

**HORN OF AFRICA:
CURRENT CONDITIONS AND U.S. POLICY**

HEARING
BEFORE THE
SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH
OF THE
COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES
ONE HUNDRED ELEVENTH CONGRESS
SECOND SESSION

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HORN OF AFRICA: CURRENT CONDITIONS AND U.S. POLICY

THURSDAY, JUNE 17, 2010

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10:13 a.m. in room 2172, Rayburn House Office Building, Hon. Donald M. Payne, (chairman of the subcommittee) presiding.

Mr. PAYNE. The hearing will come to order. Good morning and welcome. I have convened this important hearing, "The Horn of Africa: Current Conditions and U.S. Policy," to discuss the region of Africa that stays in the headlines perhaps more than any other region on the continent but is yet so misunderstood. This hearing comes on the heels of a similar one on the Great Lakes Region that we had recently. The point of this type of approach is to broaden the focus from particular countries to a regional outlook.

The Subcommittee on Africa will continue to have hearings dealing with other regions in Africa because it is so important that regional integration and cooperation is occurring to determine the future of Africa. Some of you may wonder why a discussion about the Horn of Africa would include the Secretary General of the Sudan People's Liberation Movement. Sudan abuts the Horn and is both impacted and impacts on what happens there. It is a key country which borders nine countries and therefore very essential.

We cannot and must not take a myopic view when we approach these challenges in the African countries and regions. With that view in mind, the inclusion of a witness from Sudan makes absolute sense. As you will hear from our witnesses, the Horn of Africa—named for the shape the peninsula takes as it juts out into the Arabian Sea—has been marred by civil wars, internal political turmoil, inter-state wars, famine, man-made humanitarian disasters.

It is a focal point for the U.S. foreign policy mainly for our counterterrorism—as it is highly vulnerable to terrorist attacks and is considered a safe haven for international terrorist groups as well as for humanitarian concern. Ethiopia and Somalia fought three major wars over the past several decades, while Eritrea and Ethiopia fought a bloody war from 1998 to 2000 in which over 100,000 people were killed and many more displaced. The results of the Hague Decision and the efforts of the Hague decision and the efforts of the Eritrean-Ethiopian Border Commission remains unimplemented, and the two countries have yet to move forward on

the issue of Badme, recognized as part of Eritrea by the Boundary Commission.

Prime Minister Meles of Ethiopia rules with an iron fist, overseeing the violence of the 2005 elections after which nearly 200 innocent people were killed by Ethiopian sharpshooters and countless people were imprisoned. Last month elections were held. Although they were relatively peaceful, they did not meet international standards, according to the U.S. and the EU's commissions. Harassment, detention, and killings of opposition members preceded the elections. Also, changes in laws pertaining to NGOs must have been absent of outside support and also weakened opposition groups. Opposition leader, Ms. Birtukan Mideksa remains in prison and according to Meles will never be released.

Somalia, one of the world's poorest nations, has been marred by fractional fighting and humanitarian disasters since the collapse of the central government in 1991. Famine and lawlessness ensued and an estimate 300,000 Somalis died of starvation during the civil war in the early 1990s.

A peace agreement was reached in 2004, and a Transitional Federal Government was established following a long process in Nairobi. However, Ethiopia invaded in 2006 tacitly encouraged by the former U.S. administration and ousted the Unions of Islamic Courts (ICU). The relative calm that followed the Islamic Courts rule ended abruptly; open conflict erupted in Mogadishu and beyond, and the humanitarian crisis exploded.

The TFG is now led by President Sheikh Sharif Sheikh Ahmed, and he faces a major challenge by the terrorist group Al-Shabaab. I commend the administration for the support it has provided the TFG, and I urge it to increase that support to defeat Al-Shabaab and restore peace.

On the humanitarian side, I am outraged by the continued suffering of the Somali people. The World Food Program's suspension of activities in January in the south and central regions of Somalia has had a devastating effect on the vulnerable populations. We must do more to protect and provide support to the Somali people.

In the North, the people of Somaliland will go to the polls on June 26. I hope the elections are fair and free. In a region that has suffered from wars and anarchy, Somaliland has consistently maintained relative peace and stability. This upcoming election provides a positive milestone for the future of the region and Somaliland.

One of the root causes of political instability in the Horn is the underlying impact of the unresolved Eritrea-Ethiopia stalemate. These two countries have not had diplomatic relations with each other for 11 years, and the two have resorted to pursuing a proxy agenda in Somalia rather than resolve their differences.

Eritrea has become increasingly isolated. However, over the past several years, President Isaias has stated that his government is ready to constructively engage Washington on a wide range of issues, including cooperation on the war on terror. Some opportunities have been missed by the U.S., but President Isaias must also do more to show he is serious about the future.

Djibouti serves as the host to the U.S. Combined Joint Task Force Horn of Africa, a staging area in the war on terror. Djibouti is a strong partner. However, U.S. assistance has been on the de-

cline. I hope to see this change. I also hope recent developments in the border dispute between Djibouti and Eritrea bear fruit where recently they have come to an accommodation, and I commend both countries for that.

In Sudan, the U.S. is committed to seeing the referendum take place on January 9, 2011, and must respect the will of the Sudanese people. We must also do more to help prepare the South as the referendum approaches and for both possible outcomes.

Finally, a word on Kenya: On August 4, the people of Kenya will vote on a referendum to approve or reject the draft Constitution. Outside forces have been waging a negative campaign over the past several months.

The new Constitution includes sweeping and much needed reforms, as called for following the deadly post-election violence in 2008. The process must be allowed to move forward without outside interferences. We cannot go into the 2012 elections without having a Constitution that is approved by the majority of the people of Kenya, and absent that or anything to deter that could once again lead to the horrible bloody deaths which followed the past national elections.

With that, let me turn to the ranking member for his opening statement. Mr. Smith?

[The prepared statement of Mr. Payne follows:]

Chairman Donald M. Payne
Opening Remarks
Hearing of the Subcommittee on African and Global Health
“The Horn of Africa: Current Conditions and U.S. Policy”
June 17, 2010

Good morning and welcome.

I have convened this important hearing, “The Horn of Africa: Current Conditions and U.S. Policy”, to discuss the region of Africa that stays in the headlines perhaps more than any other region of the continent, yet is so misunderstood. This hearing comes on the heels of a similar one on the Great Lakes region. The point of this type of approach is to broaden the focus from particular countries, to a regional outlook. The Subcommittee will hold similar hearings for other regions in Africa.

Some of you may wonder why a discussion about the Horn of Africa would include the Secretary General of the Sudan People’s Liberation Movement. Sudan abuts the Horn, and is both impacted and impacts what happens there.

We cannot and must not take a myopic view when approaching challenges in African countries and regions. With that view in mind, the inclusion of a witness from Sudan makes absolute sense.

As you will hear from our witnesses, the Horn of Africa – named for the shape the peninsula takes as it juts out into the Arabian Sea – has been marred by civil wars, internal political turmoil, inter-state wars, famine, and man-made humanitarian disasters. It is a focal point for U.S. foreign policy mainly for counter-terrorism -- as it is highly vulnerable to terrorist attacks and is considered a safe haven for international terrorist groups -- as well as for humanitarian concerns.

Ethiopia and Somalia fought three major wars over the past several decades, while Eritrea and Ethiopia fought a bloody war from 1998 to 2000, in which over 100,000 people were killed and many more displaced. The results of the Hague decision and the efforts of the Eritrea-Ethiopia Border Commission remain unimplemented and the two countries have yet to move forward on the issue of Badme, recognized as part of Eritrea.

Prime Minister Meles of Ethiopia rules with an iron fist, overseeing the violence of the 2005 elections after which nearly 200 innocent people were killed by Ethiopian sharpshooters and countless people were imprisoned. Last month, elections were held, and though they were relatively peaceful, they did not meet international standards, according to the U.S. and the EU. Harassment, detention, and killings of opposition members preceded the elections. Opposition leader Ms. Bertukan Mideksa remains in prison and according to Meles, will never be released.

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A peace agreement was reached in 2004 and the Transitional Federal Government was established following a long process in Nairobi. However, Ethiopia invaded in 2006, tacitly encouraged by the former U.S. Administration, and ousted the Union of Islamic Courts. The relative calm that followed the Islamic Courts rule ended abruptly; open conflict erupted in Mogadishu and beyond, and the humanitarian crisis exploded.

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One of the root causes of political instability in the Horn is the underlying impact of the unresolved Eritrea-Ethiopia stalemate. These two countries have not had diplomatic relations with each other for 11 years and the two have resorted to pursuing a proxy agenda in Somalia rather than resolve their differences.

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campaign over the past several months. The new constitution includes sweeping and much needed reforms, as called for following the deadly post-election violence in 2008. The process must be allowed to move forward without outside interferences.

I now turn to the Ranking Member for his opening statement.

Mr. SMITH. Thank you very much, Mr. Chairman, and thank you for calling this very important hearing. The peoples living in the Horn of Africa confront some of the most repressive governments in the world, and for many of them, the conditions of daily life constitute a humanitarian disaster. In southern and central Somalia, which has lacked a functioning government since 1991, most of the people live in areas controlled by Al-Shabaab, a foreign terrorist organization affiliated with al-Qaeda.

We can hardly imagine the injustices and hardship of their lives in an ungoverned land that has become a haven for terrorists and pirates. It seems that the situation has only grown worse since last June when Chairman Payne last called a hearing to examine the situation in Somalia, and certainly it has grown worse since 2006 when I, as chairman of this committee, called a hearing on Somalia. I understand the administration is reviewing its policy toward Somalia. Certainly, it is time to do that, and I look forward to hearing and learning about the options in this very, very sad and tragic situation.

As to Ethiopia, Mr. Chairman, in recent years our Government has officially recognized the grave human rights abuses of the Meles government. But both under President Bush and now under President Obama, our diplomacy has given Meles a free pass. I would like to read from the summary of the State Department's 2009 Country Report on Human Rights Practices on Ethiopia:

“Unlawful killings, torture, beating, abuse and mistreatment of detainees and opposition supporters by security forces often acting with evident impunity; poor prison conditions; arbitrary arrest and detention, particularly of suspected sympathizers or members of the opposition or insurgent groups; police, administrative and judicial corruption; detention without charge and lengthy pretrial detention; infringement on citizens' privacy rights, including illegal searches; use of excessive force by security services in internal conflict and counterinsurgency operations; . . . arrest, detention and harassment of journalists; restrictions on freedom of assembly and association. . . .”

The rest of the report continues that very significant indictment of the human rights policies of the Meles government. You mentioned the killings that occurred, the slaughter, in 2005. Well, right after that occurred, I traveled to Ethiopia. In Addis I met with President Meles, who was absolutely dismissive and really held in contempt the international community's concern and my concern regarding those killings where security forces gunned down people in the street who were protesting the corrupt election and the process that was followed.

In regard to the May 23 elections in Ethiopia and the weeks and months prior to the elections, it is well established that the Meles government suppressed the democratic opposition. Human Rights Watch concluded that

“the Ethiopian Government is waging a coordinated and sustained attack on political opponents, journalists and rights activists ahead of the May 2010 elections. Opposition candidates and activists including Birtukan Mideksa were assaulted or detained by police, and many opposition groups were prevented from opening local offices.”

In December of '09, the most prominent opposition newspaper was closed, and in April 2010, the government began jamming Voice of America broadcasts, so I want to thank other members, including my colleague, Mr. Royce, who joined me in a letter to Assistant Secretary Carson calling on our Government to send a strong unequivocal message to the Ethiopian Government that its conduct during and after these elections will be a very important factor in the development of U.S.-Ethiopian relations

Since the election was in fact a sham, what is called for are not a few soft post-election words but a fundamental reorientation of our policy supporting not Meles, but the aspirations of the people of Ethiopia to live in freedom and dignity. Eritrea is a country that should receive much more attention than it does from our Government and from the international media. Five million people suffer under that government which Freedom House lists as among the nine countries it judges to have the worst of the worst human rights conditions in the world.

Somalia is also on the worst of the worst list, but of course, there was no government responsible for the tragic state of that country. Since there was strong evidence that the Eritrean Government supplies Al-Shabaab and similar groups in Somalia, it seems our Government should classify Eritrea as a state sponsor of terrorism, and I look forward to a discussion on that point. Mr. Chairman, I look forward to hearing our witnesses. I am glad we will be focusing again as we do almost every time this subcommittee convenes, and that is on the situation in Sudan.

Obviously, our concerns are absolutely profound with the upcoming elections from the plebiscite that will occur, and as we have had witnesses tell us again and again, the huge caches and munitions and arms that are being smuggled into Southern Sudan raises very, very ominous concerns about what is intended, in the disruptions and the slaughter, the killings that might occur if that situation is not defused and mitigated.

Finally, on Kenya, you did make mention of outside sources trying to influence the outcome of the Kenyan Constitution. I would point out that the Kenyan Constitution includes language that was crafted by a panel of experts, apparently with an enormous amount of input from outside of Kenya, that radically rewrites their Constitution with regards to abortion. Virtually all of the churches in Kenya—the Catholic Church, the Anglican Church, the National Council of Churches' representatives and Evangelicals—are against the Constitution because it allows abortion on demand, which has not happened.

Kenya's population and the polling that has been done shows 60 to 70 percent of the people in Kenya believe in the sanctity of unborn children and reject the violence of abortion whether it be chemical poisoning or dismemberment of a child, and that is the reason why there is such angst regarding this Constitution. Recently, a group of "no" campaigners, mostly under church auspices, were attacked by bombs just within the last few days. A half a dozen died, and maybe the number is higher by now. Approximately 70 were wounded.

The source of that is not known, but it does raise very serious concerns about the attempts to disrupt the "no" campaign. The Constitution ought to be, in my opinion, the pro-abortion language excised out of it. If that is going to be discussed, let it be done by the legislature, but not through a Constitution reform, which contains a lot of other things that ought to be put into place. Nobody disputes that, so it is not outside forces I would respectfully say. It is internal. The people of Kenya, especially the faith community, is diametrically opposed to the killing of Kenyan babies and the wounding of their mothers by way of abortion.

Let me also say that the Obama administration has provided some \$11 million, and we do not know to whom and how that money has been used. It may be higher. I have been joined by Ileana Ros-Lehtinen and Darrell Issa of the Government Reform Committee. We have asked for a full Inspectors General investigation and a General Accountability Office investigation into what the money has been used for because if we are backing legislation that radically alters the Constitution, which then radically alters the pro-life policy of Kenya, that is in violation of United States law.

The Siljander Amendment makes it absolutely clear that the U.S. Government cannot lobby either for or against abortion, and if we are lobbying for a vehicle, a bill, a Constitution reform proposal that radically changes it, our Government will be in violation of our own U.S. law. So the "outside forces" are really the inside forces. The outside forces are really the U.S. Government, we believe, and foreign non-governmental organizations, including at least 20 pro-abortion, non-governmental organizations heavily backed by U.S. funding that are trying to promote the "yes" campaign.

I hope that they go back to the drawing board and quickly excise that abortion-related language and bring back a Constitution reform that the country can rally around because they certainly do need a Constitution. I thank you, Mr. Chairman.

Mr. PAYNE. Thank you very much. We will begin with our witnesses. Excuse me? Yes, Mr. Fortenberry. I didn't see you slip in. Thank you. Sorry. I yield you as much time as you may consume.

Mr. FORTENBERRY. Thank you, Mr. Chairman. I appreciate your willingness to hold this hearing today, and I appreciate the opportunity to dialogue with our distinguished witnesses and look forward to your scholarly insights on the developing in the Horn of Africa, but, Mr. Chairman, I would like to focus my comments on Somalia.

As I see it, Somalia is hanging by a thread, and the United States is in the unenviable position of reconciling two complex yet

fundamental policy objectives brought into stark relief by the release this week of the Department of State's Trafficking and Persons Report, which noted that the Somali Government is using child soldiers as young as 9 years of age in its fight against militants. There is a harsh dichotomy that presents an affront to our principles and moral sensibilities.

On the one hand, we must work to help prevent spiraling instability and promote a semblance of just order in the midst of a highly volatile security situation, and in tandem we are obligated by law to combat the gruesome crime of child conscription, a most serious human rights violation especially prevalent in the world's ungoverned spaces where children can easily fall victim to coercion and abhorrent abuse. As one of the authors of the Child Soldiers Prevention Act, which was incorporated into the William Wilberforce Trafficking Victims Prevention Act of 2008, I am deeply concerned about this situation, and we must have an urgent dialogue about ending this pernicious human rights abuse.

Given that Somalia's defense, culture and higher education ministers recently quit their post in frustration over the Transitional Federal Government's lack of progress in bringing order to that country, we need to have a clear understanding of the current situation as well as the United States policy options. We must also discuss how the U.S. can best use its limited resources to compel the responsibility communities of the nations to strengthen their efforts to combat Somalia's rapid evolution into a barbarous and chaotic safe haven for terrorists.

I would welcome hearing from our panelists on the way forward for U.S. security interest as well as human rights policy in Somalia. How do we move forward most effectively to both support stability and justice in such a chaotic and unpredictable environment? Mr. Chairman, I would like to ask you to convene a followup hearing on the specific situation in Somalia if you would give that consideration, and I think we need to explore this critical issue with the administration as well. Thank you.

Mr. PAYNE. Thank you very much. I agree. I know we are all opposed to the use of child soldiers, and if that is indeed occurring with the TFG, we certainly should have that looked into. We have also been joined by Dr. Boozman. I yield to him.

Mr. BOOZMAN. Thank you, Mr. Chairman. I don't have a comment. I just appreciate the hearing.

Mr. PAYNE. Thank you very much. Now we will introduce our witnesses. First, we will hear from Ted Dagne. Mr. Dagne is a specialist in Africa Affairs at the Foreign Affairs Defense and Trade Division of the Congressional Research Service (CRS) and has offered his expertise to the CRS since 1989. Between his work at CRS, Mr. Dagne served as professional staff member of the House Foreign Affairs Committee, Subcommittee on Africa under chairmanship of Congressman Henry Johnson from 1993 to 1995.

From 1999 to 2000, Mr. Dagne served as a special advisor to President Clinton's Special Envoy for Sudan and to Assistant Secretary of State for African Affairs, Dr. Susan Rice, our U.S. Ambassador to the U.N. Over the past 20 years, Mr. Dagne has written over 2,000 major studies on Africa and has co-authored two books on Somalia and Africa and the war on terror. He also serves as the

associate editor of the Mediterranean Quarterly journal. Mr. Dagne is a graduate of Howard University here in Washington, DC.

Next, we will hear from Ms. Leslie Lefkow, who currently serves as senior researcher and Horn of Africa team leader in the African Division at Human Rights Watch. While at Human Rights Watch, Ms. Lefkow has used her specialty in abuses in armed conflict and humanitarian crisis to conduct research in Sudan, Cote d'Ivoire, Liberia and Somalia. Before joining Human Rights Watch, Ms. Lefkow worked for humanitarian organizations in Sudan, the Democrat Republic of the Congo and Sierra Leone. She holds graduate degrees from the University of Columbia in law and Bryn Mawr College.

Following Ms. Lefkow is Ms. Sadia Ali Aden. Ms. Ali Aden is a human rights advocate, freelance writer and co-founder of the Adar Foundation, Somali Diaspora Youth and the founder of the Diaspora Voice. Ms. Ali Aden's articles have been published in various publications, including foreign policy forum, IslamOnline, alJazeera Magazine and the World Press. She has appeared for a number of interviews on NPR and BBC and other media outlets. Notably, Ms. Ali Aden is also finalizing her studies in medicine. Congratulations.

