemonier; Arba Minch in Ethiopia	Djibouti	Joint military training and support in Kenya	None

Qatar has provided more than **USD 385** million to Somalia for infrastructure, education and humanitarian assistance

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Horn Country Analysis

This section examines different HOA countries

SOMALIA

Somalia is geostrategically important, especially to the Middle East powers (Saudi Arabia, UAE, Turkey, Qatar, Iran) for:

- Religious and cultural ties (Islam and Arab cultural influence)
- Geographical proximity to the Middle East
- Geostrategic location along the Indian Ocean and one of the busiest Sea trade routes in the world.
- Commercial position as a stabilizing economy and trade hub, evident in several busy sea and air ports – Sea Ports of Kismayu, Mogadishu and Berbera.
- Counter terrorism and counter Islamist fundamentalism (al Shabab-al Qaeda axis, ISIS)
- Political (ideological alliance) objectives: Saudi Arabia - UAE alliance versus Qatar-Turkey-Iran 'coalition.'
- Military objectives; military bases (Turkish base in Mogadishu, and UAE base in Berbera from where UAE uses as a forward base for the war in Yemen against Houthi rebels)

a. Turkey vs. UAE in Somalia

Turkey entered Somalia in 2011, having launched 'Africa-looking' foreign policy in 2005 and gained more active roles in Middle Eastern geopolitics ('Ottoman resurgence'). Turkey in Somalia, has commercial interests in infrastructure especially development of Aden Adde International Airport in Mogadishu and the Sea port of Mogadishu. It provides budgetary assistance to Mogadishu of over USD 2 million per year, and is constructing roads, schools and hospitals in Mogadishu, and contributing to the training of the Somali National Army (SNA). Politically, Turkey views the Horn of Africa as a crucial sphere of influence and has established a military base in Mogadishu.

The UAE has trained and supported Somali units since 2014, to combat piracy and for operations against al Shabab, and built infrastructure for the Somali army, marine police and regular police force, including beyond Mogadishu (International Crisis Group, 2018). Equally, Turkey has invested in Somalia's security sector, training Somali forces both in Somalia and in Turkey. In October 2017, it commissioned a new military academy at a cost of USD 50 million in Mogadishu to train 10,000 Somali soldiers in the next few years (International Crisis Group, 2018).

With the escalating rivalries between the UAE and Turkey, between 2017 and 2018, factionalisation of the Somali security sector has been observed. The Somali military and police units trained by UAE and Turkey, developed parallel allegiance to UAE and Turkey respectively, instead of allegiance to Somalia first. This threatened the capacity of the Somali security sector to perform national duties patriotically and ably, besides clearly not being able to protect its independence and the

The Somali military and police units trained by UAE and Turkey, developed parallel allegiance to UAE and Turkey respectively, instead of allegiance to Somalia first

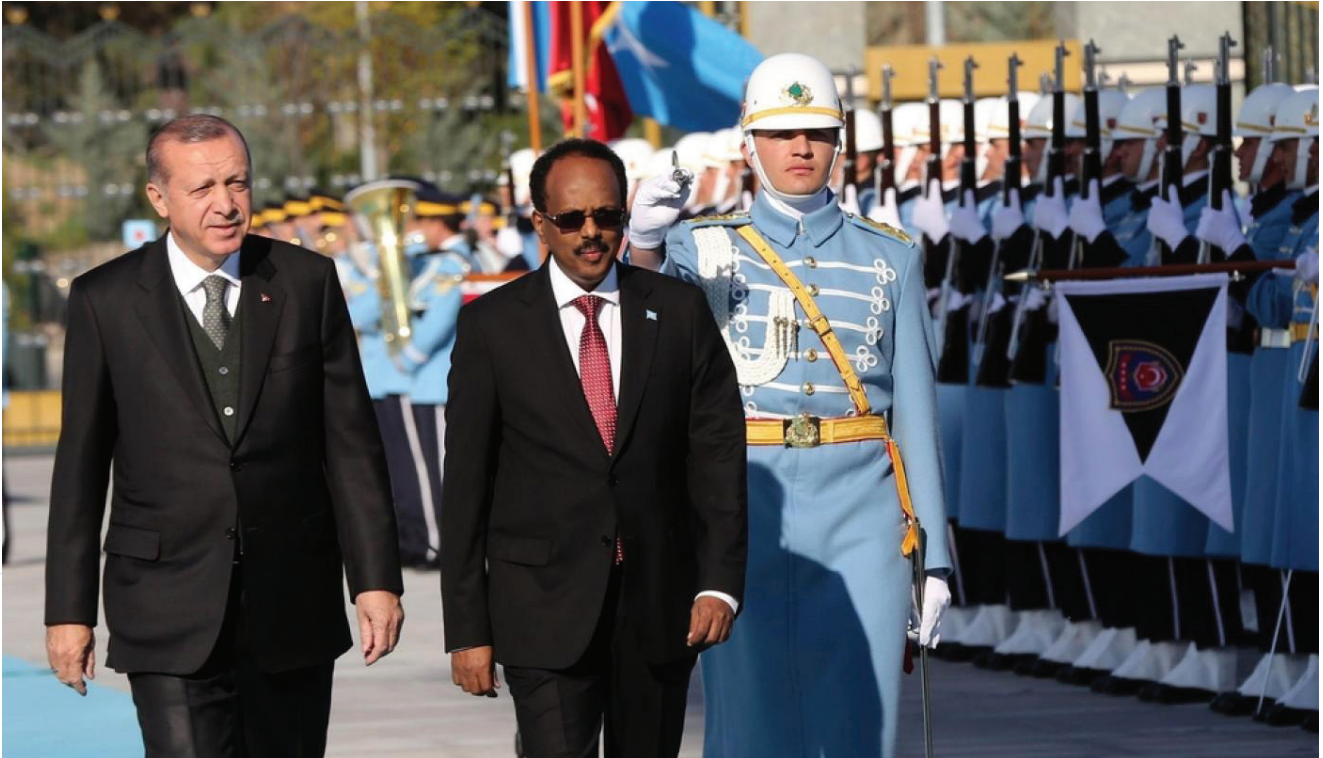


Figure 1: Turkish President Recep Tayyip Erdogan (L) and President of Somalia Mohamed Abdullahi Mohamed (2nd L) walk past the honor guards during an official welcoming ceremony at Presidential Complex in Ankara (Photo Credit: AFP)

sovereignty of Somalia. From 2017 to 2018, Middle Eastern countries machinations split the Somali Parliament into two factions, pitting pro-Turkish Prime Minister Kheyre and a pro-government faction against a faction led by the then lower house speaker, Mohamed Osman Jawari. This created a political crisis among Somalia's ruling elites, threatened the independence of Somalia's institutions, and divided the country politically (International Crisis Group, 2018). The speaker was forced to resign in April 2018.

b. The Gulf Crisis and Somalia

The Gulf 'cold war' where Qatar has become the center of the conflict, has affected countries in the Horn of Africa, Somalia in particular. Having blockaded and championed for Qatar's isolation internationally, Saudi Arabia and the UAE have also worked to isolate Qatar in the region. In June 2017, the UAE and Saudi Arabia tried to convince Somalia to reconsider its diplomatic ties with Qatar (*Middle Eastern Monitor*, 2017). Refusal to do so by Mogadishu led to UAE suspending its development assistance to Mogadishu. Qatar on its part, has been a major development partner for Somalia, a relationship Mogadishu would not want to jeopardize (International Crisis Group, 2018).

Refusal by Mogadishu to reconsider its relations with Qatar has led to some of the Gulf countries to engage with regional governments in Somalia. UAE has been funneling development assistance to the regions and is seeking lease and investment contracts from these regional member states, causing friction between Somalia's federal government and the regional governments. In 2018, UAE established a military base in Berbera, 162 miles from Yemen, from where it launches its offensive campaigns against the Houthi rebels in Yemen. Further, it secured a 30-year lease, through Dubai Ports World (DP World) in March 2018, for the Port of Berbera in Somaliland for USD 442 million, escalating tensions between Mogadishu and Somaliland (International Crisis Group, 2018).

Refusal by Mogadishu to reconsider its relations with Qatar has led to some of the Gulf countries to engage with regional governments in Somalia

SUDAN

The United States, Russia, Turkey, Iran, Saudi Arabia, and UAE have been key players in Sudan's stability and instability, at least since 1989, when Omar Bashir came to power through a military coup. The Bashir government took a fundamentalist approach to social order in Sudan and Islamized the state with the help of fundamentalist hard-liner, Hassan al Turabi. The fundamentalist inclinations of Sudan under Bashir naturally lent tolerance for Islamists such as Muslim Brotherhood, and later, al Qaida's leader, Osama bin Laden.

a. The United States' role in Sudan's instability

Omar Bashir became Sudan's president in 1993, and in August of the same year, the United States listed the country as a state-sponsor of terrorism, on grounds of producing chemical weapons and harboring Islamist groups, including Osama bin Laden and other key al-Qaeda personnel (Small Arms Survey, 2018). This nature of listing by the United States dented Sudan's political standing regionally and globally, impacting on its foreign relations in a manner that created a degree of diplomatic isolation.

In 1997, five years into Bashir's presidency, the US imposed economic sanctions against the government of Sudan on grounds of Sudan's alleged sponsorship of international terrorism, its efforts to destabilize neighboring countries and its poor record on human rights (Giacomo, 1997).

The crushing impact of US sanctions on Sudan was evidenced in the derailment of Sudan's economy for close to 20 years, with inflation rates going up to 55 per cent by July 2018 (BBC News, 2018). This cumulative effect of US sanctions on Sudan created an economic crisis in the country, with inflation pushing prices of basic commodities up and making the cost of living beyond the reach of many, in part triggering the anti-government demonstrations and protests from December 2018, and later, Bashir's removal from power in April 2019.

b. The role of Russia in Sudan

Suffering from United States sanctions and United States-driven diplomatic isolation of Sudan internationally, and faced with internal armed rebellions, Bashir turned to United States' rivals, notably Russia and Iran. After the arms embargo was imposed on Sudan in 2005, during the Darfur conflict, Moscow has been exporting substantial amounts of military equipment to the country (Plichta, 2019). On November 23, 2017, Bashir visited Moscow, and while in the Black Sea resort of Sochi, he asked for Russian 'protection' from the United States and pledged to act as the gateway to Africa for Russia (VOA, 2017).

On this trip, discussions on modernization of the Sudanese army by Russia and the proliferation of military bases around the Red Sea were done. Other cooperation talks were around exploration, transport, agricultural and energy sectors development in Sudan (VOA, 2017). This marked the entry of Russia in Sudan and support for Bashir's government. The popular uprising against, and deposition of Bashir, can therefore, be interpreted as policy defeat by Russia and Bashir's allies and policy victory for the United States. For this reason, Russian mercenaries have allegedly been involved in training the Sudanese military on protester suppression, just to keep the friendly establishment in power.

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Following the military-led ouster of long-term president Omar Al Bashir on April 11, 2019, after months of popular uprising, the military junta (Transitional Military Council [TMC]) installed itself to power

c. Gulf powers in Sudan

Following the military-led ouster of long-term president Omar Al Bashir on April 11, 2019, after months of popular uprising, the military junta (Transitional Military Council [TMC]) installed itself to power. The TMC faces continued demand for transfer of power to civilian rule by protestors. The African Union (AU) issued a three months deadline for such transfer of power, failure to which, Sudan's AU membership will be suspended. However, some Gulf powers such as long term allies Saudi Arabia and UAE, are flexing their muscle in Sudan, in support of the TMC.

d. Saudi Arabia and UAE

Just 10 days after the coup in Sudan, and after sending a delegation prior, a coalition of Gulf nations, the UAE and Saudi Arabia, pledged USD 3 billion in aid, with USD 500 million having already been injected into Sudan's central bank. This financial support was to help with fiscal stabilization and ensure cheaper supplies of food and medicine, were for short term relief from the strife the country has had (Mohamed, 2019).