Next, we have Dr. Ken Menkhaus. Dr. Menkhaus is professor of political science at Davidson College and joined the Davidson faculty in 1991 with his specialization, which includes development, conflict and peace operations in the Horn of Africa. Dr. Menkhaus served as a special political advisor to the United Nations operation in Somalia from 1993 and 1994 and as a visiting civilian professor at the U.S. Army Peacekeeping Institute from 1994 to 1995.

Dr. Menkhaus has authored over 50 articles and books, has made many interviews, and has appeared on media outlets including BBC, CNN and the Voice of America. Dr. Menkhaus holds a Ph.D. in international studies from the University of South Carolina and received a Fulbright Scholarship during his studies.

Lastly, we have Mr. Pagan Amum Okiech, Secretary General of the Sudan People's Liberation Movement. Dr. Okiech was elected to SPLM Secretary General in May 2008 and has served as a member of the SPLM Political Bureau and SPLM National Liberation Council.

Mr. Amum Okiech has an extensive career with SPLM and the Sudanese Government, including his contributions to the formation of the Southern Sudan Liberation Front back in 1982—one of the original members. Prior to his position as Secretary General, Mr. Amum Okiech was appointed as Minister for Cabinet Affairs in the Government of National Unity from 2007 to 2008. He also completed an appointment as Secretary General of the SPLM and member of both the Interim Political Bureau and the International Committee in 2006.

In 2005 during the pre-interim period of the CPA, Mr. Amum Okiech served as the appointed caretaker supervisor for Lakes States by the late chairman Dr. John Garang of Sudan. We have been joined by three other members, and I might ask, Ms. Watson, would you like to make an opening statement, or, Ms. Lee or Ms. Woolsey? Of course, we are moving behind, but if you would like to make a statement—okay. Great. All right. Go ahead.

Ms. WOOLSEY. Excuse me. I will just try to incorporate this with my questions.

Mr. PAYNE. Excellent. Thank you very much. We will start with our first witness, Mr. Dagne.

STATEMENT OF MR. TED DAGNE, SPECIALIST IN AFRICAN AFFAIRS, CONGRESSIONAL RESEARCH SERVICE

Mr. DAGNE. Thank you, Chairman Payne, Ranking Member Smith and members of the subcommittee for the opportunity to testify before this subcommittee. The Horn of Africa region is by far the most unstable region in sub-Saharan Africa today. Millions of people have died and many more have been displaced or forced into exile. One does not have to look in a refugee camp in Kenya to find an Ethiopian, Eritrean or a Somali. Hundreds of thousands of people from the Horn of Africa region are now second-generation American citizens. Some have returned to help their fellow brothers and sisters as humanitarian workers, human rights advocates and journalists. Many have lost their lives.

Ibrahim Addou, an American Somali, is one such person. In December 2009, he was killed in a suicide attack in Mogadishu along with over a dozen students, teachers and several ministers. A number of Somali journalists covering the crisis in Somalia have been assassinated by insurgents. Dozens of humanitarian and human rights workers have been killed or injured. I am making this point because what has gotten the attention of the media is the dozen or so people who went back to kill and maim their own people and not those who died while helping others.

The Horn of Africa region has been marred by civil war, internal political turmoil, interstate war, famine and man-made humanitarian crisis. The region has also emerged as a place highly vulnerable to terrorist attacks. The suffering in the Horn of Africa is largely man made and some of the conflicts were triggered in part because of failed leadership. Somalia remains in a state of anarchy despite a peace agreement signed in 2004.

Ethiopia's intervention in December 2006 made Somalia more unstable than it was during the 6 months the Islamic Courts was in power. What is forgotten is in those 2 years' period, more than 22,000 people, most of whom innocent civilians, were killed. Another area little is heard about is the Ogaden region of Ethiopia where hundreds of thousands of civilians have fled to refugee camps in Kenya over the past years. The Ogaden is a forgotten tragedy. Efforts to resolve the conflicts in the region have led to an important peace agreement. Although, this agreement has not led to lasting peace and stability in the region.

The United States has been actively engaged in the Horn of Africa since the early 1960s. We helped secure the border dispute between Ethiopia and Eritrea and the comprehensive peace agreement in Sudan. Relations between Eritrea and the United States once strong are currently poor. Our relations between Ethiopia and the United States are strong. Although, some Members of Congress and human rights groups have been critical of Ethiopia's human rights record and the handling of the 2005 and 2010 elections.

What is the terrorist threat in the Horn of Africa? Well, the takeover of power in Sudan by the NIF government in 1989 led to a

significant increase in the activities of international terrorist groups. The NIF government provided safe haven for well-known international terrorist organizations and individuals, and the government security services also were directly engaged in facilitating and assisting domestic and international terror groups. It was during the 5 year's stay in Sudan Osama bin Laden laid the foundation of al-Qaeda. The penetration by al-Qaeda into east Africa is directly tied to Sudan's early years of support to international terror organizations.

Indeed, the 1990s saw dramatic and daring terrorist attacks against American interests in east Africa. Over the past 2 years, a number of local terrorist groups have emerged in Somalia, including Al-Shabaab, the Ras Kamboni Group and Hizbul Al-Islam, but what is the evolution of the terrorists groups in east Africa? Well, we have to go back to the early '90s where Islamic Courts began to emerge in parts of the country. At the beginning, these courts functioned as local governments and often enforced decisions by using their own militia. Members of the Al-Ittihad Al-Islami, for example, provided the bulk of the security forces for these courts in the 1990s.

By the late 1990s, Ethiopian Security Forces and their allies severely weakened Al-Ittihad. However, the absence of a central government in Somalia created an environment conducive to the proliferation of armed factions throughout the country. In 2003, the leadership of Al-Ittihad, including Sheik Ali Warsame, who is the brother-in-law of the terrorist listed, now Sheik Aweys, and the leader of one of the terrorist groups Hizbul Al-Islam, met and later decided to form a new political front, the Islamic Courts Union, which came to the scene in 2006 included some of the top leaders of Al-Ittihad.

However, the young members of those Islamic movements did not agree with the old guard and instead they decided to form their own organization. This young generation of Islamists, some of whom had fought in Afghanistan, met and formed later on Al-Shabaab. Some of the key commanders and leaders of Al-Shabaab come not from central Somalia or southern Somalia but Somaliland. One of the top leaders is Ahmed Abdi Godane, also known as Abu Zubayr, who was trained in Afghanistan, fought in Afghanistan, is now one of the top leaders of Al-Shabaab.

Mukhtar Robow, also another Afghani trainee, is the top leader and the face of the Al-Shabaab. Ibrahim Haji, also known as Al-Afghani, who is also on the U.S. terrorism list, is also from Somaliland and one of the top leaders of Al-Shabaab. Hassan Al Turki, a member of the Ogaden clan from Ethiopia, is one of the extremist leaders and a member of Al-Shabaab now. The U.S. counterterrorism efforts in the Horn of Africa region have shown some success in containing terrorism and extremism.

Several countries in east Africa have benefitted from training and material support from the United States. Several known terrorists have been killed. In mid-September 2009, U.S. forces killed Saleh Nabhan, a senior al-Qaeda member and one of the three involved in the attacks of the U.S. embassies in Kenya and Tanzania. Of the three most wanted al-Qaeda leaders in east Africa, the only

one left now is the leader of the group and the alleged mastermind of the embassy bombings, Haroon Fazul.

On the other hand, the Ethiopian invasion, with the support of the United States, is seen by some as having contributed to the emergence of Al-Shabaab and the proliferation of other extremist groups in Somalia. The ouster of the Islamic Courts Union leadership by Ethiopia in 2006 created a security vacuum that was quickly filled by the most radical elements of the Islamist movement. As was the case when the withdrawal of the U.S. and U.N. forces in the mid-1990s from Somalia also created a security vacuum which was quickly filled by Somali warlords.

Al-Qaeda and its allies are reportedly much stronger today than they were a few years ago even though al-Qaeda has not been able to penetrate deeper into Africa and win a strong following. Al-Shabaab has been able to recruit dozens of Somalis from the United States, Europe and the Middle East, a number of whom have carried out suicide attacks inside Somalia. Many of these recruits joined Al-Shabaab at the height of the fighting between the Ethiopian forces and Al-Shabaab. Some thought they were going to fight a foreign invader. Others saw this as a religious duty. Moreover, more Somalis see now themselves as victims of Al-Shabaab and view this group as a foreign-controlled and led organization.

Let me now just speak briefly about the Horn of Africa countries Djibouti, Eritrea, Ethiopia and Somalia. Djibouti's pro-Western foreign policy stance and close alliance with the modern Western government over the years have earned Djibouti friends, including the United States. Djibouti is an important strategic ally. During the 2003 Iraq War, Djibouti provided access to its port and airfields as well as facilities for training purposes. Djibouti also served as one of the two locations worldwide for USAID Food for Peace program's storage facilities.

Over the years, Djibouti has played key roles in facilitating negotiations especially among Somali factions. The last peace agreement, which led to the formation of the TFG was negotiated in Djibouti. The government in Djibouti can be said as open but dominated by one party. It is a multi-party system, but the ruling party controls all the seats in Parliament and regional councils. On April 8, 2005, President Guelleh won the elections. He unfortunately was limited to two terms, but in April of this year, the Djibouti Parliament amended the Constitution by removing the Presidential term limits paving the way for President Guelleh to run for a third term.

One issue that has been of major concern to the region and the U.S. is the border disputes between Djibouti and Eritrea. In June 2008, Eritrean and Djibouti forces clashed and an estimated 35 people were killed with more than 50 wounded. The crisis erupted after several months of tensions following troop deployments to the border by both Eritrea and Djibouti. The dispute centers around claims by both sides over Ras Doumeira and the Doumeira Island.

After almost a year of no progress, 2 weeks ago the Governments of Djibouti and Eritrea agreed to resolve their dispute through negotiations under the auspices of the Government of Qatar. Eritrean forces this then have withdrawn from the border area, and Qatar has deployed its forces as observers. Now to Eritrea. Over the past

decade, Eritrea has faced serious internal and external challenges. In 1998, the war between the two neighbors led to the killings of 100,000 people and displacement of over 1 million.

The dispute between the two was followed by the most serious rift within the Eritrean Liberation Movement. The crisis split the top leadership, and in 2001, President Isaias ordered the arrest of 15 top ruling-party leaders. The government alleges that these officials, known as the Group of 15, were engaged in a conspiracy to overthrow the government during the conflicts with Ethiopia. The Government of Eritrea also accused some American officials in the Clinton administration of being co-conspirators. Two Eritrean employees of the U.S. Embassy were also arrested, accused of being part of the conspiracy.

None of these prisoners have been formally charged and have been given access for visitors. Political parties in Eritrea are not permitted to operate, and there have been no elections since independence. The crackdown and allegations against the former Clinton administration officials strained relations between the United States and the Government of Eritrea. For most of the 1990s, the government of Isaias Afewerki was considered a strong strategic ally. Eritrea indeed played a key role in the fight against the Bashir regime and support to the SPLM and its allies. Eritrea was also one of the first African countries to join the U.S.-led coalition of the willing.

Since the late 1990s however, U.S. officials have expressed concern about the wide range of issues, including human rights conditions, Eritrea's role in Somalia, border disputes with Djibouti and Ethiopia and freedom of the press. Over the past decade, the United States has imposed a number of punitive measures on Eritrea. There is no U.S. assistance program in Eritrea, and the U.S. also closed its consular section in Eritrea.

Eritrea nationals seeking U.S. visa must now obtain their visa in a third country. The Eritrean Government has also imposed restrictions on visas. Although, in recent years the government has issued visas to U.S. officials, journalists and human rights organizations. In March 2010, the Principal Deputy Assistant Secretary of State for Africa and another State Department official were issued. What were the efforts made to improve relations?

Over the past several years, President Isaias has stated that his government is ready to constructively engage Washington on a wide range of issues, including cooperation on the war on terror. In 2008, the Eritrean Government sent a letter to then President Bush offering dialogue in order to improve relations. The letter was delivered with a cover letter by a Member of Congress to the White House in early 2008. The Bush administration did not respond to offer for dialogue.

The Obama administration early on expressed interest in engaging the Eritrean Government in order to address some areas of concern. President Isaias in a letter to President Obama in May expressed similar interests. A few months later, Assistant Secretary of State Carson announced his intention to go to Eritrea. The proposed visit by the Assistant Secretary however took a different turn by late 2009. In December 2009, Carson wrote to the Eritrean foreign minister stating that

“I registered my willingness to meet with you in Europe or Africa to discuss some of the issues that have generated division in our relationship. That offer still stands. No meetings in Washington however will take place.”

A few months after the offer to meet in a third country, Carson’s Principal Deputy, Donnie Yamamoto, applied for and received a visa to go to Eritrea. Yamamoto went to Eritrea in May 2010, but the Eritrean Government officials refused to meet with him arguing that he obtained his visa to do work related to the U.S. Embassy. Ambassador Yamamoto stated that he intends to go back to Eritrea and has submitted another request for a visa.

Interestingly, he is the only foreign official who has been given access to the Eritrean prisoners in 2003. In late 2009, the U.S. took the lead in the imposition of sanctions against Eritrea and the U.N. Security Council. The sanctions were imposed because of Eritrean alleged support to armed groups. Eritrea also provided safe haven to the current President and a number of ministers serving in the TFG. Now to Ethiopia.

I am sure you know what transpired. As the chairman said, the elections were peaceful, but the outcome of the election clearly indicates that the ruling party emerged dominant. The ruling party, for example, won 545 seats out of 547. They have also won the entire city council seats in the capital city as well as all the regional state council seats. Now, if you look at what happened in 2005, it was quite the reverse. The opposition won over 160 seats and the entire seats in the capital. What happened and what led to this? What were the environments before the elections?

Well, pre-election conditions were marred by the harassment, detention and in some cases killings of opposition members. The combination of measures taken by the ruling party over the past several years not only weakened legal opposition but also crushed civil society, human rights groups and the independent press activities. Moreover, use of government resources, the civil service and the security forces to strengthen constituency base of the ruling party through intimidation and incentives help the EPRDF build a strong following.

The forced exile of opposition leaders, civil society groups and independent journalists also help the EPRDF to secure victory. Some Ethiopians and outside observers also assert that many were fearful of being killed or injured should they express support to opposition groups. Recently adopted laws restricting NGOs, media and the anti-terrorism law are being used to stifle the activities of opposition groups, the independent press and civil society groups. It is also important to point out that opposition groups also contributed to the sweeping victory of the EPRDF.

Since the 2005 elections, opposition groups in Ethiopia and Diaspora have been fragmented and fought each other more than preparing a united front. Opposition groups have often spent more time in the capital or outside the capital than in building a constituency base throughout the country. Opposition groups were successful in 2005 in large part because of the grass roots work that was done. The 2010 elections result clearly show Ethiopia moving toward a one-party rule despite the presence of other parties affiliated with the ruling party.

Prime Minister Meles Zenawi has stated that he and a number of the senior leadership of the ruling party will retire by 2015. Even at this juncture, the prime minister has served in power longer than the military junta Mengistu. Moreover, it is not clear at this juncture if the retirement of the old guard will pave the way for a true multi-party democracy in Ethiopia. I think I will conclude briefly by mentioning the situation in the Ogaden. Once again, there are many people who have been displaced and many people who have fled and many civilians who are being targeted through rape, hanging and outright destruction of their villages.

Lastly, on Somalia, I am sure my colleagues will cover it, but let me briefly talk about what happened a few weeks ago with the central government. In mid-May 2010, the Somali Speaker of Parliament resigned after several months of disputes with the Prime Minister and the Deputy Prime Minister. A day later, President Sheikh Sharif Ahmed fired the Prime Minister. However, the reversal of the decision seemed pre-planned to oust the Speaker from office by those close to the President.

In late May 2010, the former Finance and Deputy Prime Minister, Sheik Sharif Hassan, ran for Speaker and won the support of 217 members out of 550. The Deputy Prime Minister has been campaigning to oust the Speaker for several months. He received the support in Parliament in part through bribing and other means. The former minister resigned in protest arguing that this was pre-planned and that Hassan used government resources to bribe members of Parliament to support his candidacy.

The current state of affairs in Mogadishu threatens the authority of the President and the government and could also lead to more defections. This situation could also help those extremist groups and extremist element to get the upper hand. Let me stop here, and I thank you, Chairman.

[The prepared statement of Mr. Dagne follows:]



The Horn of Africa: Current Conditions and U.S. Policy

Testimony by Ted Dagne, Congressional Research Service

Before the Subcommittee on Africa and Global Health, House Foreign Affairs Committee

June 17, 2010, Washington, D.C.

Chairman Paync, Ranking Member Smith, and members of the sub-committee, let me first express my appreciation for the opportunity to testify before your sub-committee. The Horn of Africa region is by far the most unstable region in Sub-Saharan Africa today. Millions of people have died and many more have been displaced or forced into exile. One does not have to look in a refugee camp in Kenya for a Somali or Ethiopian. Hundreds of thousands of people from the Horn of Africa region are now second generation American citizens. Some have returned to help their fellow brothers and sisters as humanitarian workers, human rights advocates, and journalists. Many have lost their lives. Ibrahim Addou, an American Somali, is one such person.

In early 2007, at the height of the Ethiopian invasion, Ibrahim wrote "People are living in a nightmare. The peace and the stability brought by the Islamic Courts has now been replaced by anarchy and chaos. Killings, robbing, raping, and looting are part of the daily life." In December 2009, he was killed in a suicide attack in Mogadishu along with over a dozen students, teachers, and two ministers. A number of Somali journalists covering the crisis in Somalia have been assassinated by insurgents. Dozens of humanitarian and human rights advocates have been killed or injured. I am making this point because what has gotten the attention of the media is the dozen or so people who went back to kill and maim their own people and not those who died while helping others.

The Horn of Africa region has been marred by civil wars, internal political turmoil, inter-state wars, famine, and man-made humanitarian disasters in recent decades. The region has also emerged as a place highly vulnerable to terrorist attacks and is considered a safe haven for international terrorist groups. The suffering in the Horn of Africa is largely manmade and some of the conflicts were triggered, in part, by failed leadership. Ethiopia and Somalia fought three major wars over the past several decades, while Eritrea and Ethiopia fought a bloody war in 1998-2000, in which over 100,000 people were killed and many more displaced. The two countries remain in a state of war, despite a peace agreement signed in 2000.

Somalia remains in a state of anarchy, despite a peace agreement reached in 2004 that led to the formation of the Transitional Federal Government (TFG). Ethiopia's intervention in December 2006 to install the TFG in power by ousting the Islamic Courts Union (ICU), a group that took power in Mogadishu in June 2006, made Somalia more unstable than it was during the six months the ICU was in power. More than 22,000 people were reportedly killed during the Ethiopian occupation. Another area little is heard about is the Ogaden region of Ethiopia, where hundreds of thousands of civilians have fled to refugee camps in Kenya over the past several years. The Ogaden is a forgotten tragedy. Efforts to resolve the number of

conflicts in the region have led to important peace agreements, although these agreements have not led to lasting peace and stability in the region. Internal conflicts and conflicts between states are major contributing factors to humanitarian crises in the Horn of Africa. High population growth, heavy debt burdens, lack of resources, economic mismanagement, interference in the internal affairs of neighboring countries, and poor leadership also play significant roles in the deteriorating conditions in that region.