Nonetheless, Sudanese protesters publicly rejected the aid package, suspicious of Riyadh and Abu Dhabi's motives. They chanted anti-Saudi-Emirati songs to reject such intervention from the Gulf, which is seen as bolstering military rule and energizing the counter revolution. This foreign financial support to the TMC has in effect angered the protesters who have soldiered on with relentless sit-in at military headquarters (Mohamed, 2019).

e. Egypt in Sudan

On the other hand, Egyptian president (also the African Union chairman), Fattah al Sisi, has been playing a significant role in Sudan after Bashir's fall. First, he organized a conference on Sudan and Libya, with the attendance of Chadian President Idriss Deby, Rwanda's Paul Kagame, Congo's Denis Sassou-Nguesso, Somalia's Mohamed Abdullahi Mohamed, South Africa's Cyril Ramaphosa, and Djibouti's leader Ismail Omar Guelleh. Contradicting an earlier deadline of 15 days handed to the TMC by the African Union Commission, the Cairo summit gave a 90-day deadline. It is likely that these new timelines from Cairo, forced the African Union to revise the deadline to 90 days.

Egypt has a territorial dispute with Sudan over Hala'ib Triangle, which is occupied by the Egyptian military. Thus, Cairo would not want to see a nationalist in power in Khartoum, to take Egypt on the Hala'ib question. Further, the country's secular order is afraid of the Muslim Brotherhood Movement, and went through the Arab Spring, which brought down al Sisi's patron, President Hosni Mubarak in 2011.

A Muslim Brotherhood candidate, Mohammed Morsi, won the 2013 elections, proving the influence of Muslim Brotherhood in the country's politics. Thus, to Egypt, UAE, and Saudi Arabia, they face the common 'Islamist' threat, especially from the Muslim Brotherhood group, and their support for the perceived less Islamist military, is a counter-measure against the potential rise of political Islamists in Sudan, given Sudan's own Islamist history.

f. Gulf Crisis and Sudan

The three countries faced the threat of the Arab Spring, which they fear, is in the strain of Iran’s Islamic revolution/democracy model, hence their aversion for uprisings in the Arab world (as successful revolutions would mean ideological victory for Iran). On the other hand, Saudi Arabia and UAE enlisted Sudanese forces in their war against Iran-sponsored Houthi rebels in Yemen, and by providing the TMC a lifeline, the two Gulf powers hope for continuity of this aspect of Sudan’s foreign policy (anti-Iran).

Further, Saudi Arabia and UAE are seeking to escalate the Gulf Crisis and uproot the influence of Turkey and Qatar in Sudan, which had developed close ties with the former president, Omar Bashir’s government. In 2014, Qatar pledged USD 1 billion cash injection into the Sudanese central bank, while Turkey secured the strategically located Suakin Island (an old Ottoman possession), from Sudan, for ‘strategic development’ in 2018. Saudi Arabia and UAE are uneasy about Turkish presence in the Red Sea, fearing plans by Ankara to build a military base on the island (Gulf International Forum, 2019). The two allies might likely be trying to uproot Turkey from the Island by ensuring an anti-Turkey policy in Khartoum.

Saudi Arabia and UAE are seeking to escalate the Gulf Crisis and uproot the influence of Turkey and Qatar in Sudan

SOUTH SUDAN

South Sudan descended into civil war in 2013, pitting the Transitional Government of National Unity (TGoNU) led by President Salva Kiir against the main opposition (Sudanese People Liberation Movement/Army – In Opposition) led by Riek Machar. Since then, several ceasefire agreements have broken down despite numerous peace efforts by regional mechanisms (Inter-Governmental Authority on Development - IGAD). The larger peace agreement, the Agreement for Resolution of Conflict in South Sudan (ARCSS) reached in 2015, collapsed in 2016 due to renewed fighting between the main and more warring parties.

However, it is important to note that some regional and foreign powers, have been pulling strings in the civil war in South Sudan. For Instance, regionally, Sudan was accused of sponsoring the Riek Machar-led armed opposition, while Uganda was equally accused of propping up Salva Kiir, creating conditions incompatible with peace (Nyadera, 2018). On the other hand, the Troika (US, Britain, and Norway) which provide development assistance to South Sudan, and China (which imports 99 per cent of South Sudanese oil), emerged as crucial players to peace and stability in South Sudan.

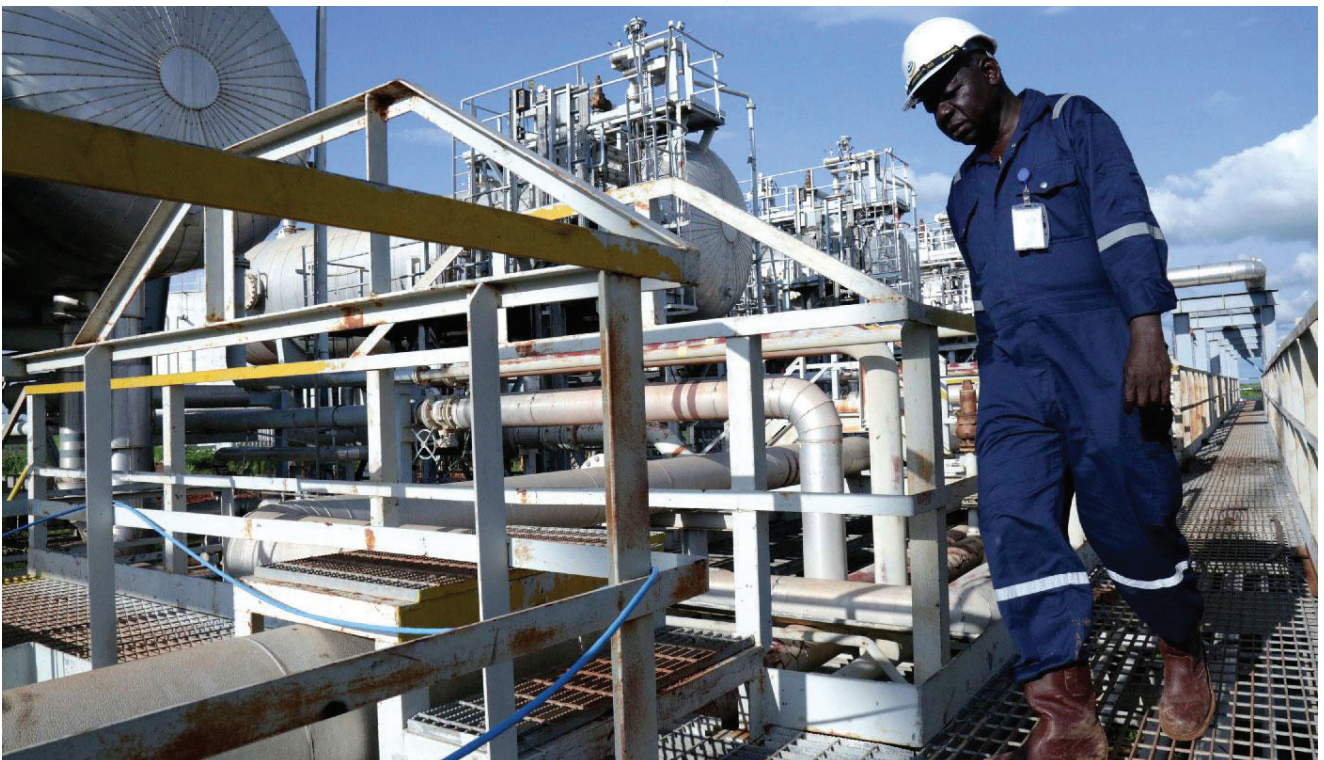


Figure 2: A worker walks by an oil well at the Toma South oil field to Heglig, in Ruweng State, South Sudan on August 25, 2018. Reports show that China gets 99% of South Sudan's crude petroleum exports (Photo Credit: REUTERS).

The oil money funds the government's war machinery since a huge chunk of government budget and public revenues are allocated to defense and security (Al Jazeera, 2019). On the other hand, Juba accused the United States of undermining implementation of the revitalized ARCSS, through additional (well-intended) sanctions, as US National Security Adviser, John Bolton, threatened to cut aid to the country (Mumbere, 2018). Interestingly, Sudan and Uganda closed ranks and supported (playing the central role) the IGAD-led peace process of revitalizing

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ARCSS, which led to a new peace in September 2018. The Troika and China jointly signed on the peace deal. Thus, to achieve peace and stability in South Sudan, Uganda, Sudan, the Troika and China must play a central role peace-making through carrots and sticks instead of advancing their commercial and geopolitical interests which have contributed to the intractability of the conflict in South Sudan.

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CHINA AND THE HORN OF AFRICA

a. Chinese Interests in the Horn of Africa

China has increasingly pursued a foreign policy engagement with Africa in recent years, culminating in its current global Belt and Road Initiative, a policy China has declared seeks to connect and develop the world through cooperation and investment. Chinese interests in Africa are four dimensional: economic, ideological, political, and security. The Horn of Africa is one of the main theatres in which this Sino-African four-pronged approach based on clearly defined economic, ideological, political and security interests unfolds (Clingedael, 2018). Chinese economic interest are driven by the quest for extraction of natural resources to fuel China's economic boom that has been expanding for decades. Coupled with this is a desire for cheap labor, with China focusing on creating labor intensive industries within horn countries as well as capturing much-needed markets for Chinese goods. Ethiopia and Kenya provide examples of Horn of Africa States in which China has established textile firms, is pursuing exploration of oil among other economic interests.

The second dimension of Chinese interests in the Horn is ideological. China is a communist country, whose politics is dominated by the Chinese Communist Party. There is a fusion of the party and the state. China's development model is a state led economy underwritten by a political system in which power is heavily centralized. China has long tried to prove that economic development and political stability can be achieved in the absence of liberal democratic principles. In her engagement with Horn of Africa states, China has opted to deal directly with the political elites that control power in such countries. This elite-led state to state engagement has been criticized for fueling corruption

Because the Chinese decision-making system is highly authoritarian, democratic oversight is often absent. China has, therefore, become a darling for especially for African leaders that are less open to democracy and accountable leadership. To advance its ideological and political interests, China has established institutional arrangements such as the Forum on China-Africa Cooperation (FOCAC).

Politically, China has been spreading her influence through the use of soft power mechanisms to advance her political interests. Additionally, China has been attempting to garner more support for its foreign policy agenda in multilateral fora such as the United Nations (UN) and the African Union.

The fourth and final dimension of China's interests in the Horn is security-related. China has security concerns in response to growing global threats targeting Chinese nationals (laborer's, diplomats, and investors) and projects in the volatile region of the Horn and other neighboring, fragile regions. At the same time, China is seeking to assume a more active role in global security governance. China's peacekeeping mission in South Sudan is an important test of how it will use its military to combine commercial and humanitarian interests in the region. Likewise, the opening of its military base in Djibouti plays a key role in resupplying multinational anti-piracy operations off the coasts of Somalia and in the Gulf of Aden.

The interplay of these interests has the potential of creating stability on the one hand and instability on the other. China's economic model has been criticized for breeding corruption and economic mismanagement by elites while at the same time stifling accountability through silencing dissent. This has potential for creating instability as

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exemplified by the Arab spring where citizens in Egypt, Tunisia and Libya rose up against their governments in response to growing authoritarianism and corruption. In recent years, the fall of Omar Bashir in Sudan is another example of what can happen when citizens are fed rise up against authoritarianism.

To summarize, China's involvement in the HOA region has existed of the following:

- Economic: Natural resources, market for exports, cheap labor, investment opportunities for Chinese state firms
- Ideological: Looks to spread a state-led economic growth model
- Political: Seeks to influence through multilateral fora through soft power; creation if institutional framework such as (Forum for China Africa Cooperation (FOCA)
- Security: Establishment of a military base in Djibouti, peace keeping in Sudan and South Sudan, construction of infrastructure facilities: Djibouti-Addis railway, Doraleh multipurpose port

b. DRC: A Case Study of Economic Exploitation

In 2014, there were 14 mining projects that contributed to the increase in exports from the Democratic Republic of the Congo (DRC) to China. The total investment for the mining projects was projected at USD 3.72 billion, including USD 320 million for a hydroelectric power station. These figures are expected to increase even more considering that Sicominex is planning to increase its copper production from the current 100,000 tons to 250,000 tons when the Busanga Dam starts to produce energy. Also, in 2014 China's total import of timber from Congo basin reached 2.9 million cubic meters representing 47.5 per cent of the region's entire timber export, far exceeding the 2 million cubic meters entering the EU (equivalent of 33 per cent). China has already acquired 2,800 million acres of land in DRC to cultivate palm oil.