The United States has been actively engaged in the Horn of Africa region since the 1960s. In recent decades, the United States has played key roles in conflict resolution and provided significant humanitarian assistance. The United States helped to secure the 2000 border dispute agreement between Eritrea and Ethiopia and the Comprehensive Peace Agreement between the Sudan People's Liberation Movement (SPLM) and the Government of Sudan in 2005. U.S. engagement in Somalia, however, has been limited over the past decade, although the Obama Administration has been actively engaged in support of the TFG and in the fight against terrorism. Relations between Eritrea and the United States, once strong, are currently poor. Relations between Ethiopia and the United States are strong, although some Members of Congress and human rights groups have been critical of Ethiopia's human rights record and the government's handling of the 2005 and 2010 elections.

The Terrorism Threat in the Horn of Africa

Political, ethnic, and religious conflicts in the region create an environment conducive to the growth of terrorist groups. The takeover of power in Sudan by the National Islamic Front (NIF) in 1989 led to a significant increase in the activities of international terror groups in Africa. The NIF government provided safe haven for well-known international terrorist organizations and individuals, and the government's security services also were directly engaged in facilitating and assisting domestic and international terror groups. Many observers contend that it was during his five-year stay in Sudan that Bin Laden laid the foundation for Al Qaeda. The penetration by Al Qaeda into East Africa is directly tied to NIF's early years of support to international terrorist organizations. The Horn of Africa is by far the most impacted by international terrorist activities in Africa. The 1990s saw dramatic and daring terrorist attacks against American interests in East Africa. Over the past two years, a number of local terrorist groups have emerged in Somalia, including *Al-Shabaab*, the *Ras Kamboni* group, and *Hizbul Al-Islam*.

Somalia: Safe Haven for Terrorist Groups?

The United States, Somalia's neighbors, and some Somali groups have expressed concern over the years about the spread of Islamic fundamentalism in Somalia. In the mid-1990s, Islamic courts began to emerge in parts of the country. These courts functioned as local governments and often enforced decisions by using their own militia. Members of the *Al Ittihad Al Islami* militia reportedly provided the bulk of the security forces for these courts in the 1990s. By the late 1990s, Ethiopian security forces and Somali allies severally weakened Al-Ittihad. But the absence of central authority in Somalia created an environment conducive to the proliferation of armed factions throughout the country.

In 2003, the leadership of *Al-Ittihad*, including Sheik Ali Warsame, brother in law of Sheik Aweys, the leader of *Hizbul Al-Islam*, and a number of other top leaders, met and later decided to form a new political front. The Islamic Courts Union, which came to the scene in 2006, included some of the top leaders of Al-Ittihad. The young members of the movement disagreed with the decision of the older leadership in 2003 and decided to form their own movement. These young leaders, some of whom had fought in Afghanistan, met and later formed what is known today as *Al-Shabaab*. Some of the key commanders and leaders of *Al-Shabaab* come from Somaliland. Ahmed Abdi Godane (also known as Abu Zubayr), who is

on the U.S. terrorism list and who trained and fought in Afghanistan, is a top leader from Somaliland. Mukhtar Robow, who is also on the U.S. terrorism list, is a key figure in the movement and at times the public face of the *Shabaab*. Another key player is Ibrahim Haji Jama (al-Afghani), who is on the U.S. terrorism list and also from Somaliland, and reportedly trained and fought in Afghanistan. Hassan al-Turki is a member of the Ogaden clan from Ethiopia, who has openly called for Jihad, and works closely with foreign fighters. On February 1, 2010, Al Shabaab and the Ras Kamboni group, led by Hassan Al Turki, reportedly agreed to merge under one name: *Al-Shabaab* Mujahidin Movement. In 2004, he was placed on the U.S. terrorism list.

U.S. Counter-Terrorism Measures

Al Qaeda poses a direct threat against U.S. interests and allies in East Africa, although *Al Shabaab* appears more focused on carrying out attacks against Somali citizens, the TFG, and African Union peacekeeping forces (AMISOM). *Al Shabaab*, however, has threatened to attack neighboring countries, including Ethiopia, Kenya, and Eritrea. On February 2, 2010, Director of National Intelligence Dennis Blair, at a Senate Select Committee on Intelligence hearing, stated:

We judge most Al Shabaab and East Africa-based Al Qaeda members will remain focused on regional objectives in the near-term. Nevertheless, East Africa-based Al Qaeda leaders or Al Shabaab may elect to redirect to the Homeland some of the Westerners, including North Americans, now training and fighting in Somalia.¹

Over the past decade, especially since the U.S. 1998 embassy bombings in Kenya and Tanzania, the United States has intensified its counter-terrorism operations in the Horn of Africa region. In December 2002, the United States Central Command (CENTCOM) developed a joint task force, the U.S. Combined Joint Task Force-Horn of Africa (CJTF-HOA), to provide the United States with a forward presence in the region, train the region's law enforcement agencies on counter terrorism, collect intelligence, and oversee humanitarian assistance efforts. An estimated 2,000 U.S. military and civilian personnel make up the CJTF-HOA, located in Djibouti.

U.S. counter-terrorism efforts in the Horn of Africa region have shown some success in containing terrorism and extremism in the Horn of Africa region. Several countries in East Africa have benefited from training and material support from the United States. Several known terrorists have been killed. In mid-September 2009, U.S. forces killed Salch Ali Saleh Nabhan, a senior al-Qaeda member suspected of attacks against the U.S. embassies in Kenya and Tanzania and the leader of the terrorist attack against the Paradise Hotel in Mombasa, Kenya, in 2002. Several other foreign fighters were killed along with Nabhan. Of the three most wanted al-Qaeda leaders in East Africa, the only one left is the leader of the group and the alleged mastermind of the U.S. embassy bombings: Haroon Fazul. A number of *Al-Shabaab* leaders have also been killed over the past two years, although the core leadership reportedly remains intact.

On the other hand, the Ethiopian invasion, with the support of the United States, is seen by some as having contributed to the emergence of *Al-Shabaab* and the proliferation of other extremist groups in Somalia. The ouster of the Islamic Courts Union leadership by Ethiopia in late 2006 created a security vacuum that was quickly filled by the most radical elements of the Islamist movement. The withdrawal

¹ Director of National Intelligence Dennis C. Blair, Annual Threat Assessment of the U.S. Intelligence Community for the Senate Select Committee on Intelligence, February 2, 2010.

of the U.S. and U.N. forces in the mid-1990s from Somalia also created a security vacuum, which was quickly filled by Somali warlords.

Al-Qaeda and its allies are reportedly much stronger today in the Horn of Africa than at any time in the past decade, even though Al-Qaeda has not been able to penetrate deeper into Africa and win a strong following. *Al-Shabaab* has been able to recruit dozens of Somalis from the United States, Europe and the Middle East, a number of whom have carried out suicide attacks inside Somalia in the past two years. Many of these recruits joined *Al-Shabaab* at the height of the fighting between Ethiopian forces and *Al-Shabaab*. Some joined believing that they were going to fight a foreign invader, while others saw this as a religious duty, a *jihad*. Over the past year, *Al-Shabaab* has not been able to recruit as much in part due to close monitoring of the activities of *pro-Shabaab* individuals in the United States and Europe. Moreover, many Somalis see themselves as victims of *Al-Shabaab* and view *Al-Shabaab* as a foreign controlled and led group.

Let me now speak briefly about current developments and U.S. policy in Djibouti, Eritrea, Ethiopia, and Somalia.

Djibouti

Djibouti's pro-Western foreign policy stance and close alliance with moderate Western governments over the years have earned Djibouti friends, including the United States. During the 2003 Iraq war, Djibouti provided access to its port and airfields as well as facilities for training purposes. Djibouti also serves as one of the two locations worldwide for the USAID Food for Peace Program's storage facility. Over the years, the Djibouti has played key roles in conflict resolution efforts in the Horn of Africa. The last Somalia peace agreement was secured in Djibouti. The United States provided \$5.8 million in assistance in 2009 and an estimated \$9.4 million in 2010. In addition, the United States pays an estimated \$30 million to Djibouti for use of Camp Lemonnier by U.S. forces.

Djibouti has a functioning multi-party system, although the ruling coalition, the Union for the Presidential Majority, is dominant. On April 8, 2005, President Guelleh won in the presidential election for another six year term. He ran unopposed because the opposition boycotted the elections. In March 2006, Djibouti held regional elections, the first since independence. The election, however, was boycotted by the opposition. In February 2008, Djibouti held parliamentary elections and the ruling UPM won all 65 seats. The opposition, again, boycotted the elections. President Guelleh's ruling coalition now dominates in local, regional, and national elected offices. In April 2010, the Djibouti parliament amended the constitution by removing the presidential term limits.

One issue that has been of major concern to the region and the United States is the border dispute between Djibouti and Eritrea. In June 2008, Eritrean and Djiboutian forces clashed and an estimated 35 people were killed, with more than 50 wounded. The crisis erupted after several months of tension, following troop deployment to the border by both Eritrea and Djibouti. The dispute centers around claims by both sides over Ras Doumeira and Doumeira Island. The border area was never properly demarcated. Scholars contend that France and Italy, the colonial rulers of Eritrea and Djibouti respectively, agreed that no third country could rule the Doumeira zone. The Government of Djibouti claims that an 1897 treaty between Ethiopia and France stated that the Doumeira area belonged to the French colony of Djibouti. In June 2010, the governments of Djibouti and Eritrea agreed to resolve their dispute through negotiations under the auspices of the government of Qatar. In early June 2010, Eritrean forces withdrew from the border area, and Qatar deployed its forces as observers.

Eritrea

Over the past decade, Eritrea has faced serious internal and external challenges. In 1998, Ethiopia and Eritrea clashed over a border dispute in which more than 100,000 people were killed and many more displaced. The Ethiopia-Eritrea conflict was followed by the most serious rift within the Eritrean liberation movement since the civil war between the Eritrean Liberation Front (ELF) and the Eritrean People's Liberation Front (EPLF) in the 1970s. The crisis split the top leadership of the ruling the People's Front for Democracy and Justice (PFDJ). In 2001, President Isaias ordered the arrest of 15 senior PFDJ officials, including the former foreign minister, who signed the peace agreement with Ethiopia; the former defense minister; former vice president; the long-time intelligence chief; and other senior party officials. The government alleges that these officials, known as the Group of 15 (G-15), were engaged in a conspiracy to overthrow the government during the conflict with Ethiopia. The government of Eritrea also accused American officials in the Clinton Administration of being co-conspirators, and threatened to expel U.S. embassy officials. Two Eritrean employees of the U.S. embassy were also arrested in 2001, accused of being part of the conspiracy. None of these prisoners have been formally charged and access to these prisoners has not been granted to family members. Political parties are not permitted to operate and there have been no elections since independence.

The crackdown and the allegations against former Clinton Administration officials strained relations between the United States and the government of Eritrea. For most of the 1990s, the government of President Isaias Afewerki was considered a strong strategic U.S. ally in the Horn of Africa. Since the late 1990s, however, U.S. officials have expressed concern about a wide range of issues, including human rights conditions, Eritrea's role in Somalia, border disputes with Djibouti and Ethiopia, freedom of the press, and one-party rule. The United States Agency for International Development (USAID) closed its office in Eritrea in 2005 after Eritrean officials demanded its closure. Eritrean officials alleged that USAID facilities were used to conduct meetings with anti-government groups. There is no U.S. assistance program in Eritrea. The United States also closed its Consular Section in Eritrea. Eritrean nationals seeking U.S. visas must now obtain visas in a third country. The Eritrean government has also imposed restrictions on visas, including denial of visas to some U.S. officials, although in recent years the Eritrean government has issued visas to U.S. officials, journalists and human rights organizations. In March 2010, the Principal Deputy Assistant Secretary of State for Africa and another State Department official were issued visas.

The United States has also imposed visa restrictions on Eritrean officials and other visitors. In late 2009 and early 2010, senior Eritrean officials were denied visas. Moreover, both Eritrea and the United States have imposed travel restrictions for their respective embassy officials. Officials from the Eritrean embassy in Washington and U.S. embassy in Asmara are required to obtain permission to travel outside their respective capitals. In January 2008, U.S. embassy officials were given permission to travel to the security zone near the Ethiopia Eritrea border on short notice in order to accompany a congressional delegation, and President Isaias Afewerki met with the congressional delegation several times during the visit. In the past three months, U.S. embassy personnel were granted six permits to go to different parts of Eritrea, while a request by the Eritrean embassy official to travel to Atlanta in March was denied by the State Department, although the State Department offered the permit a week later.

Efforts to Improve Relations

Over the past several years, President Isaias has stated that his government is ready to constructively engage Washington on a wide range of issues, including cooperation on the war on terror. Bush Administration officials, however, stated that the Eritrean government had rejected requests to engage in

talks with Washington. In 2008, the Eritrean government sent a letter to then-President Bush offering dialogue in order to improve relations. The letter was delivered, with a cover letter by a Member of Congress, to the White House in early 2008. President Isaias offered to come or send a high level delegation to Washington to discuss a wide range of issues. The Bush Administration did not respond to the offer for dialogue by the Eritrean government.

Officials of the Obama Administration have expressed interest in engaging the Eritrean government in order to address some areas of concern. President Isaias, in a letter to President Obama in May 2009, stated that "I would like to assure you that in order to pave the way for your positive contributions, we are determined to shoulder our responsibilities. We look forward to see the commencement of a constructive dialogue with your Administration." A few months later, Assistant Secretary Carson announced his intention to go to Eritrea. In late 2009, the Obama Administration threatened the Eritrean government with U.N. Security Council sanctions if the Eritrean government continued its support to armed groups in Somalia. The Eritrean government dismissed the allegation.

In Washington, the proposed visit by the Assistant Secretary took a different turn by July 2009. In a letter sent in September 2009, the Foreign Minister of Eritrea requested a meeting with Secretary of State Hilary Clinton in New York during the 64th session of the U.N. General Assembly. That request was not granted. However, in October 2009, Eritrean Foreign Minister Osman Saleh, Eritrean Presidential Advisor Yemane Ghebrecab, and U.S. Ambassador to the U.N., Susan Rice, met in New York and discussed U.S. concerns about Eritrea's alleged role in Somalia. At that meeting, the Eritrean delegation was asked to state that the Eritrean government would end its support to armed groups in Somalia. The delegation responded by saying that the Eritrean government did not and would not support any armed groups in Somalia. In December 2009, Assistant Secretary Carson wrote to the Eritrean Foreign Minister stating that :

The United States would like to establish a better relationship with Eritrea, but doing so requires that your government resolve several long-standing differences with the United States, that your government terminate its support for Al Shabaab, and that Eritrea play a more responsible role in regional affairs. I registered my willingness to meet with you in Europe or Africa to discuss some of the issues that have generated divisions in our relationship. That offer still stands. However, a visit to Washington would be inappropriate at this time given the difficulties in our relationship.

The decision to meet in a third country, according to the letter, was in large part due to the difficulties in U.S.-Eritrea relations. Assistant Secretary Carson had stated publicly his willingness to go to Eritrea in order to improve U.S.-Eritrea relations. A few months after the offer to meet in a third country, Carson's Principal Deputy, Don Yamamoto, applied for and received a visa to go to Eritrea, suggesting a change in policy on this issue once again. Ambassador Yamamoto went to Eritrea in May 2010 but the Eritrean government officials refused to meet with him, arguing that he obtained his visa to do work related to the U.S. embassy. Ambassador Yamamoto stated that he intends to go back to Eritrea and has submitted another request for a visa.

Ethiopia

The May 2010 Elections

On May 23, 2010, millions of Ethiopians went to the polls to vote in national, regional, and local elections. According to the National Electoral Board of Ethiopia (NEBE), an estimated 31.9 million

voters were registered. An estimated 2,200 candidates registered for the House of Representatives elections and 4,734 candidates for Regional State Council elections. According to the NEBE, the ruling Ethiopian People's Revolutionary Democratic Forces (EPRDF) won all of the seats in the House of Representatives, except for two seats won by opposition members. The EPRDF also took all the Council seats in the capital, except one won by an opposition member. The EPRDF and its allies also won all the seats in the Regional State Councils. Longtime opposition figures were defeated in the elections. In the 2005 elections, the opposition won more than 160 seats in the House and all 23 seats in the capital. The United States and the European Union declared that the elections were generally peaceful but did not meet international standards. The African Union, on the other hand, declared the elections to be free and fair. The NEBE rejected opposition party members' formal complaints of rigging and request for a rerun.

Pre-Election Conditions

Ethiopia observers and opposition leaders predicted that the ruling EPRDF would dominate the 2010 elections. Pre-election conditions were marred by the harassment, detention, and in some cases killing of opposition members. The combination of measures taken by the ruling EPRDF over the past several years not only weakened legal opposition but also crushed civil society, human rights groups, and the independent press activities. Moreover, use of government resources, the civil service, and security forces to strengthen the constituency base of the ruling party through intimidation and incentives helped the EPRDF build a strong following. The forced exile of opposition leaders, civil society groups, and independent journalists also helped the EPRDF to secure victory. Some Ethiopians and outside observers also assert that many were fearful of being killed or injured should they express open support for the opposition as was the case in the 2005 elections. Recently adopted laws restricting non-governmental and media activities, as well as the new anti-terrorism measures, are being used to stifle the activities of opposition groups, the independent press, and civil society groups.

Opposition groups also likely contributed to the sweeping EPRDF victory. Since the 2005 election, opposition groups in Ethiopia and the Diaspora have been fragmented and fought each other more than preparing a united front with a vision. Opposition groups have often spent more time in the capital or outside the country than in building a constituency base throughout the country. Opposition groups were successful in the 2005 elections in large part due to a common purpose and active campaigning to build a strong consistency base in different parts of the country. The 2010 election results clearly show Ethiopia moving toward one party rule, despite the presence of other parties affiliated with the ruling EPRDF. Most of these parties were created by the EPRDF and have little independence from the ruling party. Prime Minister Meles Zenawi has stated that he and a number of the senior leadership of the ruling party would retire by 2015. However, it is not clear at this juncture if the retirement of the old guard will pave the way for a true multi-party democracy in Ethiopia.

Opposition Leader Ms. Bertukan Mideksa

Let me now speak briefly about opposition leader Ms. Bertukan Mideksa. In late December 2008, opposition leader Ms. Bertukan Mideksa, who was arrested after the 2005 elections and pardoned in 2007, was re-arrested by the Ethiopian government and is currently serving a life sentence. The Ethiopian government accused Ms. Bertukan of stating in a speech in Europe that she did not apologize to get a pardon and that the pardon was a negotiated settlement between the prisoners and the government. In a letter before her arrest, Ms. Bertukan stated that "in the spirit of the elders' mission, I, along with other party leaders have signed the document (pardon) written on June 18, 2007 and submitted through these elders asking the public and the government for forgiveness, in the hope that this would bring about a

political resolution to a politically motivated charge and trial. I cannot alter this fact, even if I chose to.” The detention of Ms. Bertukan is seen by many as a deliberate measure to weaken and divide the opposition before the May 2010 national and regional elections. In a press interview, Prime Minister Meles stated that “There will never be an agreement with anybody to release Birtukan,” he said. “Ever. Full stop. That’s a dead issue.” Now that the ruling EPRDF has emerged victorious and the opposition crushed, the government might be open to Ms. Bertukan’s release, although many observers express doubt.

The Ethiopia-Eritrea Border Dispute

In April 2002, the Ethiopia-Eritrea Boundary Commission (EEBC) ruled that the disputed village of Badme belonged to Eritrea. Ethiopia initially rejected the ruling but accepted with conditions in June 2007. No progress was made in the implementation of the Commission ruling. In July 2008, the United Nations Security Council terminated the mandate of UNMEE.

U.S.-Ethiopia Relations

While concerned about the state of human rights and general political trends, the United States considers Ethiopia to be an important ally in a region marred by violence and instability. In November 2009, welcoming Ethiopian Foreign Minister Seyoum Mesfin, Secretary of State Hilary Clinton stated that “Ethiopia is a country with which we have very long ties, and have, in recent years, developed a very close working relationship on a number of important issues.” Concerns about human rights conditions and democracy nonetheless remain key issues in U.S.-Ethiopia relations. Opposition groups charge that Washington has turned a blind eye to human rights abuses and to intimidation and harassment of opposition groups by the government. Some observers contend that Washington’s close identification with the EPRDF government could hurt U.S.-Ethiopia relations in the long-term and could lead to anti-American sentiments. The Obama Administration has stated publicly that human rights and democracy issues in Ethiopia are a major focus and priority. In late 2007, the House of Representatives passed legislation condemning human rights abuses and lack of democracy in Ethiopia (H.R. 2003). The Ethiopian government hired lobbyist groups in an attempt to defeat the bill.

The Ogaden

The crisis in the Ogaden is one of the worst in the region, although rarely reported. A brief background about the Ogaden. The Ogaden is located in the Somali region of eastern Ethiopia and shares a border with Somalia. Ethiopia first entered the Somali region in the late 1890s under King Menelik, who claimed Ethiopian sovereignty of the region. Areas of the Ogaden were claimed by both British and Italian colonists in the early 1900s until the British finally left the area in 1948. The British handed over the region to Ethiopia. The region has since been the scene of numerous conflicts and territorial disputes, in large part due to the incongruous colonial border treaties drawn up by European colonial powers. When Somalia gained independence in 1960, its government refused to acknowledge any of the colonial border treaties with Ethiopia and demanded self-determination for ethnic Somalis living in the Ogaden. Border disputes have proved endemic ever since.

In August 1984, the Ogaden National Liberation Front (ONLF) was founded. The ONLF launched its liberation struggle against the Ethiopian regime. In 1991, after the ouster of the military regime in Ethiopia, the ONLF joined the current government. In 1992, the ONLF reportedly won 84% of the seats

in the regional parliament. But relations between the ONLF and the ruling EPRDF became strained in 1992 when Ethiopian security forces killed several ONLF leaders. In 1993, the Ethiopian government arrested the President, Vice President, and Secretary General of the regional parliament. In 1994, the ONLF called for a referendum on self-determination, a right guaranteed by the Ethiopian constitution. Shortly after, the Ethiopian military began to arrest ONLF leaders and launched a military campaign against the ONLF. The ONLF resumed its armed struggle. The ONLF has not rejected negotiations with the Ethiopian government, although it demands the participation of a third party and that the negotiations take place in a neutral place.

The government's suspension of food aid to the Ogaden in late 2006 and the unofficial blockade of commercial traffic created a dire humanitarian situation in the region. Security concerns have kept the majority of humanitarian aid workers from entering the region, and the expulsion of the International Committee of the Red Cross and Doctors Without Borders further hindered humanitarian access. Additionally, the Ethiopian government has essentially sealed off the area, making communication with the outside world next to impossible. Even so, reports have emerged of property and livestock being confiscated, villages being torched, and women and girls being raped. People from the Ogaden region are fleeing to refugee camps in neighboring countries, especially women and children. These refugees report that Ethiopian security forces are raping and hanging civilians throughout the Ogaden region. I met many of these victims in a refugee camp in Kenya.

Somalia

In October 2002, the Inter-Governmental Authority for Development (IGAD), led by the government of Kenya, launched a peace process designed to end factional fighting in Somalia. In September 2003, the parties agreed on a Transitional National Charter (TNC). In August 2004, a 275-member Somali Transitional Parliament was inaugurated in Kenya. In October 2004, parliament elected Abdullahi Yusuf Ahmed as the new president of Somalia. In June 2006, the forces of the Islamic Courts Union (ICU) took control of the capital, Mogadishu. During the six-month rule by the ICU, Mogadishu became relatively peaceful, but efforts to bring peace did not lead to a major breakthrough. On December 28, 2006, Ethiopian troops captured Mogadishu with little resistance from the ICU. The Ethiopian intervention led to more chaos and instability in Somalia over the past two years. Humanitarian, political, and security conditions continue to deteriorate across south-central Somalia. In 2007-2009, more than 22,000 civilians were killed, an estimated 1.1 million people displaced, and 476,000 Somalis fled to neighboring countries. In 2008, fighting between insurgent groups and Ethiopian-Transitional Federal Government (TFG) forces intensified, and by late 2008, the TFG had lost control of most of south-central Somalia to insurgent groups. In January 2009, Ethiopian forces completed their withdrawal from Somalia. In late December 2008, President Yusuf resigned from office and left for Yemen. In January 2009, the Somali Parliament elected the leader of the Alliance for the Re-Liberation of Somalia (ARS), Sheikh Sharif Sheikh Ahmad, as president. In February 2009, President Ahmad appointed Omar Abdirashid Ali Sharmarke as prime minister.

Recent Developments

In mid-May 2010, the Somali Speaker of Parliament resigned after several months of dispute with the Prime Minister and Deputy Prime Minister. A day later, President Sheikh Sharif Sheikh Ahmad fired the Prime Minister. In late May, President Ahmad reinstated the Prime Minister. The reversal of the decision may be temporary or pre-planned to oust the Speaker from office. In late May 2010, the Finance and

Deputy Prime Minister, Sheik Sharif Hassan, ran for Speaker and won the support of 217 members of parliament (MPs) out of 550. During the vote, an estimated 388 MPs were present. Four ministers resigned in protest, arguing that this was pre-planned and that Hassan used government resources to bribe members of parliament to support his candidacy. The former Speaker was targeted by the current Speaker and the President because he was pushing for parliament to resume its session in order to question government officials about government activities and responsibilities. The Prime Minister and His Deputy pushed for parliament to remain in recess.

Security Conditions and Political Developments

In January 2010, *Al-Shabaab* intensified its attacks against the TFG and African Union (AU) peacekeeping forces. On December 3, 2009, a terrorist attack during a graduation ceremony for medical students at a hotel in Mogadishu reportedly killed 23 people, including three TFG ministers. The suicide bombing was carried out by a Danish citizen of Somali descent. Among the dead and wounded were students, family members, journalists, members of parliament, and faculty members. In late September 2009, government forces seized control of Beledweyne from *Hizbul al-Islam*. Beledweyne, a town near the Ethiopian border, has changed hands several times in the past six months. Meanwhile, attacks against government forces and African Union peacekeeping troops in Mogadishu intensified in September. An estimated 21 people, including 17 African Union peacekeepers, were killed in a suicide attack in late September 2009. The Deputy Force Commander was one of the victims in the attack. *Al-Shabaab* used two stolen United Nations trucks to carry out the attack against the AMISOM headquarters in Mogadishu. Two of the suicide bombers are believed to be Somali-Americans.

In early August 2009, Secretary of State Hilary Clinton met with President Sheik Sharif Ahmad of Somalia in Kenya. The Secretary expressed U.S. support for the TFG. President Sheikh Sharif briefed the Secretary and her delegation about the challenges facing his government and asked for U.S. financial support. In late September 2009, President Ahmad came to the United States to address the U.N. General Assembly, and to meet with U.S. officials and Somali community members. The President visited several states, including Minnesota, to meet with the Somali community. In late September 2009, he expressed concern that pledges made by some governments to the TFG have not been delivered. He made the point that for every pledge made to the TFG, the insurgents receive support from their allies. He asserted that the insurgents get the support faster and the TFG has to wait for months.²

Somaliland

The northwest region of Somalia is considered by many analysts to be a model for successful regional authority and administration. The self-declared "Republic of Somaliland" seceded from the rest of Somalia in 1991 and now has its own flag and national anthem, army and police, and currency. Its government collects revenues from taxes levied at ports and roadblocks and vehicle licenses. Despite its government structures and apparatus, the "Republic of Somaliland" remains unrecognized by the international community. In May 2002, President Mohamed Egal died and Vice President Dahir Riyale succeeded Egal in a smooth transfer of power. President Riyale comes from the Gadabursi clan, a minority clan in a region dominated by the Isaaq clan. In April 2003, Kahin won in the presidential elections. In September 2005, Somaliland held legislative elections and international observers declared the elections free and fair. Presidential elections were expected to take place in March 2009 but were

² Ted Dagne met with President Ahmad and his delegation in Washington on September 29, 2009.

postponed several times. The elections are now scheduled for June 26, 2010. Some observers have expressed concerns that the voter registration process was marred and view the National Electoral Commission as not fully capable of managing the electoral process. In recent weeks, the Riyaale government has attempted to discourage international observers from coming to monitor the poll on security grounds, according to sources in Somaliland.

Mr. PAYNE. Thank you very much, and I asked Mr. Dagne to take additional time, which is unusual, but we wanted to get a focus on the overall region. The State Department did not send a representative, and this was about as close as we could get to what the U.S. policy is, and I know it went over a bit, but I appreciate the indulgence of everyone because this has to be a matter of the record as we move forward as our committee determines what we will be doing legislatively, and so I do appreciate the indulgence of everyone and certainly appreciate your very thorough testimony, Mr. Dagne.

We will now hear 5 minutes from Ms. Lefkow, and the others will follow in that order, and then we will open for questions. Thank you very much. I appreciate your being here, and thank you for your patience.

**STATEMENT OF MS. LESLIE LEFKOW, SENIOR RESEARCHER,
AFRICA DIVISION, HUMAN RIGHTS WATCH**

Ms. LEFKOW. Thank you very much, Chairman Payne and members of the subcommittee for inviting Human Rights Watch to participate in this incredibly important hearing. I am very happy that Mr. Dagne has already covered so eloquently many of the countries because I am going to focus my remarks on Ethiopia, not obviously because it is more important than the other countries, but it is at a critical moment with the elections that just passed in May. Mr. Chairman, Ethiopia is not democratizing. The May 2010 elections provided a stark illustration of this fact.

As you know, the ruling party won more than 99 percent of the vote, but what concerns Human Rights Watch more even than the results of these elections is the fact that they are simply a milestone in a broader agenda and strategy of consolidating control. We are particularly concerned that the assault on civil society in Ethiopia is a trend that will continue and worsen, and this should deeply concern Ethiopia's friends and partners.

It is clear now that the brief window of political space that opened up before the elections in 2005 was an anomaly, and that window has now been slammed shut. Human Rights Watch's research on the ground indicates that the government has used a multi-pronged strategy of oppression, and as I said, this was partly in the lead up to the elections, but it is a strategy that we fear will continue long after the elections, and one of the elements in the strategy has been the repression of the political opposition. I think you are all aware that government critics have been subjected to arbitrary detention, to harassment and sometimes even torture in detention.

The case of Birtukan Mideksa, of course one of the most prominent opposition leaders, is emblematic of this trend. She was re-arrested in December 2008 for allegedly violating the terms of her pardon, but we hear about prominent cases like Birtukan's. We don't hear very much about the millions of Ethiopian's who suffer repression on a day-to-day basis outside of Addis Ababa where there is very little spotlight on what is happening. Eighty-five percent of Ethiopians live in the rural areas.

I would like to just spend a moment talking about the apparatus of control that is used in these areas. This is an apparatus that is

an inheritance from the Derg, from the military regime of Mengistu, and it is a collection of households into cells at village or neighborhood levels, sometimes eight households, sometimes 10 households in cells, and these administrative structures, as you can imagine, they can be benign, but they can also be a very effective tool of surveillance and monitoring and control, and this structure of course is what was used very effectively in the lead-up to the elections, but it is also a structure that will be there long after any electoral period is over.

These structures are very much at the core of the repression that is used in the rural areas. As one teacher told Human Rights Watch a few months ago when we were doing research in the country, you have to understand, he said, that at the grass roots level everything is organized according to the EPRDF ideology. Everything is organized and controlled by cells. If you are opposition, you are excluded.

I think I am stressing this because to understand the climate of fear that exists, that is sometimes not very tangible if you are visiting for a day or a week or even a month, but exists there and touches the lives of millions of Ethiopians on a day-to-day basis, I think to understand that is to understand how this strategy of oppression works and succeeds. I would like to just spend one moment mentioning as I mentioned the targeting of civil society because as I said, this is a concern that is going to last far longer than any electoral repression.

What we have seen in the last year since the adoption of this very repressive NGO law is basically the evisceration of independent civil society in Ethiopia. Most of the most prominent Ethiopian human rights activists have fled in the last year. The most prominent organizations have been gutted. Their staff are now in hiding. Their budgets have been frozen. They have had to shut offices. This is the bottom line in terms of the effect of this law.

The media of course has also been a target over the last year or 2, and I think we see that in a number of ways, and one of the primary impacts of the media law and of the hostility toward independent media is self-censorship. In fact, you see even the semi-independent press will often not touch very sensitive subjects. I see that I am running out of time. I am going to take just another few seconds if I may to just mention one other issue which is a key concern, and that is impunity of the security forces.

The Ethiopian military's record in dealing with the very real and legitimate security threats that Ethiopia faces is a terrible record. As I said, the government faces genuine security issues, but the way that security forces have dealt with these threats has often been to indiscriminately attack civilians, and there has been utter impunity conferred on the perpetrators be they in Gambella, be they in the Ogaden area of Somali Region or be there in neighboring Somalia.

This I think is an area of concern that the United States as a friend and as an ally of Ethiopia must press in the coming weeks and months. Accountability is at the core of a stable and viable partnership with Ethiopia, and that of course should be all of the shared goals of both the Ethiopian Government, the U.S. Government and all of us here today. Thank you very much.

[The prepared statement of Ms. Lefkow follows:]



**Testimony of Leslie Lefkow, Senior Researcher
Africa Division, Human Rights Watch**

**House Committee on Foreign Affairs, Subcommittee on Africa and Global Health
Hearing of June 17, 2010**

Thank you, Chairman Payne, and members of the subcommittee, for inviting me to participate in this hearing. My name is Leslie Lefkow. I am a senior researcher with the Africa division of Human Rights Watch and I lead our work on the Horn of Africa.

Mr. Chairman, this hearing comes at a critical time for the Horn of Africa, one of the world's most volatile regions. Somalia is in the throes of one of its most acute crises in more than 20 years of conflict, with millions of its people displaced within or outside the country. Neighboring Eritrea has earned the dubious distinction of being the most closed and militarized society in sub-Saharan Africa. And across the border last month, Ethiopia conducted an election that cemented the ruling party's grip on power and signaled that authoritarian rule has become deeply entrenched in the United States' closest regional ally.

Each of these countries is enduring a human rights crisis of severe proportions and these crises are interlinked. Nonetheless, today I would like to focus on Ethiopia, a country that is in some ways the lynchpin of the region.

In the wake of last month's election, this is a key moment to take stock of recent developments in Ethiopia, assess its future, and analyze the role that the United States—a longstanding ally and partner to Ethiopia—can and should play in the region.

Ethiopia's Stalled Democracy

Mr. Chairman, Ethiopia is not democratizing. The May 2010 elections provide a stark illustration of this fact. The ruling party, the Ethiopian People's Revolutionary Democratic Front (EPRDF), won more than 99 percent of the vote. Even the continent's long-term dictatorships balk at these kinds of figures, but not the EPRDF.

Those who care about Ethiopia and the region now face a key question: were the May 2010 elections a casualty of a broader agenda of repression and control, or was the agenda of repression and control primarily an electoral strategy?

Mr. Chairman, based on the research and analysis that I and my colleagues at Human Rights Watch have been doing over the past years, I would argue, with deep regret, that the 2010 elections were simply a milestone in a broader effort by the EPRDF to consolidate control. It is our view that the repression we have documented in the lead-up to 2010, particularly the assault on civil society and independent voices, is a trend that will continue, and worsen, and is one that should deeply concern Ethiopia's friends and partners.

Although the margin of the 2010 victory came as a surprise to many observers, the result itself was predictable and echoed the results of local elections in 2008. Then, as well, we witnessed a 99 percent victory for the ruling party, but with the difference that those polls were largely boycotted by the opposition. In 2010, the opposition engaged in the electoral process and yet it won only one parliamentary seat in Addis Ababa—an exact reversal of their landslide victory in the capital five years earlier.

The latest overwhelming government "victory" is based, first and foremost, on the government's five-year strategy of systematically closing down space for political dissent and criticism. It is clear that the brief window of political space that preceded the controversial 2005 elections in Ethiopia was an anomaly in the EPRDF's 19-year rule and has now been slammed shut.

Thankfully, the polling on May 23 was peaceful. But the lack of unrest preceding and following the polls should not be taken as a sign of citizens' contentment with the process; rather it is the result of a systematic assault on basic human

rights and democratic freedoms since the last elections of 2005. This campaign took the form of multiple forms of pressure, including:

- legislative and administrative restrictions on the media, opposition parties, and civil society groups;
- harassment and outright intimidation of civil servants and opposition supporters by government and party cadres at the local government level; and
- violence against, and arbitrary detention of, opposition activists.

Human Rights Watch's own research on the ground, carried out in difficult conditions, demonstrates clearly that in the run-up to the 2010 elections, voters were intimidated at almost every stage. The Ethiopian government's grassroots-level surveillance machine, largely inherited from the Marxist military regime of the 1970s and 1980s, extends into almost every household in this country of 80 million people through the kebele (village or neighborhood) and sub-kebele administrations.

As a southern farmer and opposition supporter told Human Rights Watch last fall: "The kebele has made 60 people spies. They spy on the opposition members, they report on what we do, where we go, etc. We are scared, even scared to go out much. They are like militias, they are armed with guns."

In addition to penalizing opposition supporters, since 2005 voters at all levels of society were pressured to join the ruling party through a combination of carrots—such as access to development resources and programs—and sticks—such as denial of access to public sector jobs, educational opportunities, and development assistance. In the months before the election they were again pressured, this time to register for the election. And finally, in the weeks before the election, they were pressured once again, this time to turn out to vote—and to vote for the EPRDF.

What were the consequences of disobeying the elaborate and highly structured EPRDF-run local level administrations and militias? Government services, jobs, and other government-controlled resources would be withheld from those who failed to toe the line.

So the EPRDF's victory this year is no surprise. It was the inevitable result of a long-term strategy of repression that has been remarkably thorough and far-reaching. In addition to putting pressure on the voters, it has manifested itself through an iron grip on the political opposition, independent civil society, and the media. The electoral consequences of repression were a landslide result beyond what any simple attempt at rigging could have delivered. But the consequences of this repression will extend far beyond 2010.