China-DRC relations are epitomized by 'the Sicominex deal'. Following the DRC's successful general elections in 2006, the Chinese government took a more proactive step to engage DRC's government. In 2008, this culminated in a massive resources-for-infrastructure deal worth USD 6 billion. According to the deal, China will invest USD 3 billion in mining and USD 3 billion in infrastructure development - construction of roads, railways, hospitals, schools, and dams, as well as mine development. This agreement remains an emblematic step in the China-DRC relations. The deal gives China access to huge high-grade copper and cobalt reserves. The DRC is by far the world's largest producer of cobalt, accounting for roughly 60 percent of global production (see Figure 3). China is expected to get in return 10 million tons of copper and 600,000 tons of cobalt. The USD 3 billion to be invested in infrastructure will be repaid by the benefits from minerals. From 2008 when Sicominex was signed to 2014, the total expenditure on infrastructure development stood at around USD 459.764 million.

The DRC is by far the world's largest producer of cobalt, accounting for roughly 60 percent of global production

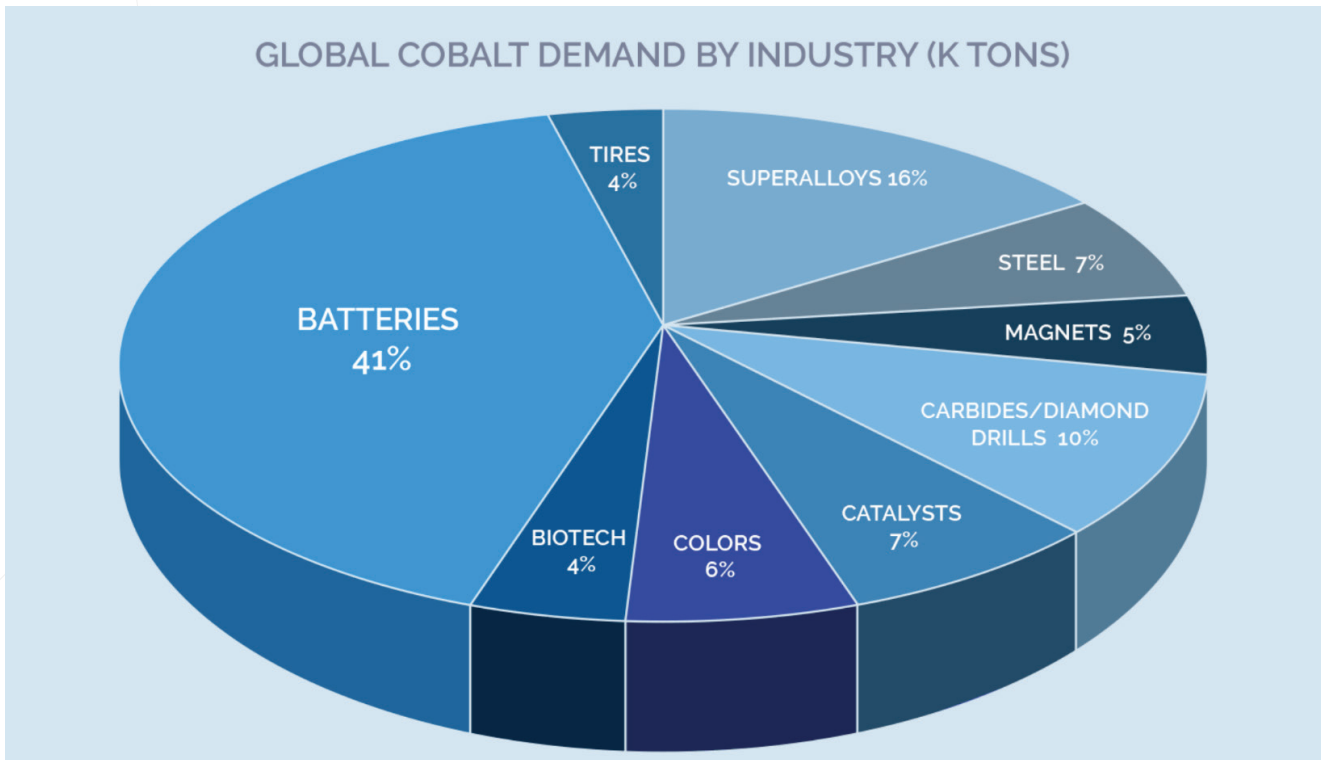
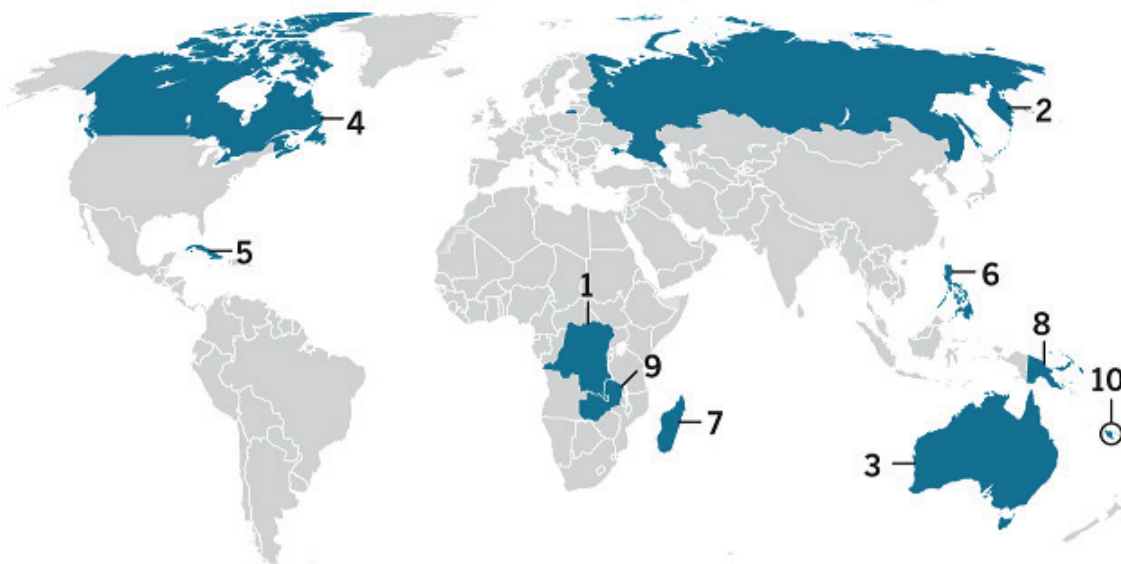


Figure 3: Cobalt is important in battery technologies as shown above, and China accounts for more than 80% of the production of cobalt chemicals and it remains a key producer of batteries.

In 2015, USD 250 million was earmarked for infrastructure projects. At present the total spending on infrastructure is around USD 750 million from a total of USD 3 billion earmarked. However, it is imperative to note that Sicomines deal also won the Chinese an exemption from taxes until infrastructure and mining loans were fully repaid. This means that the resource-rich country will not receive any substantial income from the agreement in the foreseeable future (Larrarte & Claudio-Quiroga, 2019).

Cobalt mining centers

Car and cellphone batteries have sent the price of cobalt soaring. Production is concentrated in the unstable Democratic Republic of the Congo.



Cobalt mining and reserves (in metric tons)

Country	Mine production (2017)	Reserves (economically viable)
1. D.R. Congo	64,000	3.5 million
2. Russia	5,600	250,000
3. Australia	5,000	1.2 million
4. Canada	4,300	250,000
5. Cuba	4,200	500,000
6. Philippines	4,000	280,000
7. Madagascar	3,800	150,000
8. P. New Guinea	3,200	51,000
9. Zambia	2,900	270,000
10. New Caledonia	2,800	N/A
United States	650	23,000
Other	8,400	589,000

Identified cobalt resources in the United States — though not yet economically viable — are estimated at 1 million tons. More than 120 million tons of cobalt resources have been identified on the ocean floor.

Source: U.S. Geological Survey

Shaffer Grubb / U-T

Figure 4: A Map showing cobalt mining centers around the world.

Due to widespread criticism and condemnation of the deal for being skewed in favor of China, the IMF intervened and the deal was revised. However, the IMF intervention which changed the terms of Sicominex did more harm to the DRC than to China. The reduction from USD 9 billion to USD 6 billion investment “reduced the Chinese obligations by 33 percent and the infrastructure benefit to the DRC by 50 percent while China still get access to minerals worth over USD 50 billion. The reserves ceded to China under the first deal remained unchanged. China will still receive 10 million tons of copper and 600,000 tons of cobalt.



Figure 5: An open pit mine in Kolwezi, Democratic Republic of Congo, where cobalt and copper is extracted.

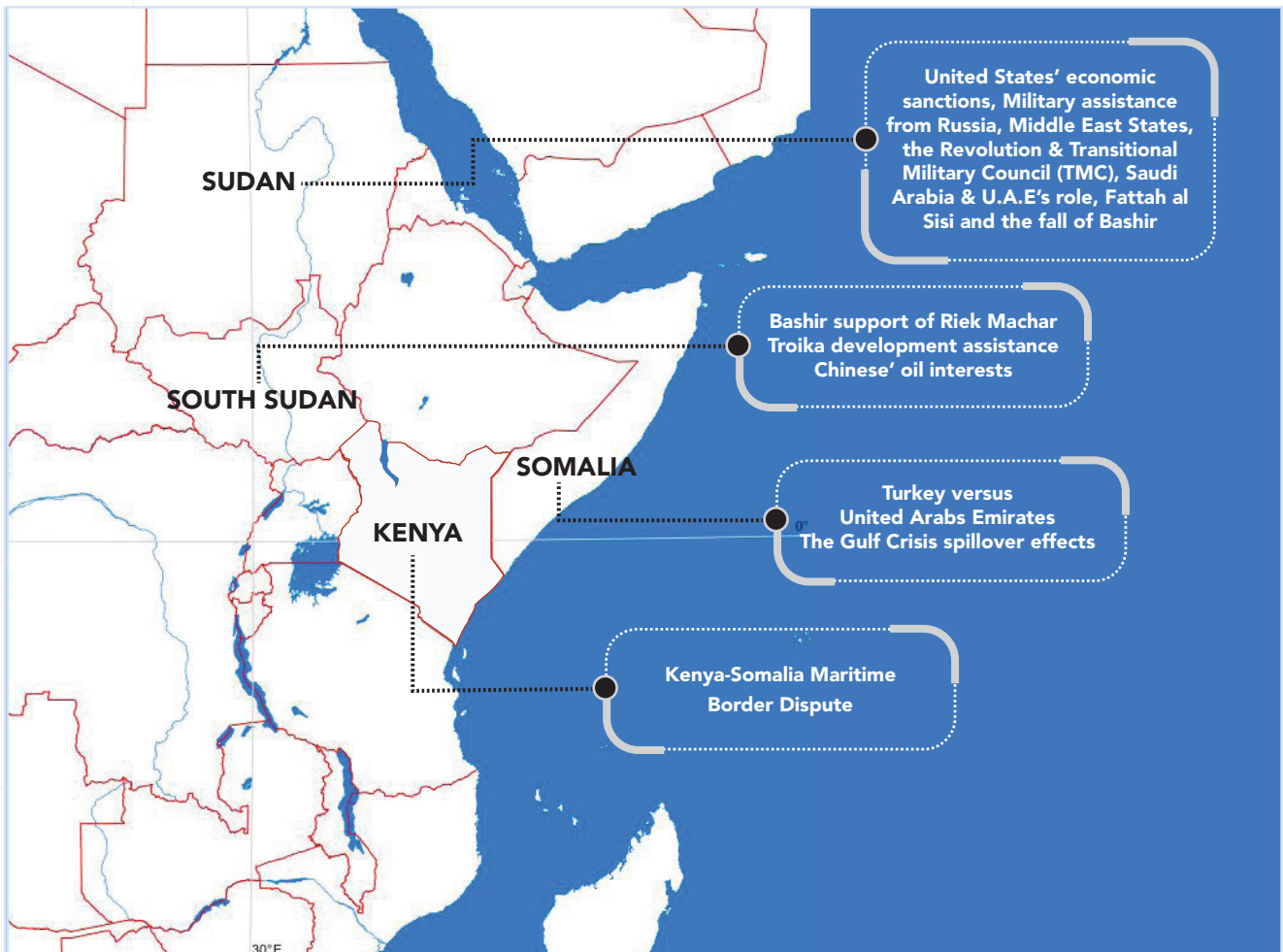


Figure 6: Geopolitical Interests and Instability in the Horn of Africa.

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Militarization of the Horn of Africa

The HOA is becoming increasingly militarized by foreign powers as discussed in this section of the study

Military Tenants in the HOA

Leasing of land or facilities in the Horn of Africa to be used as foreign military bases or outposts is not a new development in geopolitical dynamics of the region. In the 1970s, the United States, having established diplomatic relations with Ethiopia in 1908 and kept the alliance with Addis Ababa, established the Kagnew base in Eritrea, for which it paid rent to Emperor Haile Selassie (Luckham & Bekele, 1984). Foreign powers, especially major or contending world powers, have been incrementally establishing military bases in the Horn of Africa region. Such bases have been built on lease contracts, with host countries earning annual rent, military and security assistance, and development assistance from the hosted military powers. This militarization of the region has exploited existing or new alliance systems between Horn of Africa, Middle Eastern, Euro-Atlantic, and Asian countries.

However, military powers enjoying this tenancy are keen on securing their Africa interests, from the Red Sea all through West Africa. Such interests range from international sea trade along the Red Sea strip and foreign direct investments (FDI), to security (counter terrorism, peace keeping and humanitarian assistance) and political interests (geopolitical rivalry) as shown below:

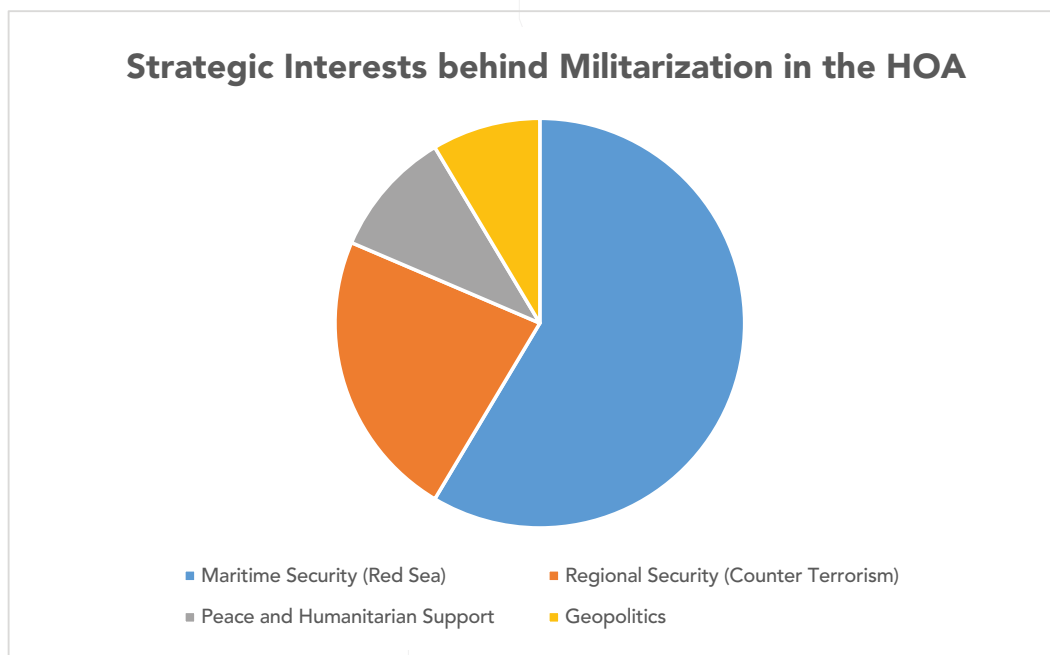


Figure 7: Strategic Interests behind militarization in the Horn of Africa (HOA)

Sea trade in the Red Sea, is the most significant factor influencing the militarization of the Horn of Africa. This is because trade is one of the greatest growth engines for the world economy, especially for industrial economies, and lifeline for developing economies is trade – Sea trade being the heaviest. The United Nations Conference on Trade and Development - UNCTAD (2015), estimates that around 80 per cent of global trade by volume and over 70 per cent of global trade by value is carried out over maritime trading routes. The Red Sea currently carries more than 10 percent of global sea-borne trade, feeding the demand for oil and gas in the west and North America (from the Gulf region) and facilitating the flow of goods between Europe

and the Asia Pacific (al Rasheed, n.d.). The Horn of Africa is geo-strategically located at the junction of the Red Sea trade route as shown below:



Figure 8: Top global shipping lines. (Source: World Shipping Council 2015)

On the other hand, piracy of the Somali coast into the Bab el Mandeb strait, has been the single-most significant security threat to the Red Sea trade. This has been largely contributed to by the instability of Somalia and Yemen, bringing heavy costs to bear on global shipping businesses (thereby warranting militarization of the region to secure this sea trade route) as shown below:

Somali piracy has cost global shipping businesses billions

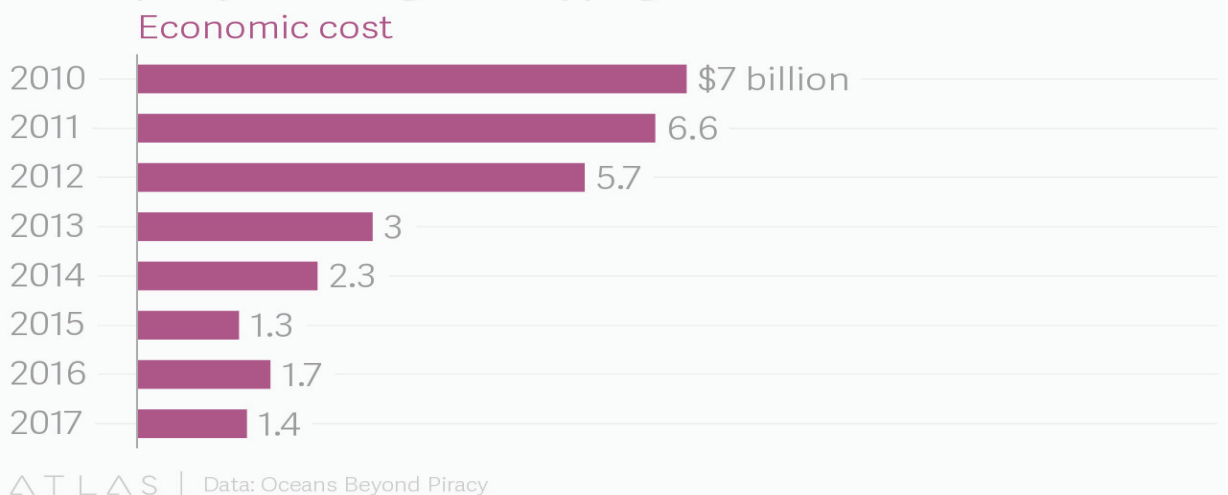


Figure 9: Somali piracy economic cost to global shipping businesses (USD Billion). Source: Oceans Beyond Piracy

However, other strategic objectives such as counter terrorism, have also contributed to the militarization of the Horn of Africa region. This is due to the emergence in the past two decades, of the region as hotspot for terrorism and violent extremism, with ideological exchanges and operational influence of terrorist groups such as al Qaida and ISIS, happening between Horn of Africa and the Middle East. Djibouti in particular, presents operational effectiveness to the US-led counter terrorism

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campaigns in Somalia and Yemen, due to its geographical proximity to both countries. Somalia suffers the scourge of the al Shabab terror group, while Yemen is under the menace of al Qaida (al Qaida in the Arab Peninsula -AQAP). Al Shabab is the affiliate of al Qaida in the Horn of Africa region. Other military powers with military bases and outposts in the region, share the above commerce-driven and regional stability-oriented security interests *inter alia* as shown below:

Table 4: Commerce-driven and regional stability-oriented security interests by military powers.

Military Power	Host Country	Strategic Interests	Active in
United States (US)	Djibouti at Camp Lemonier for USD 63 million annually	Headquarters for US Africa Command – AFRICOM	36 operations in 13 African countries Burkina Faso, Cameroon, Central African Republic, Chad, Democratic Republic of Congo, Kenya, Libya, Mali, Mauritania, Niger, Somalia, South Sudan and Tunisia
		Anti-Piracy	(Red Sea, Bab el Mandeb strait) Somalia, Yemen
		Counter Terrorism	Somalia and Yemen (HOA)
China	Djibouti at Obock town	Commercial shipping Peace Keeping	Red Sea (oil tankers from Middle East, Sudan and South Sudan), and Commercial (non-oil) ships in Chinese sea trade between Europe, Africa and Asia Sudan, South Sudan, Liberia, Mali and the Democratic Republic of Congo
Italy, Germany, France and Spain	Djibouti	Maritime Security and anti-piracy, anti-human trafficking	Red Sea, off Somali Coast
Turkey	Somalia in Mogadishu	Regional Stability, trains Somali security and defence units	Somalia
	**Naval designs on Suakin Island of Sudan for USD 650 million		
United Arab Emirates	Eritrea at Port of Assab Somalia, Berbera in Somaliland	Counter-Insurgency against Iran-sponsored Houthi rebels	Yemen
Saudi Arabia	Djibouti	Interception of Iranian supplies to Houthi rebels Counter-Insurgency	Somali coast Yemen
India	*Naval designs on an island in Seychelles		
Russia	*Request to build military base in Djibouti denied, plans underway to build 'logistics' centre in Eritrea and to build a military base in Sudan in Port Sudan		

Militaries for Hire in the Horn of Africa Region

Another geopolitical trend is taking root in the Horn of Africa region, involving foreign 'hiring' of regional militaries for various 'security' expeditions at both intra-regional and extra-regional levels. This proxy assignment of African militaries from the Horn of Africa region serves both pragmatic and expediency purposes for foreign powers.

a. Ethiopia - United States Military Relationship in Somalia

The United States and Ethiopia have a long diplomatic history beginning in 1908, with military cooperation throughout 1970s during the imperial order under Emperor Haile Selassie. Ethiopia resumed direct military assistance from the United States in 1991 after the fall of the Derg order (of Haile Mengistu) in 1991. This military cooperation between the two countries has made it easy for the United States to seek the services of the Ethiopian military in the pursuit of the former's security and political objectives in the Horn of Africa, especially in Somalia.

The United States, having suffered military humiliation in 1993 against a war-lord (Muhammed Farah Aideed) and allied clan militias, dropped the ground military presence strategy in Somalia. Thus, to overthrow the Islamist government of the Islamic Courts Union in Mogadishu, the United States sponsored the Ethiopian invasion of Mogadishu in 2006. During the Ethiopian occupation of Somalia, through the help (military and financial) of the United States, the ICU government was dismantled and a clan-warlords-allied-and-United Nations-backed Transitional Federal Government was re-installed.

b. Sudan, Saudi Arabia, and UAE in the War in Yemen

Saudi Arabia and UAE consider the Horn of Africa as their western security flank, in their geopolitical rivalry with Iran, Turkey, and now Qatar. The geopolitical struggle has been mainly political, ideological and to an extent religious (Sunni - Shia divide). However, this struggle for hegemony in the Middle East has been turning towards military dominance involving proxy wars and insurrections, naturally sucking in allies from the Horn of Africa. In this military confrontation, Iran chose 'isolated' Horn of Africa countries, such as Sudan and Eritrea, further complicating the Saudi-Emirati western security flank.