Political Repression

Mr. Chairman, in any circumstances the development of multi-party democracy in Ethiopia would be an enormous challenge. Ethiopia is a country that has never known a peaceful political transition and has a long history of autocratic governments. For these reasons and others, the opposition gains in 2005 were a profound surprise to most people, including, it seems, many government officials. A review of all of the developments since 2005 illustrates that in the wake of the mass public protests, the deaths of almost 200 demonstrators at the hands of the police, and the negative media attention of 2005, the government decided well in advance that 2010 would be very different.

One strand of the government's strategy has been to repress the political opposition: government critics are subjected to harassment, arrest, and even torture. Many of the most prominent opposition leaders were incarcerated for two years after the 2005 elections and charged with very serious crimes including treason and genocide, for allegedly inciting violence in the post-election protests. Most of these charges were politically motivated. One of those detained in 2005 and then released under a pardon negotiated with the government was prominent opposition leader Birtukan Midekssa. Birtukan is currently serving a life sentence after the government revoked its pardon in December 2008 and detained her anew, without a trial, apparently because of her statement that she had not requested the pardon. Her detention was determined to be arbitrary by United Nations legal experts in December 2009.

Repression affects not just prominent dissidents but millions of ordinary citizens in small and large ways. Across Ethiopia and particularly in politically sensitive areas such as Oromia, Tigray, and Amhara Regions, local officials harass, imprison, or threaten to withhold vital government assistance from perceived government

critics and opposition supporters. And again and again, ordinary Ethiopians stress the oppressive administrative structures as the key instruments of control.

As a teacher told Human Rights Watch, "You have to understand that at the grassroots level, everything is organized according to the EPRDF ideology, everything is organized and controlled by cells; if you are opposition you are excluded."

"Those who are not [EPRDF] supporters are like prisoners or paralyzed persons in that kebele," said a farmer from Awassa. This system, which proved so potent a tool to ensure the outcome of May 2010, will still be in place long after the elections are forgotten.

Peaceful government critics are often accused of serious crimes such as membership in insurgent or terrorist organizations. Most are released without being brought to trial due to the lack of any evidence against them, but only after punitively lengthy periods of detention.

The prospect of politically-motivated arrests, detentions, and abuses is only heightened by another recent development in Ethiopia. One of the alarming pieces of legislation adopted in July 2009, in the prelude to the elections, was the Anti-Terrorism Proclamation. This law provides an extremely broad and vague definition of terrorism and expands police powers to arrest suspects without a warrant, among other concerns. Its potential use against political dissenters and even media who publish dissenting views is of great concern. Alongside it, there is a second nefarious piece of legislation regulating non-governmental organizations.

Attacks on Civil Society and the Media

Mr. Chairman, freedom of expression and association are currently under assault in Ethiopia. Human rights organizations and other elements of independent civil society that scrutinize and hold governments accountable came under particular attack in the lead-up to the 2010 elections. In January 2009 the Ethiopian parliament adopted a new law called the Charities and Societies Proclamation (CSO law). The legislation restricts and criminalizes the activities of non-governmental organizations and associations in ways that violate the rights to freedom of expression and association.

The government claims that the CSO law is necessary to improve transparency and accountability and promote indigenous organizations, all of which are legitimate goals. But the rationale behind the law is quite the opposite. As laid out in an EPRDF newsletter and described to Human Rights Watch staff by government officials, the law has a clear discriminatory intent. It equates certain kinds of independent, non-governmental organizations—like human rights groups—with political parties, arguing that they should be restricted from foreign funding in order to restrict foreign influence in Ethiopia's "developmental democracy." And practically the law allows the government to determine which kind of non-governmental activity is appropriate. In other words, development work is acceptable, and an organization can receive foreign funding for such work as long as the development work does not touch on anything that hints at human rights promotion. Human rights activity is barred, including any advocacy for women's rights, children's rights, and the rights of the disabled.

The effects of the CSO law on Ethiopia's slowly growing civil society have been devastating and predictable. The leading Ethiopian human rights groups have been crippled by the law and many of their senior staff have fled the country due to the increasing latent and sometimes blatant hostility towards independent activists. Some organizations have changed their mandates to exclude reference to human rights work. Others, including the Ethiopian Human Rights Council (EHRCO), Ethiopia's oldest human rights monitoring organization, and the Ethiopian Women's Lawyers Association (EWLA), which over the past decade launched groundbreaking work on domestic violence and women's rights, have slashed their budgets, staff, and operations. Meanwhile, the government is encouraging a variety of ruling party-affiliated organizations to fill the vacuum, including the Ethiopian Human Rights Commission, a national human rights institution with no semblance of independence.

Mr. Chairman, Ethiopia's government has also had little tolerance for the independent media. The most blatant attack on free expression—and a particularly telling reflection of his personal attitude towards the press—came from Prime Minister Meles Zenawi himself when in March 2010 he justified the jamming of Voice of America (VOA) by likening its programming to the genocidal Rwandan broadcaster, *Radio Mille Collines*. Throughout the days leading up to polling day, both the VOA and *Deutsche Welle*, the only two

international radio broadcasters with programming in Ethiopia's principal languages, were jammed.

Although a few independent newspapers continue to publish despite a crippling barrage of state-inspired lawsuits, most choose self-censorship or shy away from frank coverage of the most sensitive issues. One of the most prominent local independent media outlets, the *Addis Neger*, closed in December 2009 after its editors received threats of prosecution under the new Anti-Terrorism law and fled the country.

Impunity of the Security Forces

Mr. Chairman, Ethiopia's government often cites national security threats to justify its repressive measures. Certainly Ethiopia has suffered deadly attacks on its soil and, in October 2008, on its trade mission in Hargeisa, Somaliland; its concerns about terrorism are real. Ethiopia's government also faces security threats in the form of two low-level and long-standing insurgencies: the Oromo Liberation Front, in Oromia region, and the Ogaden National Liberation Front, which operates in Ethiopia's Somali region.

However, the government has regularly used the language and threat of terrorism as a pretext to restrict legitimate political opposition activity and political protest.

Even more alarming, Ethiopia's military has committed serious abuses amounting to war crimes and crimes against humanity in responding to these threats. And those responsible have enjoyed total impunity from prosecution. Both the abuses and the widespread impunity enjoyed by perpetrators appear systematic. From Ethiopia's western Gambella Region to Somali Region in the east, and in neighboring Somalia, Ethiopian security forces have in recent years repeatedly responded to insurgent threats with atrocities against local civilians.

To date, Ethiopia's consistent response to serious allegations of international crimes committed by Ethiopian security forces has been to deny the allegations and disparage the sources, be they Ethiopian human rights groups, my organization—Human Rights Watch—or even the US State Department. Instead of responding with genuine efforts to investigate and address abuses, the Ethiopian government has conferred effective immunity upon the perpetrators.

US Policy towards Ethiopia

Mr. Chairman, the US relationship with Ethiopia is one of its most important on the African continent and Ethiopia is currently the only viable US partner in the volatile Horn of Africa. Ethiopia is also one of the few countries in sub-Saharan Africa whose government has made real and consistent efforts to realize broad-based economic development for its citizens.

But over the long term, if its current trajectory continues, the Ethiopian government is destined to become a serious liability rather than an asset to US interests in the region. If the United States needs Ethiopia as a strategic partner over the long term, it is crucial for the United States to act now to press Ethiopia's government to reverse course, before it is too late.

The Obama administration responded to the recent elections with a welcome and lucid statement of concern at the restrictions on freedom of expression and association. Officials in the administration say that the US government is shifting from the almost solely security-centered paradigm of the Bush years to a "balanced" and multi-dimensional relationship that embraces governance, economic development, and security interests. This shift is welcome. But it should go further: human rights underpins and intersects with all three areas of policy concern and should be at the heart of the US approach.

In other words, Mr. Chairman, so long as there is no accountability for human rights violations—whether at the hands of security forces, development officials, or ruling party cadres—it will be impossible for Ethiopia to achieve the kind of governance and stability it needs to be a truly viable partner for the United States. Conversely, if the Ethiopian government continues on its current trajectory of authoritarianism and repression, it will inevitably, inexorably undermine the partnership it has traditionally enjoyed with the United States.

If Ethiopia were not considered such a close ally on terrorism issues, it is likely that these trends would have evoked a far stronger and more concerted US response before now. Efforts by Human Rights Watch and other organizations to document Ethiopian state abuses and press for genuine accountability have to date met with little or no serious response from the Ethiopian government—or

from international donors, led by the US, who provide Ethiopia with more than US\$2 billion in aid annually.

In addition, Ethiopia's government has proven remarkably adept over the years at intimidating donors into a passive stance on human rights and governance concerns—somehow managing to leverage massive inflows of development and humanitarian assistance against the donors and the taxpayers who provide them. The terms of the debate need to change.

The argument used by some that "quiet diplomacy" works best in Ethiopia has been proven wrong by its failure to yield few if any tangible results in recent years. All too often it just gives the Meles government the veneer of respectability that it seeks. The situation of the past several years—where the Ethiopian government could publicly reject the State Department's human rights report as an "irritant" based on "hearsay and lies," or compare the Voice of America to a genocidal Rwandan broadcaster—should not be quietly tolerated.

Mr. Chairman, were the US government to give priority to human rights and governance concerns and work to achieve concrete improvements in the Ethiopian government's overall rights record, other donors would likely follow suit. Many key European donors have adopted (or conveniently hid behind) the position that they cannot effectively press these issues without leadership from the United States or United Kingdom, Ethiopia's most important bilateral partners. US leadership is therefore key to pressuring Ethiopia to change course.

Key Recommendations for the US Government

The statement from the US National Security Council following the May elections in Ethiopia was welcome and balanced. The US government should follow-up by clearly setting out some key short- and medium-term steps and reforms that the Ethiopian government needs to undertake. These should include revision or amendment of Ethiopia's repressive legislation, release of political prisoners and other measures, as follows:

1. Insist that Ethiopia's Repressive Legislation is Amended

As an urgent priority, the US government should press Ethiopia's government to scrap or substantially amend the repressive legislation it adopted in 2008 and 2009, in particular the Charities and Societies Proclamation (CSO law) and the Anti-Terrorism Proclamation. The necessary amendments should—at minimum—include:

CSO Law:

- Lifting the restriction on foreign funding for CSOs engaged in human rights activities.
- Adding provisions that appropriately limit and oversee the Charities and Society Agency's powers to license, register, supervise, penalize, or dissolve CSOs, and control their operational activities.

Anti-Terrorism Law:

- Clearly defining and limiting the definition of "terrorist acts" to violent crimes targeting people.
- Removing provisions from the law that are not in conformity with international evidentiary standards.
- Removing the death penalty.

Media Law:

- Amending provisions that apply criminal penalties, suspension of publications, and disproportionate financial penalties, and those that are otherwise not compatible with the Ethiopian Constitution and international conventions ratified by Ethiopia.
- Removing provisions that impose sanctions based on vague national security considerations and definitions.

2. Call for the Release of Birtukan Midekssa and other Political Prisoners

Prominent opposition leader Birtukan Midekssa was imprisoned without trial in 2008 following allegations that she violated the terms of her original pardon in 2007. She is now required to serve out the remainder of her life sentence. The Ethiopian government has sought to portray this issue as the mechanical outcome of an impartial legal system at work. The US government has already

expressed considerable concern about Birtukan's detention but it has not done so forcefully enough or publicly enough.

3. Ensure that No Military Assistance is Provided to Troops Suspected of War Crimes

The US should make a clear statement that further International Military Education and Training (IMET) funding to the Ethiopian military, including training and provision of equipment to Ethiopian peacekeeping forces, will depend on meaningful Ethiopian efforts to respond to serious abuses, in line with the Leahy amendment to the Foreign Assistance Act.

A meaningful Ethiopian response should include inviting independent Ethiopian and international investigators and media to investigate allegations of abuses.

4. Insist on Unfettered Access to Somali Region

In the short term, the US government should seek immediate unfettered access for impartial humanitarian organizations seeking to assist vulnerable populations, particularly in the Ogaden area of Somali Region. The Ethiopian government has placed severe restrictions on such access to date. We suspect its motives are to conceal what is happening in conflict-affected areas.

The Obama administration should also support an independent evaluation of the humanitarian response, including the distribution of food aid, in affected regions of Ethiopia. Serious allegations about potential diversion and manipulation of aid in the region by the military remain.

As a medium-term goal the US government should press for credible independent monitoring and reporting on the situation in conflict-affected regions of the Ogaden—whether by a UN-led commission of inquiry; a UN delegation of special rapporteurs; or some other impartial mechanism.

Mr. Chairman, my thanks again for the opportunity to address this sub-committee. I would be delighted to respond to any questions you or your colleagues may have.

Mr. PAYNE. Thank you. Ms. Ali Aden?

**STATEMENT OF MS. SADIA ALI ADEN, HUMAN RIGHTS
ADVOCATE AND FREELANCE WRITER**

Ms. ALI ADEN. Thank you, Mr. Chairman. Chairman Payne, Ranking Member Smith and distinguished members of this committee, thank for your holding this very important hearing that sheds light on Somalia's humanitarian catastrophe and the impact on women and children. Mr. Chairman, I am honored to be given the opportunity to come and speak today on a subject that is dear to my heart: The suffering of Somali women and children. Mr. Chairman, with your permission, I would like to ask that my full testimony be submitted into the record.

Mr. PAYNE. Without objection.

Ms. ALI ADEN. Protracted wars, civil or otherwise, victimizes predominantly woman and children, and nowhere is this fact more pronounced than in Somalia. Whether in refugee camps or in the neighborhoods of Mogadishu, the grim images of women and children in profound state of anguish, vulnerable human beings tormented by endless inter-Somali, inter-clan, inter-warlords, inter-sectarian strife for power and domination, but their stories are never the dominant narrative of consequence of that long conflict.

Since the collapse of the Somali state in 1991, Somali women have played a pivotal role at the most dire period of their country's history, especially in the social and economic sector of the society. Women play an active role in maintaining integrity, values and the structure of Somali family and community. While by and large men fought in offense or the defense of senseless clan strife, Somali women became the bread winners of the society. That is reaffirming their profound resilience and selfless capacity.

Today, because of insecurity created by the conflict between warring forces, hundreds of thousands, particularly women and children and elderly, are forced to flee and become internally displaced persons. This on again, off again massive security-related displacement of civilian population has become the predictable nightmare resulting from each time the insurgents and government clash. Today, Somalia remains one of the worst humanitarian catastrophes in the world.

With nearly 1.5 million internally displaced, these IDPs are lacking water, shelter and food. Most cluster in make-shift refugee camps outside Mogadishu. These IDPs may not have food or water for days. Sadly, through these dire conditions, women give birth to children and raise them under such uncertainties. In Afgooye alone, 30 kilometers south of Mogadishu, there are about 400,000 IDPs according to UNICEF. One-quarter of those are children under the age of five.

Hundreds of thousands more refugees, women and children mostly, ended up in refugee camps such as the Dadaab, which was originally built for 90,000 refugees but now holds over 280,000 refugees of mostly women and children. According to Refugee International, these refugees are in four main asylum countries, Djibouti, Ethiopia, Kenya and Yemen. Some have been in exile for the past 18 years. Moreover, Mr. Chairman, there are nearly 3.5

million civilians out of total population of 8 million are on the verge of starvation.

Whenever fighting intensifies, the flow of essential foods stops, sometimes for months as in early 2010 when the World Food Programme decided to suspend its delivery and distribution of emergency food in the south and central Somalia. Armed conflicts, droughts and absence of public infrastructure have led to famine, disease and death of hundreds of thousands of people. USAID's report of June 1, 2009, shows 3.5 million are in need of humanitarian assistance. 650,000 of those are children under the age of five.

Children are also increasingly being denied access to education because of the continuing civil war. Seventy-five percent are located in central and southern Somalia. Of the displaced, some of those, especially women with maternal mortality ratio of 1,044 per 100,000, live in difficult conditions making Somali women among the most high-risk groups in the world. Mortality among the children under the age of 5 is staggering 142 per 1,000 compared to world's combined 68.

The heroes under the radar at the Dr. Hawa Abdi Hospital, which is located outside Mogadishu-Afgooye corridor kilometer 21 is run by Dr. Hawa Abdi assisted by her daughter Dr. Deqa Mohamed. They hold in their camps surrounding the hospital about 72,000 IDPs. Of those, 18,000 are families with children. Out of those, 43 percent are children, 32 percent are women, 16 percent are elderly, and 9 percent are men. They have a daily visit of 980 per day. Of those, 580 are children, 320 are women and 80 are men.

They have five doctors, 60 nurses, 160 healthcare personnel, some of them trained before the collapse of the state. The assistance they get is only coming from medications provided by Doctors without Borders and Dr. Hawa Abdi's Hospital, herself, and other sponsors such as individuals and Somalis in the Diaspora and sometimes the Italian Embassy. I will touch on the child soldiers, Mr. Chairman, hopefully with question/answer session, but the senseless game of tit for tat between the insurgents, government and AMISOM is something also that I would like to talk about later.

Without talking about the toxic waste, I would not think I would be able to cover the humanitarian crisis in Somalia. Mr. Chairman, there is a ticking environmental bomb beneath the Indian Ocean that were something to go wrong could potentially cause or exceed damages being caused by the current massive BP oil damages to countless barrels dumped in the Somalia waters. Mr. Chairman, the illegal hyper-fishing still continues.

This practice has put certain Somali fishing communities in economic dire straights, and I would like to emphasize that more later, but I would like to offer my recommendations if that is okay. I would like for the U.S. Government and for you to help provide adequate access to humanitarian assistance; support the formalization of the U.S.-Somali relationship. It is encouraging that now Somalia has appointed an envoy to United States.

We would like for President Obama, since he has started already the process, to also appoint an envoy; provide incentive for disarmament, especially for children; help sustain the TFG to become

strong and politically capable to secure the country but also firmly press the TFG to continually engage and reconcile with the opposition groups; engage and empower the Somali Diaspora because they are essential to the stability of the Somali state; and pass laws that prevent the illegal fishing and toxic waste dumping from American companies.

Lastly, support and provide services to individuals, Dr. Hawa Abdi and other centers. I thank you for giving me the opportunity to speak regarding this life and death situation.

[The prepared statement of Ms. Ali Aden follows:]

Sadia Ali Aden

Human Rights Advocate & Freelance Writer

Thursday June 17, 2010

Congress of the United States

Committee on Foreign Affairs' Subcommittee

On Africa and Global Health

The Humanitarian Crisis in Somalia and the Impact on women and children

Chairman Payne, ranking member Smith and the distinguished members of this committee- thank you for holding this very important hearing that sheds light on Somalia's humanitarian catastrophe and the impact on women and children. Mr. Chairman, I am honored to be given the opportunity to come and speak today on a subject that is dear to my heart- the suffering of Somali women and children.

Mr. Chairman, with your permission, I would like to ask that my full testimony be submitted into the record.

Introduction:

Protracted wars, civil or otherwise, victimizes predominantly women and children; and nowhere is this fact more pronounced than in Somalia. Whether in refugee camps, or in the streets and neighborhoods of Mogadishu, the grim images of women and children in profound state of anguish; vulnerable human beings tormented by the endless inter-Somali, inter-clan, inter-warlords, inter-sectarian strife for power and domination. But their stories are never the dominant narrative of the consequence of that long conflict.

Since the collapse of the Somali state in 1991, Somali women have played pivotal roles at the most dire period of their country's history; especially in the social and economic sectors of the society. Women played active role in maintaining the integrity, values and structure of the Somali family and community. While by and large men fought in the offence or the defense of senseless clan warfare, Somali women became the bread winners of the society, thus reaffirming their profound resilience and selfless capacity.