In 2010, the Saudi ambassador to Eritrea, Nasir Bin al-Hooti, claimed Iran was supplying material to the Eritrean navy, and training Yemeni Houthi rebels in the country in 2009. The ports of Assab and Ras Doumeira Camp were alleged to be transit points for Iranian consignments to Houthis in Yemen. However, Israeli agencies interpreted Eritrean-Iranian relationship as a strategic threat to Israel in the larger Middle East geopolitical struggle over 'Palestine' (Shaheen, 2010). On the other hand, Iran had maintained closer ties with the UN-US-sanctioned Omar al Bashir government in Sudan for close to three decades of Bashir's rule.

However, in 2015, when President Abd-Rabbu Mansour Hadi of Yemen was overthrown by the Iranian-backed armed rebellion, led by the Ansar Allah (Houthi) movement, the Middle East – Horn of Africa relations were reconfigured. The influence of Iran in Eritrea, Sudan and Yemen, were then interpreted as encirclement by Saudi Arabia, Iran's arch-rival in the Middle East. Saudi Arabia and its key ally UAE embarked on reversing the Iranian encroachment.

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Sudan began cooling off its relations with Iran in 2015 in response to pressure from Saudi Arabia, and in January 2016, it officially severed diplomatic ties with Tehran. Upon the request and financial boost from Saudi Arabia of USD 1 billion, injected directly into the Central Bank of Sudan in 2015, Sudan committed 6,000 troops to the Saudi-Emirati-led war against Houthis in Yemen. During Bashir's visit to Riyadh in 2015, four framework agreements for Saudi Arabia to invest in dams, electricity, agriculture and water in Sudan were signed amounting to USD 1.7 billion. Troops from both the regular armed forces and a parallel 'state militia', the Rapid Support Forces -RSF, are deployed in southern Yemen alongside Saudi-Emirati coalition forces. Sudan committed fighter jets and other military equipment to the war.

In the period 2017-2018, the government of Sudan was quietly contemplating terminating its commitments in Yemen, but the December 2018 uprising and Sudan's economic crisis, complicated the decision. Bashir's government was militarily deposed on April 11, 2019 and the Saudi-Emirati coalition offered direct injection of USD 500 million into the Central Bank of Sudan, and pledged USD 3 billion and more relief programs to the newly erected Transitional Military Council (TMC). The TMC, in turn, pledged continuity of the Yemen policy and involvement of Sudanese forces in Yemen for 'counter-insurgency' objectives of the campaign as shown below:

Areas of control in Yemen

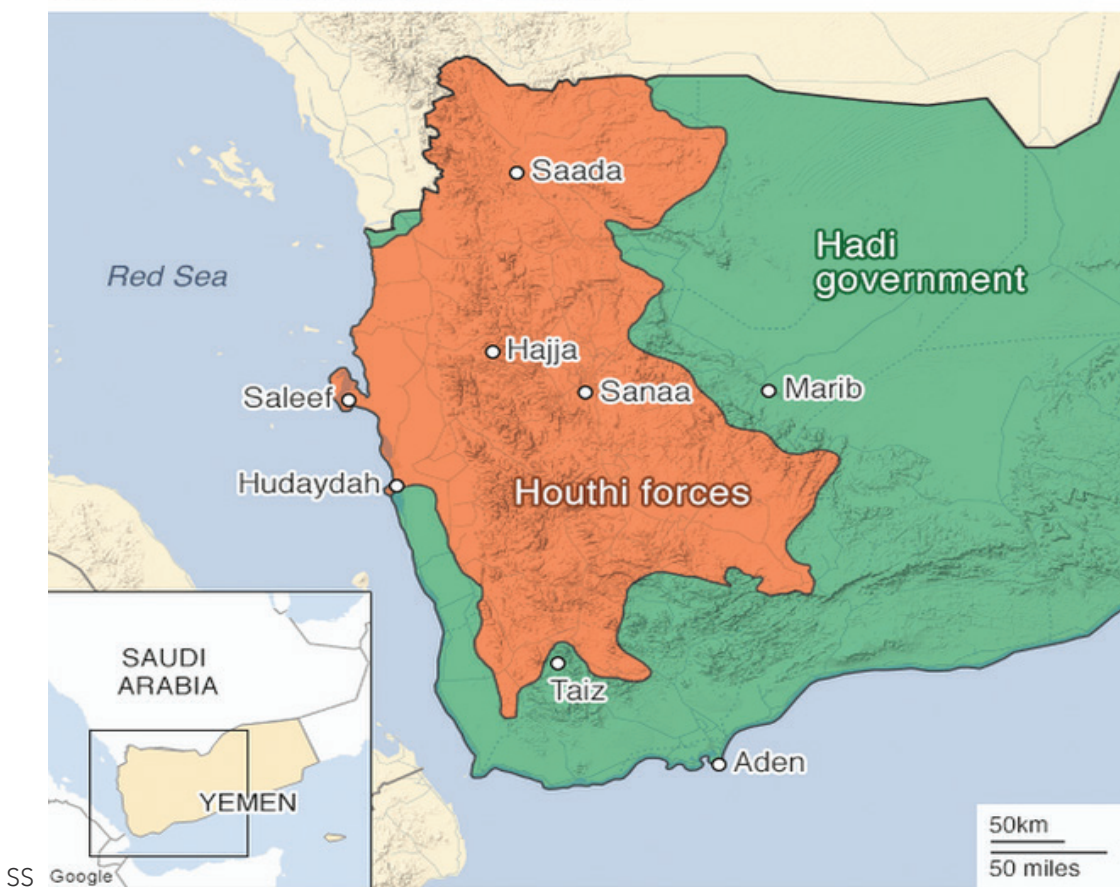


Figure 10: Conflict situation in Yemen. (Source: HIS Conflict Monitor, 2018)

As pressure mounted from Washington D.C., Djibouti was forced to announce it would not give the port to China - China Merchants Port Holdings Company

Impact of the militarization of Horn of Africa and hiring of regional militaries by foreign powers

Militarization of Horn of Africa region, brings short-term financial, developmental and security benefits at bilateral level of cooperation. However, unforeseen realities are likely to play out affecting respective countries' sovereignty and regional stability at large, as follows:

a. Breach of Sovereignty

Countries with foreign military bases are likely to lose some degree of independence and impartiality in domestic and foreign policy frameworks due to undue foreign influence of tenant military powers. For instance, in 2018, when Djibouti seized its Doraleh Container Terminal from the UAE company, Dubai Ports (DP) World, the United States feared Djibouti would lease the port to China.

As pressure mounted from Washington D.C., Djibouti was forced to announce it would not give the port to China - China Merchants Port Holdings Company (Maru, 2019), thus affecting Djibouti's power to conduct its own independent domestic and foreign policy. Somalia, Eritrea and Sudan had to forfeit their ties with Iran, to secure new relationships with Saudi Arabia and UAE. In fact, in 2017, Somalia was under pressure to cut ties with Qatar as part of Saudi Arabia's escalation of the Gulf Crisis.

b. Emboldening of Insurgency and Hostile Nationalism

The use of regional militaries at the service of foreign powers, might inadvertently stoke hostile nationalism or insurgency in the 'theatre' state, thereby undermining the very strategic objectives in pursuit. For instance, the invasion of Mogadishu by Ethiopia between 2006 and 2009, emboldened and popularized the al Shabab (splinter group of the former Islamic Courts Union) insurgency and Somali nationalistic as a resistance group against Ethiopian troops (Human Rights Watch, 2008).

c. Power Vacuum

The use or hire of regional militaries for cross-border assignments, be they ad hoc stabilization missions, is likely to leave power and military vacuums after the expeditions, short of building local military and political capacities in 'target' states. The withdrawal of Ethiopian troops from Mogadishu in 2009, left a significant power vacuum, since the Transitional Federal Government forces in Somalia did not have the capacity to take over effective control of territory and exercise of power in Somalia. Al Shabab capitalized on this power vacuum to bounce back lethally until the African Union Mission in Somalia (AMISOM) forces pushed back on the group's advances. Even so, two decades later, AMISOM has not sufficiently decimated al Shabab.

d. Spill Over Confrontation

Hosting of foreign military bases and involvement of regional militaries in 'leased' combat missions, is likely to attract unintended hostilities to regional contracting states. For instance, the Houthi rebels in Yemen have been threatening to strike Somaliland's Berbera Port in 2017, for hosting the UAE military base at Berbera (Badmus, 2017).

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In March 2009, Mabrouk Mubarak Salim, Minister of State at the Sudanese Ministry of Transport, confirmed that Israeli-United State's airstrikes had killed civilians in Sudan. The strikes were targeted at entities 'smuggling' arms for Iranian agencies to Hamas (Stratfor, 2009). This hostility followed a close relationship between the sanctioned government of Sudan and Iran, at the height of tensions between Tehran on one hand and Tel Aviv and Washington D.C. on the other. Further, troop contributing countries to AMISOM, as did Ethiopia during its occupation of Somalia, continue to suffer intermittent terrorist attacks from the al Shabab group.

e. Spillover of Geopolitical Rivalries

It is natural for geopolitical rivals to pursue each other beyond their immediate spheres of influence, to limit each other's strategic maneuvers and maintain the balance of power. The United States and China are global contending powers and their rivalry is likely to play out in Djibouti as seen above. Sino-Japanese geopolitical rivalry is partly why Japan expanded its military base in Djibouti after China established its base, and is now significantly reinvigorating its military for the first time after the Second World War.

The reconfiguration of Middle East-Horn of Africa relations at the outset of the war in Yemen, is in part, geopolitical games by rivals Saudi Arabia and UAE on one hand, and Iran on the other. To escalate the Gulf Crisis, as observed above, UAE and Saudi Arabia, have been pressuring Somalia to abandon ties with Qatar. Sudan and Eritrea already joined the Gulf Crisis on the side of Saudi Arabia and UAE against Qatar, as a result of the influence of military-financial relations between the Horn of Africa countries and their Gulf equivalents.

f. Tough Diplomatic Options

In the event of building pressure from one side of geopolitical rivalry hosted in one of the regional countries, such a country will be at pains to play the balancing act instead of pursuing maximization of outcomes to their foreign and domestic policies. However, in the event of spill over confrontations and hostilities, respective countries are likely to be tempted to reconsider their policy options or heavily bear the consequences of policy continuity at the expense of its own security.

The reconfiguration of Middle East-Horn of Africa relations at the outset of the war in Yemen, is in part, geopolitical games by rivals Saudi Arabia and UAE on one hand, and Iran on the other.

SECTION

C

Kenya-Somalia Relations:

Understanding the Kenya-Somalia Maritime Border Dispute

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Kenya-Somalia Relations: Understanding the Kenya-Somalia Maritime Border Dispute

Historically, the love-hate relationship between Kenya and Somalia, which can be explained in terms of cooperation and conflict, has been symbiotic. In addition, both countries are members of the regional organizations such as the Inter-Governmental Authority on Development (IGAD), which is one of the seven Regional Economic Communities (RECs) that define the African Union.

Kenya also hosts a significant number of Somalia refugees within its borders, and Somalia nationals contribute to the commercial interests of Kenya. Somalia is the main consumer of *Khat (miraa)* a mild stimulant produced mainly in Meru County (Kenya). It is estimated that the *miraa* trade is worth KES 100 million daily, providing a boost to the Kenyan economy (Kenya National Bureau of Statistics, 2008).

Against this background, it is in the interest of both states to amicably resolve the maritime border dispute for it has the potential of being blown out of proportion; turning neighbors into enemies. But what is really at the center of the maritime border dispute?

The Maritime Dispute: An Exposition

Both Kenya and Somalia claim a maritime zone on the outer limits of the continental shelf beyond 200 nautical miles (the delimitation of these zones is governed by the United Nations Convention on the Law of the Seas (UNCLOS)). The disputed maritime boundary measures about 100 square kilometers. The area is understood to be endowed with hydro-carbon deposits. Both states are generally not well endowed with natural minerals and it is for this reason that the stakes are considered to be high. It is noted that the maritime area is divided into about 46 blocks. Only four blocks are in dispute. It is these four blocks that both Kenya and Somalia claim. This dispute is currently before the International Court of Justice (ICJ). The decisions of this Court are binding to parties that are signatory to the Court.

Kenya's claim is historical and practical. Historically, it is hinged upon two presidential proclamations (of 1979, and 2005) that applied the straight line principle of boundary demarcation. By this principle, Kenya's boundary with Somalia lies along a parallel latitude, and runs eastward, south of Kiunga. Kenya has declared this area an Exclusive Economic Zone (EEZ) for decades. On a practical level, Kenya has had its military presence in this area for much of the time of this dispute. Somalia's claim, on the other hand, is based on the equidistance principle. By this principle, Somalia's boundary with Kenya runs south eastward (see figure 1).

In 2009, Somalia, unsatisfied with the status quo, sought the procedural way to resolve the dispute, through the Commission on the Limits of the Continental Shelf (CLCS). Kenya responded to the Somalia move by initiating talks that led to a Memorandum of Understanding with Somalia in which each country would grant the other no-objection in relation to the continental shelf beyond 200nm,

Kenya's claim is historical and practical. Historically, it is hinged upon two presidential proclamations (of 1979, and 2005) that applied the straight line principle of boundary demarcation

in keeping with Article 76(8) of UNCLOS. However, on August 28, 2014, Somalia instituted proceedings against Kenya before the International Court of Justice (ICJ) citing lack of progress, requesting ICJ to amicably determine, on the basis of international law, the complete course of the single maritime border dividing the two countries (HORN Institute Policy Brief, 2019).

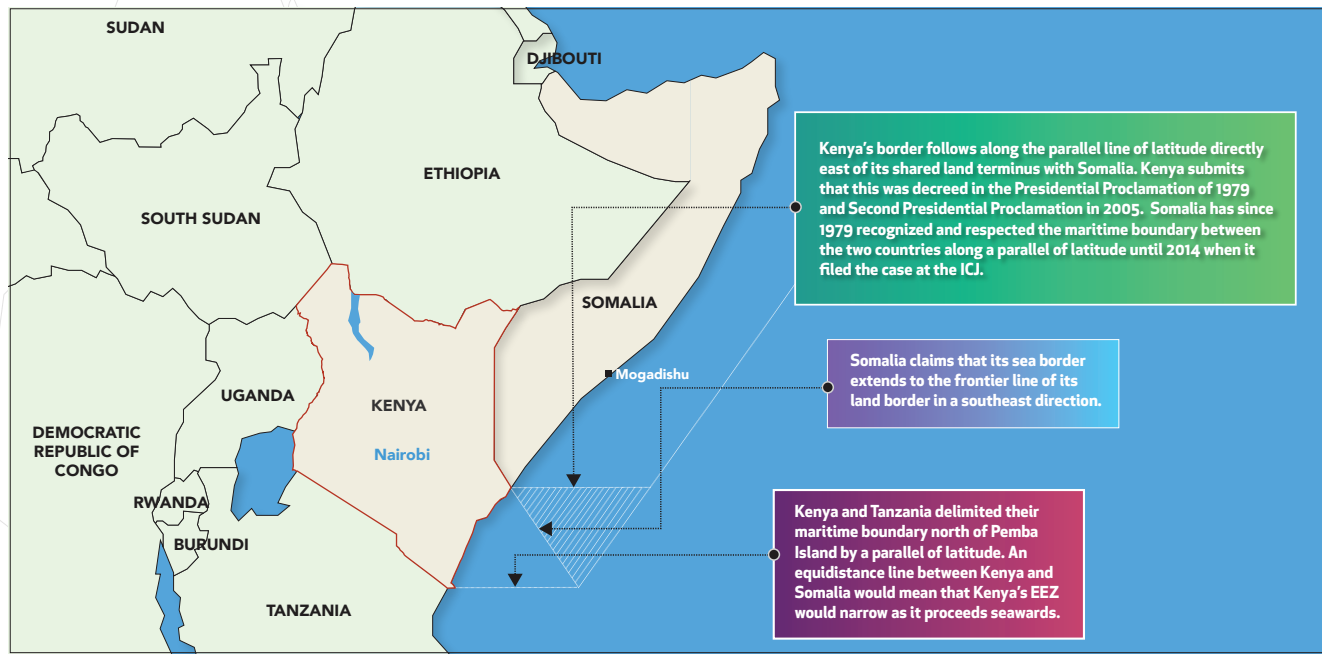


Figure 11: This infographic shows Kenya and Somalia's claims in the ongoing maritime border dispute. (Source: The HORN Institute)

Review of an ICJ Case on Border Disputes Similar to the Kenya-Somalia Dispute: Demonstrating Systemic Bias

There has been a similar case to the Kenya-Somalia one before ICJ, as highlighted in this section.

a. Territorial and Maritime Dispute (Nicaragua v. Colombia) Judgment of November 19, 2012

On December 6, 2001, the Republic of Nicaragua filed an application instituting proceedings against the Republic of Colombia in respect of a dispute concerning "a group of related legal issues subsisting" between the two States "concerning title to territory and maritime delimitation" (The Court rejected requests for intervention by Costa Rica and Hungary).

In its Judgment rendered on the merits of the case on November 19, 2012, the Court found that the territorial dispute between the Parties concerned sovereignty over the features situated in the Caribbean Sea. With respect to Nicaragua's claim for delimitation of a continental shelf extending beyond 200 nautical miles, the Court observed that "any claim of continental shelf rights beyond 200 miles [by a State party to the 1982 United Nations Convention on the Law of the Sea (UNCLOS)] must be in accordance with Article 76 of UNCLOS and reviewed by the Commission on the Limits of the Continental Shelf". Given the object and purpose of UNCLOS, as

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stipulated in its Preamble, the fact that Colombia was not a party thereto did not relieve Nicaragua of its obligations under Article 76 of that Convention.

In order to effect the delimitation of the maritime boundary (within 200 nautical miles of the Nicaraguan coast), the Court first determined what the relevant coasts of the Parties were, namely those coasts the projections of which overlapped. To effect the delimitation, the Court followed the three-stage procedure previously laid down by and employed in its jurisprudence.

First, it selected the base points and constructed a provisional median line between the Nicaraguan coast and the western coasts of the relevant Colombian islands opposite the Nicaraguan coast.

Second, the Court considered any relevant circumstances which might have called for an adjustment or shifting of the provisional median line so as to achieve an equitable result. It observed that the substantial disparity between the relevant Colombian coast and that of Nicaragua (approximately 1:8.2), and the need to avoid a situation whereby the line of delimitation cut off one or other of the Parties' ties from maritime areas into which its coasts projected, constituted relevant circumstances. The Court noted that, while legitimate security concerns had to be borne in mind in determining what adjustment should be made to the provisional median line or in what way that line should be shifted, the conduct of the Parties, issues of access to natural resources and delimitations already effected in the area were not relevant circumstances in this case.

Third, and finally, the Court checked that, taking account of all the circumstances of the case, the delimitation thus obtained did not create a disproportionality that would render the result inequitable. The Court observed that the boundary line had the effect of dividing the relevant area between the Parties in a ratio of approximately 1:3.44 in Nicaragua's favor, while the ratio of relevant coasts was approximately 1:8.2. It concluded that that line did not entail such disproportionality as to create an inequitable result.

Nicaragua welcomed the judgment. However, the President of Colombia rejected it, stating that: "The borders between nations cannot be in the hands of a court of law, ... They must be drawn by agreement between the countries involved." He announced that Colombia will leave the 1948 Pact of Bogotá. Under Article XXXI of the Pact of Bogotá, parties recognize that it is bound by the compulsory jurisdiction of the ICJ in relation to the four matters specified therein. The judgment was delivered on November 19, 2012. Colombia expressed its intention to denounce the Pact of Bogotá on November 27, 2012.

The two countries continue to dispute over parts of the sea apportioned by the ICJ, and on September 16, 2016, and November 26, 2013, Nicaragua again submitted two applications before the ICJ asking it to settle the boundary beyond 200nm fixed by the 2012 judgment, and on a "dispute concerning the violations of Nicaragua's sovereign rights and maritime zones declared by the Court's Judgment of November, 19, 2012 and the threat of the use of force by Colombia in order to implement these violations." Because the denunciation takes one year to come into effect, the Pact of Bogotá remained in force for Colombia until November, 27, 2013. The Court upheld its jurisdiction to consider these cases. The Colombian President subsequently stated that Colombia will not accept a ruling by a third party and will not "participate" in the case.

Posner (2004) opines that in the event of a judge sitting in a hearing involving his home country as a party, the respective judge may recuse himself, in which case the state shall appoint an ad hoc judge in their place

The purposeful failure by Colombia to honor the judgment of the Court illustrates the little regard with which the ICJ is held by states particularly with regard to matters that touch on territorial integrity. It highlights the importance of bilateral agreements between neighboring states as opposed to third party judgments when it comes to territorial and maritime disputes.

b. Systemic Bias of the International Court of Justice

A study by Posner (2004) indicates that judges vote in favor of the appointing state (for ad hoc judges) or their home country (for permanent judges) about 90 per cent of the time. In the event of judges' home or appointing countries not being party to cases before them, they vote in favor of the state with closer political or economic links to their home states – home or appointing states of sitting ICJ judges in the Somalia versus Kenya case should be identified to determine their relationship with Somalia on political, economic and security levels.

Votes of Party and Non-party Judges in Proceeding

Judge	Vote in Favor of Applicant		Vote in Favor of Respondent	
	ratio	percentage	ratio	percentage
Party-national	15/18	83.3	34/38	89.5
Party- ad hoc	57/63	90.5	37/41	90.2
Party total	72/81	88.9	71/79	89.9
Non-party	656/1356	48.4	638/1358	47.0

Source: Posner, 2004

c. Remedy for party-national judge and perception of bias

Posner (2004) opines that in the event of a judge sitting in a hearing involving his home country as a party, the respective judge may recuse himself, in which case the state shall appoint an ad hoc judge in their place. He further notes that obvious judicial bias by ICJ provokes the disfavored state not to agree to grant the court jurisdiction by treaty. Posner (2004) observes that disfavored states withdraw from compulsory jurisdiction, or narrow it with reservations, if not refuse to submit to compulsory jurisdiction in the first place. However, he holds that states submit cases by special agreement only when they can eliminate certain judges from the panel seized of the matter.

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Understanding the positions of Kenya and Somalia in the ongoing Maritime Border Dispute

Kenya's Position

To Kenya, Somalia should embrace the '45 degree maritime rule' in determining the maritime boundary. The insistence by Somalia that Kenya accept the '90 degree maritime rule' is to miss the issue. The '90 degree rule' will to a large extent make Kenya a land-locked State. Kenya would not be in a position to freely access the sea and this would greatly hamper its ability to determine its economic destiny. The port of Mombasa, an economic hub, would be inaccessible without the permission of Somalia. The situation would be grave given the political instability in Somalia, and the fact that the central government only controls a small part of Somalia. It is this uncertain economic future that Kenya is not ready to face and prefers an out-of-court settlement.

Further to the above, Kenya strongly feels that to 'give up' the disputed area would have negative consequences on the country's security. For Kenya, Somalia's claims of her maritime territory is a matter of national security. It is an affront to Kenya's territorial integrity, which is protected under international law. Besides, Kenya has been administering the area being claimed by Somalia as part of its territory unabated since time immemorial. Any demands on the same are an existential threat and an affront to its territorial integrity.

For Kenya, an out-of-court settlement would represent a win-win outcome and will promote Pan-Africanism and good neighborliness. To Kenya, the maritime dispute can be resolved by embracing the ideas and ideals of the founding fathers of Pan Africanism such as Kwame Nkrumah, Julius Nyerere, and Leopold Sedar Senghor. The solution to Africa's problems lies not with the Western World, but with Africa. The guiding principle is that 'African problems are best solved by the Africans'. In other words, it is Africans who best understand their problems, and are therefore best placed to find solutions from within the continent. The solution to resolving border disputes lies in the acceptance of mediation, conciliation, and arbitration within the context of the African Union (AU) (Amate, 1986).