Humanitarian Crisis:

Today, because of insecurity created by the conflict between warring forces such as Al-Shabaab and Hizbul Islam militia on one hand, and the Transitional Federal Government (TFG), African Union forces (AMISOM), and Ahlul Sunnah wal Jama'ah on the other, hundreds of thousands of Somalis, particularly women, children and elderly are forced to flee their homes and thus become internally displaced persons. This on again, off again

massive security related displacement of civilian population has become the predictable nightmare resulting from each time that the insurgents and government clash.

Today, Somalia remains as one of the worst humanitarian catastrophes in the world, with nearly 1.5 million internally displaced persons (IDPs). These IDPs are lacking water, shelter and food. Mostly clustering in makeshift refugee camps outside Mogadishu, these IDPs might not have food for days because of the insecurity. Sadly, through these dire conditions, women give birth to children and raise them under such uncertainties. In Afgooye alone, 30kms south of Mogadishu, there are about 400,000 IDPs. According to the United Nations Children's Fund, one quarter of the refugees around Afgooye are younger than the age of five.

Refugees:

Hundreds of thousands more people of mostly women, children and elderly ended up in refugee camps in neighboring countries. Camps such as Dadaab which was originally built for 90,000 refugees is now overfilled with 280,000 refugees, thus making it the world's largest refugee camp. It goes without saying that scarcity of basic health and human services became a way of life.

According to Refugee International, these refugees are in four main asylum countries—Djibouti, Ethiopia, Kenya and Yemen. Some of these refugees have lived in exile for over 18 years. As Somalis continue to flee the violence in ever growing numbers, they often join other Somali refugees in urban centers across the East Africa and throughout the Gulf.

Starvation:

Moreover, there are nearly 3.5 million civilians out of a total population of about 8 million are on the verge of starvation and their daily survival is dependent on aid coming from the international donor countries. And, whenever fightings intensifies, the flow of essential foods to the affected population stops; sometimes for months as in early 2010 when the World Food Programme (WFP) decided to suspend its delivery and distribution of emergency food in south and central Somalia.

Health:

Past two decades, armed conflicts between rival groups, recurring draughts, and the absence of public infrastructure have led to famine, diseases, and the deaths of hundreds of thousands of people. The United States Agency of International Development's (USAID) June 1, 2009 report shows that of 3.5 million are in need of humanitarian aid, 650,000 are children under the age of five, with over 8% of the population is suffering from acute malnutrition, placing the suffering more than the 1% of the global threshold for emergency food crisis.

Children are also increasingly being denied access to education as a result of school closures due to fighting, especially in Mogadishu. Of those in need of urgent humanitarian assistance, 75% are located in central and southern Somalia, with a maternal mortality ratio of 1,044 per 100,000 live births placing Somali women among the most high-risk groups in the world. Hemorrhage, prolonged and obstructed labor, and infections are the major causes of death at childbirth. Mortality among the children under 5 is staggering 142/1,000 (2007) compared to the world 68/1,000.

Heroes under the radar

Hawa Abdi Hospital, Located at Afgoye corridor at KM 21 is founded and managed by Dr. Hawa Abdi.

- IDPs at Dr. Hawa Abdi camp are 72000 people (18,000 families)
- 43% Children; 32% women; 16% Elderly; 9% men
- Daily patient visits: are more than 980 (580 children; 320 women; 80 men)
- 5 doctors, 60 nurses, 160 healthcare personal (28 nurses were trained before the collapse 1991)
- **Medication:** MSF (Doctors without borders) provides medication for the children with a great care and quality and Dr. Hawa Abdi (hospital) provides medications for women, elderly and men, providing of course as much as she can with the limited medical supplies received from sponsors.
- **Sponsors:** individual, Somalia Diaspora community and at times the Italian embassy

Human rights abuses by warring groups in Somalia

Though my testimony today focuses on a specific population of the vulnerable groups, under the recently ended Ethiopian occupation and continued civil strife, the entire Somali population has profoundly suffered. Civilians have been subjected to harassments, kidnappings, unlawful detentions, rape, torture and death.

Child soldiers:

Mr. Chairman, one of the sad outcomes of the protracted Somali conflict is the brutal exploitation of children as child soldiers. Human rights organizations such as Amnesty International, Human Rights Watch, and Elman Human Rights as well as media groups such as the New York Times have all presented reports and articles attesting that militant insurgents such as Al-Shabab and the TFG have routinely recruited under age children as soldiers.

On June 13, 2010, Jeffrey Gettleman filed a story on New York Times on child soldiers. In it he documented children that he claims to work for the TFG. According to the United Nations, Somalia's government is one of the "most persistent violators". Though the TFG

has adamantly denied the charges of recruiting child soldiers, there is enough evidence to indicate that there are children claiming their loyalties to all warring groups.

For the past two decades, Somali children endured harsh conditions. Children in Somalia grew up with violence, anarchy and devastation. While their case is hardly a hopeless case, they are in desperate need for recreation programs to occupy them away from violence, educational programs to teach them productive skills.

A Senseless game of Tit for Tat:

Perhaps one of the most brutal momentum is the deadly game of tit for tat that is periodically initiated by Al-Shabab to lure AMISOM, and therefore the TFG, into firing mortars into the highly populated area where Al-Shabab tactically fires from.

This reckless action and reaction only endangers and kills more innocent people, causes the displacement of more people, and strengthens Al-Shabaab's position and improves their recruitment.

Unconfirmed reports indicate that the AMISOM troops have created closed prison in their compound which violates the mandate of its troops. Therefore, checks and balance system must be put in place to prevent abuse of the civilians and protect the rule of law for all.

Toxic Dumping and Illegal Fishing:

A number of experts, environmentalists, media groups, and indeed human rights organizations have published a number of reports and articles to register their concerns and sound the alarm on a disaster in the making in Indian Ocean. As various hazardous industrial chemical and nuclear waste was being dumped in the Somali waters during the past two decades of anarchy and the subsequent apathy of the international community.

Mr. Chairman, There is a ticking environmental bomb beneath the Indian Ocean that, were something to go wrong, could potentially cause or exceed the damages being caused by the current massive BP oil leak. Random damages to the countless barrels dumped in the Somali waters is not farfetched, as storms and rust, among other causes, could damage those barrels. Furthermore, Mr. Chairman, the illegal hyper-fishing still continues. This practice has put certain Somali fishing communities in economic dire straights that caused some of them to resort to piracy- an enterprise that initially started as a protection of national waters and evolved to become an international criminal enterprise. It goes without saying that these illegal activities would not only affect the human rights of innocent Somalis as it, among other things, denies them their right to life, food, health and safe environment, but also security as these kinds of actions worsens the conflict.

Nick Nuttall, a spokesman for the United Nations Environment Program (UNEP), told Voice of America that for the past 15 years or so, European companies and others have

used Somalia as a dumping ground for a wide array of nuclear and hazardous wastes. "There are reports from villagers of a wide range of medical problems like mouth bleeds, abdominal hemorrhages, unusual skin disorders and breathing difficulties," Nuttall said.

Recommendations:

1. Help provide adequate access to humanitarian assistance.
2. Support the formalization of the US Somali relationship. [It is encouraging to know that Somalia has appointed a Special Envoy to United States and that President Obama is considering to appoint a US Special Envoy to Somalia]
3. Provide incentive for disarmament, especially the children
4. Help provide programs for rehabilitation, education and skill training
5. Help sustain the TFG to become a strong and functioning government that is able to holistically address the humanitarian, political and security crisis of the country
6. Firmly press the TFG to genuinely engage in reconciliation with opposition groups
7. Engage and empower the Somali Diaspora. This block offers untapped influence and the will to fix their homeland of origin
8. Pass laws that prevent any and all American companies to partake in the illegal hyper-fishing and toxic waste dumping. [Despite the 150 warships deployed by the international community, piracy continues to flourish and the only way to reduce and eliminate is law and order to take place inside Somalia]
9. Provide support to individual and centers that are devoted to helping people and producing tangible results.

I thank you for giving me this opportunity to speak regarding this life and death issue and I thank you on behalf of the many whose lives your action will touch. I look forward to your questions and I hope I can shed additional light on this issue.

Mr. PAYNE. Thank you very much for your testimony and your recommendations. Dr. Menkhaus, you may take more than the allotted 5 minutes if you need since Mr. Smith kindly invited you. I don't want to hear from him later that I didn't give you the equal footing. Not as much time as you may consume, but if you have to exceed 5 minutes, that is fine. Thank you.

STATEMENT OF KENNETH JOHN MENKHAUS, PH.D., PROFESSOR OF POLITICAL SCIENCE, DEPARTMENT OF POLITICAL SCIENCE, DAVIDSON COLLEGE

Mr. MENKHAUS. Thank you. Congressman Payne, Congressman Smith, distinguished members, thank you for the opportunity to share my assessment of the situation in the Horn of Africa and its implications for U.S. policy, and with your permission, I would like to go off script rather than read excerpts from my submitted testimony, and instead provide some summary remarks that I hope can tie together some of the issues that we have discussed as a group this morning.

Mr. PAYNE. All right.

Mr. MENKHAUS. I am focusing my remarks on Somalia and our policy specifically with regard to the political crisis in Somalia. My colleagues have already made reference to the security threats and the humanitarian policies there, so I won't return to that in great detail. Our policy in Somalia has been framed for several years by support to the Transitional Federal Government or TFG. That has never been a policy that has been embraced because it was seen as having high promise but because it was always seen as the best of bad options.

The bad news; after 6 years of a 5-year transitional government is that the TFG is no longer the best of bad options. It is simply a bad option. It is not working. The government is in disarray. Most of its members have resigned or reside outside the country. It controls only a few districts of the capital that are in fact secured by African Union peacekeepers. It has been notorious for corruption. Its security forces have been a law unto themselves at times. It has, in short, been an enormous disappointment at the cost of millions of dollars.

The fundamental problem with the Transitional Federal Government is not that it is weak. If it were only weak, state capacity-building assistance would be the cure. This is not a case of a government that is willing but not able. This is a case of a government that is neither willing nor able. Top political elites see the Transitional Federal Government as an opportunity to make money without taking the risks and the hard work of actually reviving the failed state in Somalia.

Shabaab as a result has consolidated control over all the territory from the Kenyan border to most of the districts of Mogadishu and now all the way up to Beledweyne on the Ethiopian border and south central Somalia. Shabaab is not strong. It has numerous internal divisions, but it is the only player on the playing field, and so it is strong mainly as a function of the TFG's weakness. Many observers believe that Shabaab can be melted. There can be defections.

There are large groups within Shabaab that are not really committed to hard-core jihadism, but those individuals and groups, as with the rest of Somali society, will not rally against Shabaab, will not defect from it unless they see a viable alternative, and at present, there is no viable alternative in Somalia. So the population is acting in a predictably risk averse manner supporting tacitly or acquiescing to Shabaab control.

What can we do in the face of this very deeply frustrating situation? I would like to add that by all accounts there is frustration in U.S. Government and frustration in other foreign capitals over this. The time is ripe for a policy shift. I would argue that for starters we need to look at a diversification strategy, not to decertify the Transitional Federal Government, but to demote it to a transitional authority tasked strictly with implementing key transitional tasks in this government.

Meanwhile, we should be engaging any legitimate powerful and effective authorities that we find at the subnational level. That is not simply to say that we should be supporting a policy of building blocks of regional states. There are some regional states, such as Somaliland and Puntland that can and should be engaged. We already provide support to them. We can deepen that support, but that is not necessarily a model for the rest of the country. In fact, in much of southern Somalia, regional states, Federal states are actually an invitation to war.

Instead, we need to look where governance is actually happening empirically in Somalia. It is not in fact an anarchic country. There is lots of “governance with a small g” going on, and most of it is actually happening at the municipal level in towns, Cross-clan alliances forged by common business interests and the need to secure basic law and order do occur. They occur beneath Shabaab in some cases, in spite of Shabaab in other cases, and beyond Shabaab’s control in other areas of the country.

We should be engaging any local authority that we can find that is effective to create some competition for good governance in Somalia to put pressure on the TFG and to end its monopoly on access to external assistance. In addition, we need to consider a regional strategy. As Ted Dagne has already alluded to, Somalia forms part of a regional conflict complex. We have got to in particular put pressure on Ethiopia and Eritrea to resolve that long-running impasse that infects the rest of the region.

We also need to put pressure on our friends in the Ethiopian Government to come to some kind of rapprochement with the Ogaden National Liberation Front. Those two developments alone would have enormous positive benefit in Somalia. We need to recognize that the U.S. Government has good relations with most of the governments in the region, and that is a great tool for us, but the problem is, as many of my colleagues have alluded to, those governments are in fact enemies of large sections of their own populations, and that is a problem for us.

Recruitment by al-Qaeda or other radical groups is going to enjoy ideal conditions where people are angry with repressive, predatory governments that are supported by the United States. We need to recognize that some of these allies of ours in the region are allies, but we are fighting somewhat different wars. Our principal concern

is al-Qaeda's influence in the region and by extension Shabaab's ability to engage in terrorist attacks in the region. Their principal interest is political survivalism and sometimes the use of counter-terrorism agendas against domestic opponents who may or may not in fact be enemies of ours.

Finally, if we were gaining more security in the region at the cost of some compromises on humanitarian access, human rights, democratization, we could at least be having an interesting ethical debate over tradeoffs. The tragedy in this region and the tragedy for U.S. foreign policy is we are getting none of those. The region is palpably more insecure today than it was 5 years ago even as we have forfeited voice on matters of humanitarian access and democracy and human rights deferring to some of our regional allies rather than confronting them, and we are getting nothing right now, and I think that is really grounds for a major policy rethink in the region. I will stop there.

[The prepared statement of Mr. Menkhaus follows:]

“Horn of Africa: Current Conditions and US Policy”

Hearing before the House Committee on Foreign Affairs,
Subcommittee on Africa and Global Health,
June 17, 2010

Testimony by Ken Menkhaus
Professor, Political Science
Davidson College
Davidson, North Carolina

Introduction

Congressman Payne, sub-committee chairman, and Congressman Smith, ranking member, I thank you both for the opportunity to share my assessment of the situation in the Horn of Africa and its implications for US policy.

I would like to focus my remarks primarily on the crisis in Somalia, which at present is the most worrisome of the region’s many troubles. My remarks will mainly address challenges of state-building and the Transitional Federal Government, and will only make brief reference to other urgent policy issues in Somalia related to the humanitarian crisis and security threats. I would like to underscore at the outset that Somalia’s crisis is very much a part of a regional conflict complex. US policies aimed at resolving the Somali crisis must be based on a regional strategy or they will not succeed.

This hearing is very timely, because we are standing at a crossroads on Somalia. The humanitarian, political, and security crises there are worsening by the day; the international community’s policies have not worked and in fact have made things worse; and deep frustration has grown in the US government and in other capitals around the world. The moment is ripe for a policy shift. But this can only happen if a reasonable policy alternative can be articulated.

To its credit, the Obama administration has been engaged in a lengthy process of policy review on Somalia. One of the main reasons US policy on Somalia has not shifted much over the past year is because the country presents us with such poor options. We have been left supporting the Transitional Federal Government (TFG) in Somalia not because it had great promise but because it was the best of bad options. Many of us embraced this logic despite the TFG’s deep flaws and poor early performance, in the hopes that the “Djibouti process” of dialogue and inclusion since 2008 would earn the TFG more legitimacy and effectiveness and help Somalia end its twenty year crisis of state collapse.

But the TFG is now clearly just a bad option, and its failures very costly to Somalis, the region, and the world. Unconditional support of the TFG has served as a poor substitute for a coherent strategy toward the broader Somali crisis, and has reinforced and rewarded the exceptionally bad performance of TFG leaders.

Continued external efforts to breathe life into the moribund TFG have also had the unintended but very real effect of prolonging political conditions within which a radical Islamist insurgency has thrived. Past US and UN policy of unconditional support to the TFG has thus actively undermined our own long-term security interests.

The failure of the TFG

The cornerstone of our strategy in Somalia has been strengthening of the Transitional Federal Government (TFG). Instead of serving as a cornerstone, it has been the weak link.

Six years into its initial five year transition, the TFG has utterly failed across the entire range of tasks it assumed in late 2004. It has failed to establish itself as a minimally functional government, advance key transitional tasks, broaden itself as a unity government, and extend its authority beyond a few neighborhoods of Mogadishu protected by African Union peacekeepers. It has done nothing to improve the security of its citizens or provide them access to basic services. It has not improved conditions for the private sector. It has not facilitated the flow and planning of international development aid and humanitarian assistance. And it has not proven to be a useful partner for external states seeking to monitor and reduce the security threats emanating from Somalia.

Instead, the TFG remains a government on paper only. Most of its officials reside outside the country for security reasons. The parliament has difficulty mustering a quorum. Ministries are non-functioning collections of a few individuals of varying commitment to the government. The security forces operate as autonomous armed groups, virtually indistinguishable from the clan militias from which they originated. Corruption has been rampant, with tens of millions of foreign aid dollars and seaport customs disappearing into private pockets. The cabinet has been wracked by factional infighting. The composition of the government has been in a state of constant turmoil. Confidence in the viability of the TFG was never high, but the hopes that were raised in early 2009, when a new government was formed, have vanished.

If the TFG were merely incompetent, a strong case could be made that the international community must simply redouble its efforts to build the government's capacity and accountability for however long it takes to make it succeed. But the TFG's poor performance, and sustained external support to the TFG, have been anything but harmless. They have been actively detrimental to the objectives of reducing extremism and lawlessness in the country, and have helped to fuel the very violent extremism US and UN policies are intended to erode. Most of the thousands of security forces that external states have trained and armed for the TFG have deserted or defected to al-

shabaab, the al Qa'ida affiliated Islamist insurgency in Somalia. The uncontrolled, predatory behavior of the TFG's police force against the civilian population has driven some Somalis to support shabaab out of fear and anger. The corruption and extortion TFG officials have engaged in have deeply alienated the Somali business community, a potentially important source of political moderation and pragmatism in the country. Unconditional Western and UN support of the TFG in 2007 and 2008 stoked fierce anti-Americanism and anti-UN sentiments in the country. Donor pressure on aid agencies to support stabilization efforts and the TFG despite the fact that the government was a party to a war eroded the neutrality of the UN's specialized agencies and Western aid agencies in the eyes of many Somalis. TFG policies designed to block and divert food relief in 2007-2008 actively undercut international humanitarian objectives in the country as well. And the African Union (AMISOM) peacekeepers tasked with protecting the TFG have inflamed the crisis by returning heavy fire into densely populated neighborhoods, leading to civilian casualties and stoking still more public Somali anger at external actors.

Perhaps most damaging has been the fact that the TFG was so closely linked to and dependent on the Ethiopian military occupation in 2007 and 2008. That occupation sparked a highly destructive insurgency and counter-insurgency which damaged much of Mogadishu and turned 700,000 residents into internally displaced persons. The TFG was seen as actively culpable in this catastrophe, and was indelibly tarnished in the eyes of many Somalis as an illegitimate government and a puppet of Ethiopia. Shabaab easily exploited public anger at the TFG, conflating its radical jihadist ideology with Somali nationalism, anti-Ethiopian and anti-Western sentiment. The two year Ethiopian military occupation which some believed would cleanse Somalia of Islamic radicals did much to radicalize a much broader portion of the Somali population and legitimize the shabaab.