Kenya sees Somalia as an ungrateful neighbor that does not appreciate the role that it has played, and continues to play, in stabilizing Somalia. This has taken the form of Kenya using its military to not only protecting Somalia from the threats of al Shabab terrorists, but also providing much-needed support of institution and capacity building in Somalia. The aid to Somalia has been consistent over the years despite the enormous human and financial cost to Kenya. Also, Kenya continues to play host to thousands of Somalia refugees for decades, yet they have, in one way or another, compromised and complicated Kenya's security situation. Dadaab refugee camp has become a breeding ground for suspected al Shabab sympathizers.

Kenya is borrowing geopolitics that was advanced by the likes of Mackinder (1904) in his *Heartland Theory* that assumes that both sea and land power are important to a state's security. According to the Theory, the recognition, visibility and military strength of the British emanated from their prowess at Sea. The British were a naval

For Kenya, an out-of-court settlement would represent a win-win outcome and will promote Pan-Africanism and good neighborliness.

However, Somalia's current domestic politics dictates that if Farmajo was to agree to Kenya's demands for an out-of-court settlement of the maritime dispute, it may mark the beginning of the end for his political career

power that for many years ruled the sea at will. This sea power transformed Britain into an economic and military power. It was not a surprise that Britain ended up controlling large areas of the world through imperialism and colonialism.

Today, the same applies to Russia that has annexed parts of Ukraine (Crimea) given the realization that without this control, it will not be able to have unlimited access to the Black Sea. Note that the Russian naval fleet is in the Black Sea. Therefore, the strategic importance of the Black Sea to Russian security interests and its relations with the European Union and the USA cannot be gain said. To Kenya therefore, not having access to the Indian Ocean would diminish its geostrategic advantage and greatly compromising its national security. In other words, Kenya will not be able to conduct sea patrols that are crucial in controlling counterfeits, managing terrorists, pirates and illegal drugs, without the permission of Somalia and Tanzania. It is a frightening prospect for any sovereign state.

Kenya also sees the President of Somalia, Mohamed Abdullahi Mohamed (also referred to as Farmajo) as a stumbling block to the peaceful resolution of the maritime dispute. To Kenya, Farmajo has been captured by Somalia's domestic politics. It is a fact that Farmajo only controls a small part of the greater Somalia. In addition, many local Somali residents doubt his sincerity in coming up with a solution to the dispute given his dual citizenship (Farmajo holds both Somalia and US citizenship). However, Somalia's current domestic politics dictates that if Farmajo was to agree to Kenya's demands for an out-of-court settlement of the maritime dispute, it may mark the beginning of the end for his political career.

Finally, it is plausible that Somalia may be acting on account of insidious foreign powers exerting pressure on her for their own economic benefit rather than Somalia's. Norway for instance, has emerged as a partisan player in the evolving dispute. In her submission to the UN Commission on the Limits of the Continental Shelf (CLCS), Somalia openly acknowledges both technical and financial help received from the Norwegian Government in preparing its submissions. Three Norwegian entities are named in the submissions namely: the Royal Norwegian Ministry of Foreign Affairs, the Norwegian Mapping Authority and the Norwegian Petroleum Directorate. From the submission, it is evident that Norway played an integral role in Somalia's push for the boundary extension and its lodging of the case at the ICJ. Interestingly, a Norwegian company took part in 2019 London petroleum conference, clearly showing vested interests by the Norwegian government. An inevitable conclusion therefore is that vested external interests by Norway could well be driving Somalia's claims on Kenya's maritime territory.

Somalia's Position

Somalia on the other hand, believes that the Kenyan state cannot be trusted to amicably solve the maritime border dispute. Somalia feels that it has a right to defend the territorial integrity of its borders. According to Somalia, it is wrong for Kenya to bring up the maritime issue at this moment yet Somalia has always laid claim to the area since 1978. Kenya had the time to resolve the issue before the matter was referred to the ICJ. Somalia made several attempts to reach an amicable solution but Kenya remained non-committal. Referring the dispute to ICJ was a means of last resort. To Somalia, Kenya needs to be patient and wait for the ICJ ruling that is scheduled for September 2019. Somalia has on several occasions reminded Kenya

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that the decision of the ICJ will be binding, regardless of which way it goes; a position Kenya considers condescending and ill motivated. It is also a matter of note that the current president of the ICJ is a citizen of Somalia, raising potential concerns about his neutrality in the case before his court.

Somalia feels that, unlike Kenya, it is not well-endowed with natural resources. The disputed blocks provide an economic lifeline for Somalia and are therefore worth defending. To the Somalia leadership, to let go the blocks would be to undermine the territorial integrity of the Somalia State to the detriment of its people. Further, Somalia also feels that Kenya is taking advantage of Somalia's civil strife to push its national interests. Somalia further argues that Kenya is acting against the principle of good neighborliness therefore betraying the spirit of African Socialism. Speaking in South Africa during his visit to the inauguration of President Cyril Ramaphosa in May 2017, President Farmajo is quoted as saying Somalis living in South Africa thus: "Hold your heads high, we are strong. Nobody can violate Somalia's territorial integrity...As long as we live, no one can take our land. We will die for it" (Mutambo, 2019, para. 4). These nationalistic pronouncements by Farmajo can also be interpreted in the context of Somalia's domestic politics. Farmajo is seeking re-election as president. The Somalia-Kenya border dispute is therefore a political tool for him to exploit for his re-election campaign. He is hoping that the ICJ will rule in Somalia's favor, in which case he would be considered a hero by his people. The nature of Somalia's domestic politics currently is such that it does not pre-dispose Farmajo to negotiate with Kenya for a diplomatic solution to the dispute.

Another important dynamic is that Somalia has also been uncomfortable with the cordial working relationship between Kenya and Jubaland on one hand, and Kenya and Somaliland on the other. Jubaland that lies to the South of Somalia sees itself as an autonomous state having 'broken away' from the larger Somalia. The US, the United Nations, the AU, the EU, and states of the world have so far not recognized Jubaland as independent from Somalia, for to do so would encourage secessionist movements elsewhere around the world. The argument has been that the relative peace and stability enjoyed by Jubaland is not enough justification for it to earn an independent status. The same applies to Somaliland that is a self-declared autonomous state that has had frosty relations with Somalia.

Kenyan government officials have been reported as having either visited or called for stronger trade ties between the two 'autonomous regions' and Kenya. This has not gone down well with the Somalia government that sees this as an affront on the territorial integrity of Somalia. For example on November 15, 2018, the Somaliland envoy to Kenya Mr. Bashe Awil Omar and the then Kenya Minister for Trade Peter Munya held formal trade talks in Nairobi, Kenya (*Daily Nation*, 2018). In addition, the former Prime Minister of Kenya Raila Odinga has been quoted as having called for the independence of Somaliland to the disappointment of Somalia (*Daily Nation*, 2018).

Despite a contentious maritime dispute, it is in the interest of both states to promote good neighborliness (Abdisamad, 2019, para. 24). It would be counter-productive for either of the states to sacrifice peaceful coexistence at the altar of temporary political expediency. His advice is for Kenya, as a big brother to Somalia, to avoid any action that can escalate the maritime dispute.

It would be counter-productive for either of the states to sacrifice peaceful coexistence at the altar of temporary political expediency

AMISOM and KDF Involvement in Somalia

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AMISOM and KDF involvement in Somalia

AMISOM involvement in Somalia

The mandate of AMISOM, a regional peacekeeping mission under the African Union (AU), is to offer institutional support to the Government of Somalia to enable it stand on its own. It is through AMISOM that several African countries have contributed troops with a view to restoring order and regaining territory that had been lost to the extremist al Shabab terrorist group. The states that have contributed troops include Burundi, Uganda, Sierra Leone, Ethiopia, Kenya, and Djibouti.

AMISOM has had both successes and shortcomings in stabilizing Somalia and ridding it of al Shabab. Successes include protecting officials of the central government of Somalia; capturing and occupying the International Airport in Mogadishu; controlling the port of Kismayu; bringing a semblance of order in Mogadishu, securing major supply lines; facilitating elections that give leaders a level of legitimacy.

The shortcomings include disagreements among AMISOM Troop Contributing Countries on a number of issues; frequent terrorist attacks that have led to major civilian and military casualties; uncoordinated troop withdrawals that have reversed the gains made in fighting al Shabab; dependence on external funding for AMISOM which receives much of its funding from the UN; AMISOM is seen as an occupying force by some locals which compromises intelligence gathering and sharing; a poorly coordinated exit strategy that breeds suspicion among Troop Contributing Countries (Swinkels, 2019) and inconsistent support by the Somalia government. It is the misses that continue to undermine security and the war against terrorism in Somalia, and it is this insecurity in Somalia that continues to poison Kenya-Somalia relations.

The fight against terrorism through AMISOM has faced a number of challenges largely linked to the unwillingness by African governments and the international community to commit resources to this cause. Further, a good number of African states view terrorism as a "peripheral threat", explaining the unwillingness of states to commit additional resources. For instance, the fight against the al Shabab terrorist group in Somalia has not been very effective due to lack of resources. Individual governments are indicating plans to withdraw troops due to this lack of resources.

The imminent withdrawal of AMISOM is bound to negatively impact the ability of the AMISOM force to destroy al Shabab. It is as a result of this lack of commitment that we have seen a resurgence of al Shabab terrorist activities with devastating results. The same al Shabab had earlier killed a number of Burundi soldiers in Lego in June 2015, and hundreds of Kenyan troops in El-Adde in 2016. AMISOM's ineffectiveness has been linked to lack of adequate funding, poor coordination, and a lack of political will among the contributing countries.

The fight against terrorism through AMISOM has faced a number of challenges largely linked to the unwillingness by African governments and the international community to commit resources to this cause

Kenya Defence Forces (KDF) Involvement in Somalia

Many arguments have been advanced for KDFs involvement under Operation Linda Nchi in October 2011 in Somalia that range from fighting terrorist threats, economic considerations, protecting Kenyan citizens from the insecurity prevalent in Somalia, and pursuit of selfish interests by the military and political elite (Migue et al., 2014; Olsen, 2018). Regardless of the reason(s) behind the military incursion, it significantly increased the uneasy relationship between Kenya and segments of the Somali population on one hand, and Somalia and other regional players on the other hand. Some within the Somali population view Kenyan involvement as driven by interests that were at variance with that of the Somalia people.

The KDF entered Somalia in October 2011 with the aim of protecting Kenyans national interests in response to the murder of a British tourist in Lamu, and kidnapping of his wife Judith Tebutt by a Somalia terrorist group in Kiwayu. Kenya saw this as a direct threat to its economic mainstay, tourism, and had to act quickly to safeguard those interests. A few months after KDF entered Somalia, it was integrated into the African Union Mission to Somalia (AMISOM) that has been in Somalia since 2007.

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SECTION

E

The Challenge for Kenya and Emerging Issues Informing Kenya-Somalia Relations

The Challenge for Kenya

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The Challenge for Kenya and Emerging Issues Informing Kenya-Somalia Relations

The Challenge for Kenya

Kenya faces several challenges, including: terrorism, and strained, bilateral relations with its neighbors Somalia.

a. The Al Shabab

The common denominator in the above examples is that the terrorist attacks have been carried out by the al Shabab militant group. Notably, al Shabab has its roots in Somalia where it has continued to wage a violent war against the Somalia government leading to deaths, destruction of property and internal displacement of persons. To al Shabab, the government of Somalia is a puppet of the West and the Kenyan government and therefore lacks legitimacy to govern.

b. Somalia's Non-cooperation

To the Kenyan government, it is the Somalia government that has, by omission or commission, provided an enabling environment for al Shabab to organize terrorist attacks against Kenya. The Somalia government and its people have not been consistent in their support for the KDF. Kenya feels that there is lack of political will on the part of Somalia, which has consistently not provided the much needed intelligence to contain al Shabab. Instead, the Somalia government has engaged in a diplomatic dispute over the maritime boundary, the reported auctioning of oil blocks in the disputed area and portrayed Kenya and the KDF in a negative light. For example, the Somalia government has made specific accusations against KDF by claiming that it has targeted the civilian population in the name of fighting al Shabab.

c. Strained Relations

The defensive strategy has strained relations on the one hand between Kenya and Somalia, and on the other, between Somalia and AMISOM. AMISOM recognizes the difficult task of stabilizing Somalia without sufficient resources and support, especially in the fight against al Shabab, and has been considering an exit strategy from Somalia since the very beginning.