Somalia is a far greater security threat to its neighbors and the US today than it was in 2004, and the TFG has played an important role in this disastrous development. Thanks in part to the TFG's dismal performance, shabaab has consolidated control over most of south-central Somalia and most of the capital city. Shabaab is not an especially strong militia and struggles with numerous internal divisions. It is deeply unpopular with most Somalis, who loathe its extremism, its links to al Qa'ida, and the role foreign jihadists play in the movement. But the TFG has failed to exploit these weaknesses. Shabaab remains the strongest military force in south-central Somalia because it is the only team on the playing field. Somalis are aligning themselves with shabaab not because they like what it stands for – far from it – but as a matter of political survival.

The fundamental problem with the TFG is that its leadership is not committed to actually governing. Were this a case of a weak government being “willing but not able” to govern, standard capacity-building assistance would be effective. But when a government is neither willing nor able – when its top figures view the TFG as a short-term money-making venture – viable options involving state-building are very limited.

The central problem for the international community in Somalia is this: what we see as threats and crises -- humanitarian emergencies, state collapse, armed conflict, piracy, and Islamic extremism -- the Somali political elite views as opportunity. They are

enthusiastic supporters of state-building, counter-terrorism, anti-piracy initiatives, and humanitarian response, but only as projects, not as outcomes. When counter-terrorism, state-building, and humanitarian relief constitute three of the most lucrative enterprises in Somalia, what rational political leader would want to solve the crises attracting these interventions?

Trends and scenarios

Though all agree that the current crisis in Somalia is untenable, a case can be made that the situation could continue for years. While the current situation is not ideal for anyone, it is a minimally acceptable outcome for many key actors. For the TFG, presiding over a paper government has proven to be lucrative. For shabaab, prolonged stand-off allows it to mobilize for jihad indefinitely, allows it to continue to collect revenues from the vast territory it controls, and enables it to avoid making difficult and divisive decisions it would face were it to assume control over a government. For some external actors, the current situation is bad but constitutes a “devil we know” rather than the devil we don’t. No Western government wants to be linked to a policy which culminates in the formal collapse of the TFG, opening them up to charges that they “lost” Somalia to an al Qa’ida affiliate. The political preference is thus to continue to prop up the TFG.

On the other hand, a number of “game changers” could lead to major changes in Somalia. One would be a shabaab terrorist attack in a neighboring state or in the US. To date, shabaab has threatened to launch terrorist attacks outside Somalia but has not done so. In my view, they have been constrained from doing so by the fact that Somalia is entirely dependent on remittances sent back to the country by the one to two million Somalis living and working abroad. Any Shabaab action that would place the Somali diaspora and its remittances in jeopardy would be political suicide for shabaab. Shabaab would likely face sharp reactions from every Somali clan and business interest. It would also likely trigger robust external military action inside Somalia. Still, it is very possible that at some point a shabaab cell could opt to launch a terrorist attack in Kenya or elsewhere. Should that occur, the US should be prepared to use every carrot and stick at its disposal to encourage Somali interests to go after shabaab rather than to attack the group directly. Shabaab ultimately needs to be solved by Somalis.

A second game-changer would be a withdrawal of AMISOM troops. The TFG would be in no position to protect itself and would flee the country leaving Mogadishu in the hands of shabaab. This would likely be followed by armed conflict within the Islamists.

A final game changer would be a major policy shift by the US and its allies. This is the preferable route, as it is the only option which allows the US to shape rather than simply react to events in the country.

Policy options

We face poor choices and high risks in Somalia no matter what we do. We also consider policy options in Somalia humbled by the fact that almost every foreign policy initiative

in Somalia over the past twenty years has produced the exact opposite result than what was intended.

Though the TFG is a failure, most observers concur that it would be counter-productive at this time to decertify and abandon it entirely. There are a variety of reasons why the transitional government needs to be kept alive at least as a "shell" which at a future date can be inhabited by a more effective administration. But the TFG should no longer enjoy a monopoly on external support. It should be treated as a transitional authority, focused mainly on advancing key transitional tasks, not mimicking a full-fledged government. The US and other donor states should actively pursue a policy of diversification in Somalia, working pragmatically with whatever local authorities they identify on the ground who are relatively legitimate, powerful, and accountable to their communities. In some cases this means expanding support to existing regional polities. But this must not be reduced to a search to find and shore up regional states; that approach is very likely to produce war, not peace, in much of southern Somalia. Instead, the international community must be open to engaging whatever authorities they find. Most local specific authority in Somalia is actually found at the municipal level. Many towns across Somalia have pulled together basic administrations that bring clans together over functional cooperation and are supported by business interests. By diversifying our points of contact with Somali authorities, we can reward and incentivize strong performance in governance. This approach could include considering greater levels of engagement with Somaliland short of outright recognition. It could also consider temporary relocation of the transitional authority to a new temporary location in a more peaceful part of the country.

The US must support the continued presence of AMISOM forces in Mogadishu for the time being, in order to maintain a protected zone around the airport and seaport that prevents Somali armed clashes over these valuable resources and to provide Somalis and the international community with a relatively safe zone for future meetings.

The US and its allies are justifiably and deeply concerned about the worsening security threat posed by shabaab and the growing Al Qaeda presence in the country. This short presentation is not in a position to elaborate in detail on our most effective counter-terrorism strategies. But it can flag a few core principles and concerns. First, we need to be very careful about how we partner with local militias and government security forces in pursuit of counter-terrorism goals. The leaders of these security forces have their own interests that may or may not coincide with ours, and their uncontrolled militia can easily fuel anti-American public sentiments. Second, we must exploit the fact that shabaab is composed of very disparate groups with varying levels of commitment to the cause. Many, perhaps most of the group can and must be weaned away from the movement as part of an enduring solution in Somalia. It cannot be defeated under current circumstances, but if weakened by defections the hard core remnant of the group can be contained if not defeated outright. But defections will only occur when a viable alternative emerges in Somalia, and if the US government is flexible and pragmatic enough to engage parts of shabaab in quiet dialogue. Unless and until the TFG or a successor body provides Somalis with real hope in an alternative to shabaab, most

Somalis will understandably acquiesce to shabaab rule and avoid the risks associated with opposition to this extremist group.

Finally, to refer back to the point I started my remarks with, the Somali crisis is very much part of broader regional conflict complex. US policies which help resolve the ongoing Ethiopian-Eritrean impasse, and which encourage rapprochement between the Ethiopian government and the Ogaden National Liberation Front, would go a long way to creating a more conducive regional environment in which to successfully address the Somali crisis. In the long run, peace in both Somalia and the Horn will require recognition by all actors in the region that they cannot threaten the security of their neighbors, nor can they pursue their security interests at the expense of their neighbors.

Mr. PAYNE. Thank you very much. We have our final witness, Mr. Amum Okiech.

**STATEMENT OF MR. PAGAN AMUM OKIECH, SECRETARY
GENERAL, THE SUDAN PEOPLE'S LIBERATION MOVEMENT**

Mr. AMUM OKIECH. Thank you, Chairman Payne, Congressman Smith and members of the subcommittee. I thank you for holding this important hearing on current conditions and U.S. policy in the Horn of Africa. I appreciate the opportunity to speak on behalf of the Sudan People's Liberation Movement and the people of Sudan about the momentous changes taking place in our country and the role we hope the United State of America can play in helping us avoid a return to conflict in Sudan and ensure a brighter future for the Sudanese people who have seen so many years of war and suffering.

Mr. Chairman, sir, if you may allow me, I have submitted a written testimony, and I would like to use to the few minutes to proceed to make recommendations?

Mr. PAYNE. Without objection.

Mr. AMUM OKIECH. And I will start by stating that Sudan, my country, is a failed state. Sudan is a failed state because at independence, the Sudanese political leadership have failed to develop and agree to an inclusive nation-building consensual project, a project that would have transformed the decolonized, multi-cultural society and build it into a multi-cultural inclusive nation. This failure led to profound national crisis expressing itself in multiple devastating civil wars and to an entrenchment of a highly repressive extremely violent military dictatorships, transforming the Sudanese state into a predatory state.

Mr. Chairman, sir, this state failure and national crisis and misrule is responsible today for causing the imminent disintegration of the Sudanese state. The CPA, the Comprehensive Peace Agreement, was an attempt to resolve the Sudanese national crisis and to end the conflict between the Central and Southern Sudan, Abyei Nuba Mountain and Blue Nile regions on the other hand, while civil wars still continued in other parts of the country in eastern Sudan and in the Darfur region in western Sudan.

Today, with the developments that are happening in our country, I would recommend the following: That the Government of the United States of America support a full implementation of the CPA

and that it will lend its active support to ensure the conduct of the referendum on self-determination for the people of Southern Sudan in time as agreed in the Comprehensive Peace Agreement that is no later than January 2011.

We ask for your support for the conduct of this referendum to ensure that it is transparent, free and fair and would result to a credible choice by the people that would be credible on reflecting the will of the people of Southern Sudan, and we would call on the Government of the United States of America to accept, respect and recognize the choice of the people of Southern Sudan in the interest of peace, which most likely will be a choice for independence or secession of Southern Sudan given the fact that unity has not been made attractive in 5½ years of the interim period.

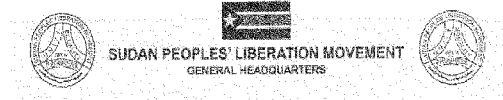
I also recommend that the United States of America assist the North and Southern Sudan to negotiate post-referendum arrangement to establish friendly cooperative relations to serve the best interest of Southern and Northern Sudanese peoples. I recommend that the Government of United States recognize the new independent state in Southern Sudan and focus its support to the Government of Southern Sudan to build capacity of institutions of governance in the would be new state so as to emerge as a stable, peaceful and prosperous state that would contribute to peace and stability in our region, the Horn of Africa.

And with regard to Northern Sudan, we recommend that the Government of United States continue to support the conduct of popular consultation in the two states of Blue Nile and Southern Kordofan and continue to work to end the conflict and war in Darfur and achieve peace and justice through a peaceful settlement that would end the marginalization of people of Darfur and respond to the legitimate needs and aspirations of the people of Darfur to govern themselves and participate in a fair manner in the governance of the rest of Northern Sudan.

We also believe that it would be important to support the democratic forces in Northern Sudan, including the SPLM in the north to achieve a fundamental transformation of Northern Sudanese state from a totalitarian fundamentalist state into a secular democratic state that would achieve inclusivity and realize peace and marginalization within Northern Sudan so that there would be peace within Northern Sudan and transform the relations between Northern Sudan and its neighbors, including Southern Sudan and all the other neighbors, Ethiopia, Eritrea, Chad, Libya and Egypt into peaceful relations and ending all forms of interventions and attempt to export destabilization which has been the practice of the ruling political force in the north.

To end, Mr. Chairman, I believe that the United States of America can use in a smart manner incentive and disincentives in the Sudan to encourage the Sudan achieve a transition into peace, possibly into becoming two stable states, and the two stable states will join hands together, work in good relations and join with the other states in the region to build a free peaceful and prosperous Horn of Africa. Thank you, Mr. Chairman.

[The prepared statement of Mr. Amum Okiech follows:]



**Remarks by Pagan Amum Okiech
Secretary General of the Sudan People's Liberation Movement**

“Horn of Africa: Current Conditions and U.S. Policy”

**House Committee on Foreign Affairs
Subcommittee on Africa and Global Health
U.S. House of Representatives**

17 June 2010

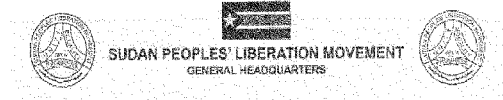
Mr. Chairman, Congressman Smith and Members of the Subcommittee:

Thank you for holding this important hearing on current conditions and U.S. policy in the Horn of Africa. I appreciate the opportunity to speak on behalf of the Sudan Peoples' Liberation Movement (SPLM) about the momentous changes taking place in our country and the role we hope the United States can play in helping us avoid a return to conflict in Sudan and ensure a brighter future for the Sudanese people who have suffered too many years of war and destruction.

As you are aware, the Government of Southern Sudan was formed five years ago with the signing of a Comprehensive Peace Agreement (CPA) that ended the longest civil war in Africa. One of the key provisions of the CPA is a referendum on self-determination for the people of Southern Sudan, to be held in six months on January 9th, 2011. The SPLM's primary goal between now and then is to ensure the smooth and transparent conduct of the referendum and to prepare itself for issues it will face in providing governance in either a unified Sudan or independent South Sudan.

Since 2005, we have worked to strengthen the capacity of GOSS to govern Southern Sudan, and despite a lack of resources and capacity, poor infrastructure, a population which is new to nation-building after many years of war and destabilizing interference by the NCP, we have made progress.

In the area of security, with the help of the international community, we have been strengthening the capacity of South Sudan police force and judiciary, as well as investing in disarmament and learning from previous efforts in this area. We are transforming the SPLA from a guerilla army into a modern conventional army capable of defending Southern Sudan. Southern Sudan has a history of internal tension that is based on competition over scarce resources and a lack of strong institutions and can best be addressed by building up institutional capacity. The new government will be committed to bringing the diverse Southern Sudanese communities together, something we have never really had the opportunity to do in the past.



We are also addressing serious concerns about corruption in the government. We have created Southern Sudan Anti-Corruption Commission, and in response to grave allegations of corruption, President Salva Kiir dismissed two Ministers of Finance and Economic Planning. While very little work in this area could be done during the war, it is a high priority of our government now. With help over time, we will build greater accountability, including a harmonized civil service, improved financial management and a strengthened law enforcement and judiciary.

After Sudan's April elections, some of the candidates who had lost in the South chose to express their dissatisfaction with the results by armed rebellion. Dissatisfaction with election results is common in any election, but in Southern Sudan, where large stocks of weapons are readily available, it can become dangerous when candidates choose to resort to arms rather than express their grievances peacefully. While the SPLA has the ability to deal with these groups militarily, it is not the intention of GOSS, nor is it in its interest to do so. GoSS' aim is to bring all groups together through dialogue, and in doing so, turn away from the "eye for an eye" mentality of the past. However, make no mistake: much of this internal tumult is being stoked by support from the NCP in Khartoum as long as the NCP finds it in its interest to support dissidents in the South and security in the south will continue to be affected. GoSS has evidence of the NCP's support for these groups, and President Kiir recently sent an envoy to present President Bashir with a message of protest from GOSS.

These challenges are not unique to the South – the North must also deal with issues of ethnic and cultural plurality and armed insurrections in Darfur and in the East. Whatever the outcome of the referendum, the South must work together with the North to address these common problems and to maintain peace. The people of Sudan, North and South, cannot afford another war. You have my pledge that despite provocative behavior from the North, we will do all we can to work the NCP leadership in to making the transition peaceful.

We have made progress in the past five years but much still needs to be done to ensure next year's referendum is free, fair, and credible. As President Kiir told Vice President Biden in Nairobi on June 9th, we formally request assistance from the United States in preparing for the referendum and in addressing the most urgent post-referendum needs, particularly in the areas of security, governance and development, in order to promote a peaceful transition post-referendum. GoSS is ready and willing to participate in efforts to make progress on negotiations with Khartoum on outstanding CPA issues, and in particular the establishment and effective functioning of the Referendum Commission. This should include prompt establishment of a schedule of meetings between GoSS and the NCP, supported by international mediation. Other outstanding issues include oil negotiations, border demarcation, water rights and citizenship.



GoSS also seeks clear expressions of support for the CPA process from the United States to reinforce the prompt conduct of the referendum in January 2011, as has been agreed by the parties and guarantors. We appreciate the comments Vice President Biden made in Nairobi supporting the referendum being held without delay and the results respected unconditionally. The conduct of the referendum must be supported by the international community to ensure a legitimate and recognized process, and we seek the United States' assurance that it will unconditionally support the outcome of the referendum whatever it turns to be. We continue to be grateful for the critical role the United States has played so far as a guarantor of the CPA.

Despite the challenges of the next six months, we take comfort in the paths we have seen others take towards peace, freedom and prosperity. Our battles have similarly been fought in defense of our identity and dignity: to ensure for ourselves freedom of belief, freedom of speech, freedom from want and freedom from fear. Although the outcome of our civil war may not parallel the United States', we are determined to emerge from it a people strengthened in freedom. In your early days as a nation, you received vital help from your friends. Without this help, the United States would not have grown to be the great nation it is. We ask nothing more than to have the same opportunities you had as a nation in your early days.

Mr. PAYNE. Thank you very much, and let me thank all of the panelists, and as I indicated and so that it is clear for the record that our witness who just testified is representing the SPLM, which is a movement. He is not a representative of the Government of South Sudan just so it is very clear. Let me begin. You heard the bells. What I will do is to ask a quick question, perhaps take 3 minute or so. I will let Mr. Smith give that quick question. We would then recess for 15 minutes, and we should be back. We have, as you can see, a 15-minute vote, and there is 5 more minutes to go, but we will stay. When it is zero numbers on the time remaining, we will still get there in time.

Then, when that vote is completed, there will be a 5-minute vote and perhaps a second 5-minute vote, so we should actually be back within 15 minutes supposedly, but let me ask the first question in regard to Sudan, Dr. Menkhaus. We all feel that the current Government of Somalia is weak. We are aware of the fact that I guess for 15 years there was no government, and I imagine when the TFG actually started with the concept, it was really not an elected body. It was a body put together by clans and subclans. It was felt that if everyone could included, that at least that can transition toward an official election.

Of course, it is very difficult to have elections when you have the lack of security. With the sort of merger more or less or the coming together of the TFG or ICU. Initially, the TFG said they would not accept any members of the ICU after conferences and so forth over a course of a number of years. They tended to accept moderate members of the ICU, and that is how Sheikh Sharif Sheikh Ahmed became its head.

Having said all that, and you did mention regional possibilities of working underneath the government, so I just wonder if you could spend a couple of minutes once again sort of going over your theory of how a governing body could at this time be installed and what it would look like, how would it operate? You are not going to do that in about 2 minutes, but you could do as much as you can, and then I yield to the gentleman from New Jersey.

Mr. MENKHAUS. Thank you. The first principal behind a diversification strategy would be to cease rewarding the very bad behavior that is causing the failure of the TFG in the first place. We have got with the Transitional Federal Government—and we have had this in other parts of the world as well where we have governments that appear to be both unwilling and unable to govern—we run the risk of moral hazard, in which we are reinforcing the very behavior that we are trying to overcome.

In the case of the Transitional Federal Government, the millions of dollars that have gone to it virtually unconditionally over the years have provided a very nice living for a number of people who have positioned themselves at the spigot of foreign aid in the TFG, and they have exhibited no interest in building a government capacity. How to work around them? By working with regional politics as well, not decertifying entirely the TFG.

I think there are powerful arguments that at least the shell of a transitional government is needed to be filled by whomever in the near future. But why not work with Somaliland more aggressively, more with Puntland, more potentially with the Galmudus region, other regional or municipal authorities where they appear. Presumably this would only occur across south central Somalia if Shabaab were in fact to lose control over some of these areas, and I think that is entirely possible in the coming year or 2.