AMISOM's exit strategy follows benchmarked objectives, which have not been met since the start of the mission in 2007. The security situation is critically wanting, the Somalia Security Forces are not ready to take full responsibility of providing security and stability, the internal political situation is volatile and distracts from securing and stabilizing Somalia, and no successor mission has been identified (Swinkels, 2019, p. 1).

The point is that while AMISOM has been discussing leaving Somalia, its key objectives of stabilizing and securing Somalia are yet to be achieved. The Somali

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government sees this as a classic case of sabotage because the withdrawal will leave it badly exposed to the al Shabab militants.

The withdrawal of troops goes against the Somalia government position. The Somalia government has indicated on several occasions that it is not ready for AMISOM's execution of the Concept of Operations (CONOPS), which provides for the implementation of a gradual and coordinated withdrawal of AMISOM troops from Somalia and their replacement with Somali troops (AMISOM, 2013). This, to the Somalia government, is a clear sign of handing over Somalia to al Shabab.

Kenya feels that there is lack of political will on the part of Somalia, which has consistently not provided the much needed intelligence to contain al Shabab

Emerging Issues that Inform Kenya-Somalia Relations

Kenya continues to play host to a number of African refugees who have been displaced from their home countries due to civil strife, political persecution, natural disaster and economic hardship, among others

a. Rise of Abiy Ahmed

Somalia appears to be courting Ethiopia, which traditionally has been a strong Kenyan ally. Ahmed has emerged as a powerful broker not only in Somalia but also in the region. It is instructive to note that the recently elected Ethiopia Prime Minister initially offered to mediate in the border dispute between Somalia and Kenya but his efforts do not appear to have achieved much.

b. Jubaland

The fact that Somalia has increasingly been opposed to the continued presence of the Kenya Defense Forces inside her territory is not a matter in doubt. We have noted elsewhere in this study how the Kenyan state's closeness to both Jubaland and Somaliland has created hostility from the Somalia government authorities. The border town of Balathawa, which lies in Jubaland, is a critical entry point for terrorists, arms, contraband goods and illegal migrants. In its efforts to secure the common border with Somalia against the threat of terrorism, the Kenyan government began building a border wall a few years ago through Balathawa. Although progress has been very slow, about 10 kilometers of the wall has been built. However, evidence suggests that criminal elements within the Somalia state and al Shabab militants have been breaking the wall. It is through this border point that the two Cuban doctors kidnapped from Mandera by al Shabab militants were sneaked into Somalia. The push by Somalia against KDFs continued presence in Somalia has intensified in recent months.

It is noteworthy that while President Farmajo has not publicly commented on the matter, his top officials have been quoted to be negotiating with Turkey, Qatar, Ethiopia and Eritrea to support their military activities in Somalia to take over Jubaland from Kenyan troops (Benjamin, 2019). If true, this development could have far reaching implications on Horn of Africa relations. It has the potential to negatively affect long standing cordial relations between Kenya and Ethiopia. It is not difficult to see why Somalia would go out of her way to court landlocked Ethiopia. By displacing Kenya from Jubaland, Ethiopia would have easy access to sea ports along the Somalia coastline, including the strategic port of Kismayu, thereby greatly boosting her economic interests.

c. The Refugee Problem

The refugee problem is a touchy subject for both the Kenyan and Somalia governments. The Kenyan government has for a long time argued that it has more than its fair share of providing a safe haven for displaced persons. Kenya continues to play host to a number of African refugees who have been displaced from their home countries due to civil strife, political persecution, natural disaster and economic hardship, among others. Among the nationalities comprising refugees housed in Kenyan refugee camps are Somalis, South Sudanese, Ugandans, Burundians, Rwandese, Congolese, Eritreans, and Ethiopians.

A conservative figure by the UN estimates the number of registered refugees in Kenya at between 400,000 and 600,000. For long, Kenya has been viewed as an island of peace in a strife-prone region. Despite Kenya playing host to a number of refugees, the international community has provided little in terms of supporting the

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Kenyan state. This is despite the numerous challenges associated with the presence of refugees in Kenya that include but are not limited to: terrorism and insecurity in general, environmental degradation; conflict over limited resources; proliferation of small arms and light weapons; illicit trade in counterfeit products and ethnic hostilities.

Any action undertaken by the Kenyan government often draws negative reactions from not only the United Nations but also the Somalia government. For example, the Government of Kenya has on several occasions called for the repatriation of the Somalia refugees housed in Dadaab refugee camp. The Kenyan government, through its investigating agencies, has noted that the camp has been used by Somalia militants to plan terrorist attacks in Kenya. Some of the perpetrators of the most recent attack in Nairobi, on DusitD2, can be traced to the camp. To the Somalia government, that is an excuse by Kenya to get rid of the camp to placate the Kenyan population. It is noteworthy that the Somalia government has been vocal in calling for a structured repatriation where only those who want to go back to Somalia are considered. The Somalia government has also argued that the process of repatriation would be better handled by the UN as opposed to the Kenyan government. The Somalia position is ironical given that Kenya is a sovereign state that has jurisdiction over Dadaab. This has led to suspicion and mistrust between the two.

In the recent past, Kenya insisted on the repatriation of illegal immigrants, a majority of whom happened to be Somalis. The Kenyan government was interested in the integration of urban refugees. According to the Kenyan government, a substantial number of refugees had left Kakuma and Dadaab refugee camps illegally, finding their way to other parts of Kenya, particularly in Eastleigh, South B, and South C areas (Nairobi County). This had placed enormous pressure on service amenities in these areas. The Kenyan government's plan to repatriate Somali refugees has attracted hostility from the Somali communities living in both Kenya and Somalia, and this plan has been criticized as selfish, inconsiderate, and engaging in ethnic profiling. This backlash compelled the government to shelve the major policy move (Abdi, 2010).

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SECTION **F** **Conclusions and Recommendations**

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Conclusions and Recommendations

The threat of external interference to the stability of the Horn region is real and imminent. The powers behind this interference are unlikely to change course in the foreseeable future if they are not confronted by a united region with a resolve to chart its own path. Lack of regional unity and joint processes, diplomatic weaknesses, and internal economic challenges, have made Horn countries susceptible to external manipulation and exploitation. The current maritime dispute between Kenya and Somalia is a function of foreign power interference as their entities vie for control of resources and strategic locations at the expense of countries in the region.

Unless urgently resolved, this and a number of other issues have the potential to significantly worsen instability in the Horn of Africa. It is imperative that the dispute is resolved expeditiously because of the potential it has for far reaching negative implications on the stability of the Horn of Africa region. With South Sudan and Sudan being the latest Horn of Africa states to implode characterized by bloodletting, no one wants to see another war front open up in the east coast of Horn of Africa. The fact that Somalia has remained in the throes of instability and conflict, worsened by terrorism and warring Somalia clans, renders the need to forestall further divisions in the region paramount. Further, the overall strategy in stabilizing Somalia should be reexamined if peace and stability are to be achieved both in Somalia and in the region. Below, the study makes some recommendations on the way forward.

A number of approaches can be used to effectively resolve the simmering Kenya-Somalia maritime dispute. Some of these are summarized below:

a. Diplomatic Approaches

These may include normalization of relations, negotiations, use of third parties, and joint dispute resolution.

1. Normalization of Relations with Somalia: Following previous recall and 'expulsion' of diplomats between Nairobi and Mogadishu. Kenya should skillfully but strategically move to normalize relations to repair trust and rebuild confidence between the two countries diplomatically, and to open possibilities of deeper mutual diplomatic understanding and cooperation.
2. Negotiated Agreement: Enter in an agreement which would be binding based on mutual trust and satisfaction through a negotiation process, mutual compromise, and local understanding of common interests. This approach should be explored as the best option. In December 2017, Kenya's Attorney General said, without underestimating the ICJ's important role, that "a negotiated solution to the maritime dispute is the best way of addressing the complexities and sensitivities surrounding the boundary issue."
3. Third Parties: In the event that Kenya fails to convince Somalia to withdraw its application at the ICJ, Kenya should identify a friendly country in the region or

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The allegations of illicit cross-border trade seriously undermine the fight against terrorist groups

outside that has leverage on Somalia. For instance, Ethiopia, because of the Tripartite Agreement of September 2018 with Somalia and its many interests in Somalia, may have leverage over the Mogadishu government.

4. **Compromise:** If Somalia rejects Kenya's incentives and does not withdraw the case, Kenya can offer a compromise on her territorial claim. For instance, Kenya could tilt the existing line of delimitation slightly, as part of the compromise.
5. **Establishing a Joint Maritime Boundary Commission:** A commission which will guarantee mutually acceptable outcomes that are equitable and binding to both parties; if Somalia withdraws its ICJ application. This commission will help in delimitation and delineation of the common maritime boundary according to the provisions of UNCLOS and the mutual agreement between the parties.

b. On Countering Terrorism

1. **Address radicalization:** there is need for the two countries to address radicalization of the youth who are easily recruited by terrorist organizations. Address the issue of youth unemployment and poverty by allowing cross-border trade. Also encourage the youth to engage in more meaningful activities by providing the right environment that appreciates integrity and hard work.
2. **Tackle corruption:** there is need for both Kenya and Somalia to tackle corruption that has poisoned the relationship between the two neighbors. The allegations of illicit cross-border trade seriously undermine the fight against terrorist groups. It betrays the true noble intentions for which Kenya took its military into Somalia and increasing the terror threat.

c. On Greater Regional Integration

Intensify processes for greater regional integration to create a regional bloc with a distinct social, political and economic identity. This will enhance regionalism over parochial nationalism through institutionalized regional processes and common regional and foreign policies. This can be done in part by encouraging more horizontal integration (for instance merging IGAD with EAC) and vertical integration (creation of common institutions and policies).

d. On Dealing with Vested Local and External Interests

The vested interests of the western and Gulf States should not be allowed to soil relations of member states in the horn of Africa. International legal instruments exist to regulate the commercial behavior of multinational companies, while international law provides for regulation of interstate relations. The UN, AU, EU and regional

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organizations such as IGAD and EAC should be utilized to call on those countries and non-state actors whose pursuit of commercial and geo political interests in the Horn of Africa is proving detrimental to the stability of the region. Threat of economic and or diplomatic sanctions can be one way of dealing with rogue states which are fueling discord in the region.

e. On Somalia's Political Balkanization

Domestic political dynamics inside Somalia have also negatively affected stability within Somalia. Regional states such as Kenya, Ethiopia, Eritrea, and Tanzania should increase efforts to build a stronger Somalia state instead of pursuing narrow parochial interests. A conflict-ridden, unstable Somalia state translates to instability within the greater Horn of African region. As Barry Buzan has argued, regional security depends heavily on the national security of individual states within a defined region. Kenya and her other neighbors in the Horn of Africa will therefore benefit more from a stable Somalia state. The current scramble for Jubaland, with the Somalia state appearing willing to use it as a geopolitical bargaining chip will benefit none of the parties involved. Neither Ethiopia, Eritrea, Turkey nor any of the other Gulf States that Somalia is trying to entice with Jubaland for narrow interests, will benefit from the fallout that such an action is likely to cause, with reverberations across the whole the region.

f. On AMISOM Withdrawal

The imminent withdrawal of AMISOM should be carefully managed to avoid a potential calamitous aftermath. The question in the mind of everyone concerned should be: What is the likely consequence of AMISOM withdrawal from Somalia? Have the original objectives of stabilizing Somalia been achieved? Such questions should guide any plan to withdraw as opposed to arbitrary deadlines that may risk Somalia descending further into instability.

The question in the mind of everyone concerned should be: What is the likely consequence of AMISOM withdrawal from Somalia?

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