They are deeply unpopular among Somalis. If given the right conditions, I think they can be pushed out of different areas. What we could do is provide Somalis, particularly at the municipal level, with opportunities for functional cooperation. It is at the town level where cross-clan alliances are forged. We are already pretty good at this, UNICEF, NGOs, a number of different U.N. specialized agencies have worked with town authorities across the country.

It is where I have seen over the past 15 years some of the best most effective, most legitimate governance occurring. What that would do is it would give people confidence in an alternative, and it might provide Somalia with the opportunity to cobble together what some of us have been calling, for lack of a better term, a “mediated state.” That is to say a state that isn’t built from the top down, but rather one which is negotiated from Mogadishu with these local fluid polities, whatever is found at the local level.

It is going to be messy. It is going to be hybrid. It is going to be difficult for us to interface with at times, but the Somalis understand it full well and have learned to work within it over the past 20 years.

Mr. PAYNE. Very good. Thank you very much. When I return, I would like to expand a little bit more and also hear from Ms. Ali Aden about some of those points that you mentioned, the two things that must stop, the toxicity and the fishing. Mr. Smith?

Mr. SMITH. Thank you, Mr. Chairman. Ms. Ali Aden, let me ask you a question if I could, and thank you for your very troubling and incisive testimony. The AMISOM mission of 5,200 people mostly from Burundi and Rwanda, in your view is it enough? You spoke of the 1.5 million internally displaced persons. You quoted USAID about 3.5 million people in need of humanitarian aid, and obviously the security situation totally exacerbates that problem if not creates it in the first place, and the others might want to speak to this as well, whether or not that mission is sufficient.

I remember when the first deployment of AU peacekeepers went to Sudan, I went over and met with them, and they were grossly underpaid, getting \$1 a day. They were in very, very hostile situations. They had very poor rules of engagement, not their fault, but the fault of those who sent them, and I am just wondering if your sense is that this is a robust mission. Also, we found in DR Congo, and I actually chaired three hearings on it, with regards to peacekeepers committing atrocities against individuals, mostly women, mostly small, young girls in terms of rape, and in Goma it was a terrible and is a terrible situation.

Has anti-human trafficking protections been integrated into the AU mission there, and anyone else who would like to speak to that as well?

Ms. ALI ADEN. Thank you. On the issue of AMISOM, if it is enough, has become obvious with the Somali community and how the Somali society sees as foreign intervention. Some would say that the AMISOM is not needed in Somalia, but because of the way the conditions are in Somalia, there has to be some sort of elements or troops like AMISOM that can keep the peace, but there is no peace to keep, so peace has to be established first.

What the Somalis always talked about, and we have argued consistently on different forums is that perhaps the international community, especially the United States should consider bringing in forces that are coming from surrounding nations rather than just the neighboring countries and avoiding the front-line states such as Ethiopia, Kenya and now Uganda. As far as the capacity is concerned, we don't believe AMISOM has the capacity to do the work.

They are not underpaid. They get paid much better than the Somali soldiers that have been trained in Uganda and now that are coming back with no pay and selling their guns, so perhaps reducing the numbers from 5,000 in a smaller pace and bringing in Somali soldiers and paying the Somali soldier from some of that salary would do a better job for Somalia on security. As for AMISOM, now there are unconfirmed reports that it has established a prison in this compound that keeps closed not only from the international community, but also from the Somali Government. There has to be a mandate that clearly states that law has to be respected and civilians have to be protected.

Mr. SMITH. I am going to have to run over to vote, I guess you too, Mr. Chairman. I would like to hear whether or not there is a protocol to combat human trafficking to make sure that women and children especially are not exploited.

Mr. PAYNE. You can go ahead.

Mr. SMITH. You are going to stay?

Mr. PAYNE. Yes. You can answer that.

Ms. ALI ADEN. Human trafficking?

Mr. PAYNE. Yes.

Ms. ALI ADEN. Well, there is a more of a child soldier than trafficking. There is some that exist, but it is more with the women, especially from the refugee camps surrounding Dadaab, and there have been reports that it has been talking about that not only inside Somalia and refugee camps but also where the Somalis have sought refuge such as in Kenya and in Dubai where Somali women are being sold as sex slaves.

Mr. PAYNE. Now, once again in regard to the military, what is your opinion as it relates to the African Union's forces as opposed to Somali-trained forces who have been trained in Kenya and other places? If you were in charge, how would you fit that group in?

Ms. ALI ADEN. As far as the Somali soldiers that have been trained are concerned, like I say, when they come back, there is no salary for them, and there is no food, so the only alternative that they have is having a soldier that has been trained and who has a gun in his hand either join the insurgence or sell his gun to gain food for his family. A better way to go about it would have been to train these soldiers inside Somalia so they become familiar not only with their colleagues that they are working with, but with their superiors because when they come back, the superiors have been trained outside so the soldiers and superiors don't have a relationship, and when they come back, there is no respect between the two.

Training the soldiers inside Somalia, offering them a salary that can sustain them and their families will help them and keep them away from joining the insurgents and thinking more of a nationalist rather than always supporting their clan, and that will only come if they are recruited on the base of their capacity, their knowledge, their previous experience and their health. Instead, they are being recruited when they are being taken to these different countries based on the clan of who recruiting these soldiers to be trained.

Mr. PAYNE. And, Dr. Menkhaus, what is your opinion on the soldiers, the military element?

Mr. MENKHAUS. First with regard to the African Union, the AMISOM forces, I think our first observation has to be that their mandate is to protect the Transitional Federal Government first and foremost. Their relations with the Transitional Federal Government are very poor. There is no trust on either side between the two, and as a result, the AMISOM forces are deeply frustrated. They would like to expand their mandate to be able to work with other entities like Al-Sunna wa al-Jama'a in taking the fight to Shabaab. I am deeply concerned about that.

As someone who served in UNOSOM, I know even 30,000 plus of the world's best peacekeepers confronted with a sustained urban guerrilla war are not going to be able to succeed in Somalia. I think in the long run Shabaab is going to see its demise, not from military defeat, but from being eroded from beneath, and I think that is first and foremost a Somali task, not an AMISOM task. Moreover, AMISOM has been responding to Shabaab shellings by returning fire in densely populated neighborhoods. That results in extensive civilian casualties which is precisely what Shabaab wants.

It has infuriated Somalis against AMISOM, and as a result, that is just exacerbated the general feeling of anti-foreign sentiment among the population in Mogadishu. The problem with bringing Somali militia in as security forces is not only that they haven't been paid, but the money has been made available, but because of corruption, TFG officials are taking that money, and as a result, up to 75 percent of the TFG security forces who have been trained by outsiders have in fact either deserted or defected.

I would add a final point, and this is a potential game changer. If AMISOM were to withdraw, which is another scenario, not necessarily to expand, but to withdraw due to frustration and Uganda and elsewhere, the Transitional Federal Government would not be able to protect itself at all. It would almost certainly have to flee the country, so it would be a game-ending change.

Mr. PAYNE. Okay. Thank you. The hearing will stand recessed. Thank you.

[Whereupon, the subcommittee recessed.]

Mr. PAYNE. The hearing will reconvene. I thank those of you in the audience who could stay and thank the witnesses for remaining with us. Let me ask you, Mr. Dagne, the situation in the Ogaden region of Ethiopia is deeply concerning, troubling as you have already mentioned considering reports of sexual violence perpetrated by Ethiopian troops and the effective isolation of the region imposed by the Ethiopian Government.

Since the government suspended food aid to Ogaden in 2006, it seems the humanitarian situation has continued to deteriorate, yet very little has been done by the international community to pressure the Ethiopian Government to peacefully resolve the issue in the Ogaden. In your opinion, why has so little been done to engage the Ethiopian Government on this issue, and given that the Ogaden region is cut off from contact with outside entities and access to the region, it is highly restricted, from what sources are we able to collect information on the status and the condition of the inhabitants in the Ogaden?

Mr. DAGNE. I think most of the information that we are getting about the Ogaden comes from the refugees near the border in Kenya. There are also human rights groups, journalists who have gone into the Ogaden without the permission of the Ethiopian Government, and they have documented what they have seen, interviews of the victims. I have gone at least three times in the past couple of years. I went into the refugee camps and in Nairobi and documented a number of interviews of the victims as well as conditions internally.

What is different about the Ogaden is that rarely you will see reporting about the atrocities that are being committed. The targeting in the Ogaden is exclusively against civilians, especially women. Rape is one of the methods used by the Ethiopian security as well as hanging. We have a number of cases of individuals who were handed. One particular person that comes to mind that you and I had met 2 years ago and last year is a young lady named Redwan. She was hanged by the Ethiopian security, left for dead. Fortunately, for her, she wasn't dead, and she was helped out, moved into a neighboring country, and she is still awaiting for the United Nation's Refugee Agency to process her status.

Mr. PAYNE. Thank you. Let me ask you, Ms. Lefkow, the Ethiopian judiciary has been under severe criticism for years by some observers and opposition groups for allegedly lacking independence and effectiveness. Do you agree with this assessment and criticism, and what are the major problems facing Ethiopia's judiciary? What can, in your opinion, the U.S. do to help strengthen the independence of the judiciary in Ethiopia?

Ms. LEFKOW. I would be happy to try and address that. May I also add a couple of points with regard to your question on the Ogaden area?

Mr. PAYNE. Yes.

Ms. LEFKOW. Maybe if I start with that? The allegations of abuses in the Ogaden is an issue that Humans Rights Watch has been extremely concerned about over the last 3 years. We did a very in-depth investigation in 2007 into these allegations and documented crimes that we in our assessment amounted to war crimes and crimes against humanity, so these are very, very serious crimes by the Ethiopian military, to some extent also by the Ogaden National Liberation Front. They are not clean. Their record is not entirely clean either. I think it is important to say that clearly, but the scale of the abuses against civilians was overwhelmingly for the most part on the part of the Ethiopian military.

In our assessment, the patterns of crime declines somewhat in 2007, 2008 after the initial campaign by the government. We have actually been doing another set of research just in the last few months on what is happening in the Ogaden trying to get an updated picture of what is happening on the ground because as you know, it is extremely difficult to get solid and credible information, and we are very concerned about some ongoing military clashes in the region and ongoing targeting of civilians.

I think there are two new elements that we are seeing in the region. One is that the regional government in Somali region has established like almost a paramilitary force called the New Police, and it is these forces that seem to be responsible for a lot of abuses against civilians now, so this is a new development since 2008. The other I think new element in the Ogaden area is a real expansion of oil development.

We were hearing this from dozens of people we spoke to just last month of an expansion of the oil exploration in the area, which is having kind of a knock-on effect because this is a conflict zone, and a lot of people are pastoralists, nomadic herders, and they are actually not able to go to their traditional lands anymore because the oil companies with Ethiopian military support have actually seemingly fenced off large areas, so this is a kind of new dynamic that we are seeing, which I think will have some serious effects on the ground and on civilians, and I may just quickly—

Mr. PAYNE. And on that point, is there the presence of the People's Republic of China's military there or security forces armed from China since it is PetroChina that is doing the exploration in the Ogaden?

Ms. LEFKOW. Not that we are aware of. The security forces for the oil seems to be primarily Ethiopian military, so the national defense forces. Although, there are also—

Mr. PAYNE. Okay. I know that several years ago there was a conflict with the OLF, and I think a number of Chinese security forces were killed in a combat with OLF and Chinese military or paramilitary or security, and you can go on.

Ms. LEFKOW. Thank you. The other issue I wanted to mention, I mean, I guess it is in relation to the Ogaden. I think there is a couple of points worth making. I think with regard to the U.S. policy, I think there is a positive and negative side to the U.S. positioning, the government positioning on Ogaden. On the one hand, I think the U.S. has been pressing quite hard for humanitarian access over the last few years. I think there is a recognition that the humanitarian situation in the Ogaden area has been very, very serious and continues to be very serious, and I think that is an important positive position.

I think the problem is that there hasn't been enough push back on the fact that the Ethiopian Government has essentially closed down this region to any kind of independent access. Journalists can't get in there, diplomats can't get in there. We certainly can't get in there. They have effectively established an information blackout on the Ogaden area, and I think there needs to be much greater challenging of this by the U.S. and by other of Ethiopia's partners.

I think on that score, what we see, the National Security Council statement after the elections last month was an important signal it seems of a shift in U.S. rhetoric toward Ethiopia. I think it was a strong statement. It was a welcomed statement of concern about the electoral process, but what we need to see is those words matched by action and to see the apparent greater concern for the human rights situation translate into real policy consequences for Ethiopia if it does not shift course.

Mr. PAYNE. Thank you very much. Just finally, Mr. Amum Okiech, could you explain to us the relevance of the change and the split in the energy portfolio by President Bashir into three, separating oil, mining and electricity recently, and has the cooperation of the NCP changed or improved after the national election and the recent appointment of the new cabinet? You can give me your assessment of the new appointees in the North and as I mentioned, the splitting of the energy portfolio. Do you think this has something to do with the upcoming referendum on January 9, 2011?

Mr. AMUM OKIECH. Thank you, Mr. Chairman. The decision to split the ministry of mining and energy into three separate ministries is driven by the consideration that possible outcome of the referendum may be secession of Southern Sudan where petroleum is largely produced in Southern Sudan, and it may be a ministry that may not be there after the referendum in Northern Sudan or possibly having very limited functions.

In that case also, the National Congress Party has been investing in the center of Sudan, particularly in the northern parts of Sudan in building dams for the production of energy from hydroelectric power as well as also developing plans to develop agricultural irrigated schemes along the Nile, particularly in Northern Sudan. Now, this program of building hydroelectric power and dams in Northern Sudan has caused a very serious concern that would need

attention by the international community and the Government of United States.

The Nubian people, who are a marginalized people in the far north or Northern Sudan, are under attack and are in danger of extinction because the process of the constructions of the dams is being done without their consultation. Their villages and land is being submerged under water. Also, there is an intentional cultural genocide that is being carried out where the ancient civilization of the Nubian people is being destroyed and submerged under water. This is going to be a loss not only to the Sudanese people, not to the Nubian people; this is a human patrimony that need to be protected.

Also, the land of the Nubian people is being usurped from them. They are being displaced and being sent to inhospitable areas without compensation, and actually tomorrow here in Washington there is going to be a memorial by the Nubian people to remember the victims who have been killed by the Sudanese authorities resisting to defend their land from being usurped in the process of building dams, so the ministry of energy is a ministry that is going to focus in development of energy, particularly hydroelectric energy, and building of dams.

Why the mining, the third ministry, is being separated was the aim of development of mineral resources, particularly in eastern Sudan, especially gold, and the people of eastern Sudan are marginalized, are excluded from these processes. Their land is being taken. Their resources are being used, and revenues from the exploitation of the mineral resources in eastern Sudan are not being brought to benefit the marginalized people of eastern Sudan, particularly the very people whose land these resources are found.

Again, there is also an issue of concentration of the opportunities of development in the center and exploitation of resources of the marginalized areas like the far north or the east in the benefit of the ruling elites in Khartoum to the total marginalization and exclusion of the people of eastern Sudan, particularly the Bija, so the petroleum ministry now has been assigned or has been located to the SPLM, and an SPLM minister would be developing this portfolio. I believe the main important task would be to bring in transparency in how the oil sector has been developed and managed.

There has been a serious lack of transparency. The National Congress has developed this sector exclusively and in a very controlled-type process excluding the Government of Southern Sudan from participating in the management of the oil sector whether in the development of the production in the fields or in the management of its transport and processing as well as in the auction and sale of the Sudanese petroleum. The reports, including of international and independent organization like Global Witness indicate that Southern Sudan has been cheated for up to nearly 26 percent of its share, which is giving Southern Sudan less than half of its deserved rights, and this is a serious issue.

With the formation of the government of national unity or the Government of Sudan in Khartoum, definitely there is cooperation. The SPLM has been allocated 30 percent of the total portfolios representing Southern Sudan having been the party that has won election in the south while the remaining 70 percent is occupied by

the National Congress Party and other parties associated with it or allied to the National Congress Party. We are desirous to develop better relations with the National Congress as we manage the transition of our country through the remaining short period of the interim period possibly to emerge as two independent states.

It is only through dialogue and serious discussions that the parties are required to have that we will be able to avoid a return to war and avoid a collapse of real peace but achieve a transition to permanent peace even if that would mean establishment of appeals of two states. Thank you, sir.

Mr. PAYNE. Thank you very much. At this time, before I turn over to the ranking member, let me recognize in the audience the Honorable Asha Abdalla, chairperson of the Somali's Women's Parliamentary Association. Would you stand please and be recognized? Thank you. We are very pleased to have you with us here. Mr. Smith?

Mr. SMITH. Thank you, Mr. Chairman. Ms. Ali Aden and Mr. Menkhaus, could you tell us do you believe that the United States is doing enough with regards to Somalia? Resources, policy-wise and the like, Ms. Ali Aden?

Ms. ALI ADEN. Thank you. First of all, as a student who is trained in medicine, I have always learned the importance of history, knowing the history of the patient in order to treat the patient. I believe our Government, United States Government, whether it is this one or the previous ones truly missed the opportunity to study the history of the conflict and all the contributors of that conflict. When Ethiopia invaded Somalia back in 2006, we have consistently spoken to the State Department discouraging that support should not be given to the invasion, and of course we thought that policy was an ill-advised foreign policy.

That was not going to work, and we found out the results. It created more radicals in Somalia and in the region, and everybody else who was involved since that was the worst decision the United States has ever made to support Ethiopia. Now, coming back, if the current administration is doing enough, I would say no, and the reason I say that is because the U.S. administration is depending always on neighboring countries to understand Somalia and to find a cure to the disease that lies on land. We see 150 ships are in the seas outside Somalia, all trying to stop the piracy, when in fact the piracy is the symptom. It is not the disease.

The disease lies on land, and that is to find political stability in Somalia. Therefore, what the United States Government should do is instead of depending on the intelligence collected by the Ethiopian Government, Kenyan or Ugandese to actually do things in their own way and engage the Somali people, especially the Diaspora. There is a huge force of Somali Diaspora sitting outside Somalia, some in neighboring countries.

Somalis in the Diaspora send every year what we know documented by the UNDP, \$1.5 billion to Somalia, and that is only how much we know. They sustain Somalia plus the resilience of those inside, so what the U.S. needs to do is to empower what existed because I don't believe in anarchy, and most of us who advocate for change believed to build on what existed. Let us not make the

same mistake that we made with the Islamic Courts when we destroyed them because we had opportunity there to build on them.

There are safe regions in Somalia, in the northwest, northeast. Let us have reconciliations supported by United States Government and allies and hold a serious and genuine reconciliation that is holistic that includes all the stakeholders and hold inside Somalia, the safe areas, and most of us have been proposing lately in different forums to have the next reconciliation, which is the last, the most holistic, hopefully the most productive and the only one that is needed from here on forward held in Hargeysa. Why take it outside? The people in the northeast and northwest need the funds that we spend outside trying to reconcile these people.

Also, the 4.5 formula, the clan formula system is not working. It is a formula that has become the worst obstacle and impediment to peace process in Somalia because these people selected are loyal to the clan and not to the nation. We should elect people based on their capacity, capabilities and previous experience and inject the Diaspora into the government. We have few right now in the government who left from the Diaspora, but it is like a drop in the sea. We need to have more, maybe flood more of the Diaspora into the government and hopefully create the change that we need with the help of the nationalities like the American citizens who went there.

Mr. MENKHAUS. In my view, I think we are not doing enough on several levels, first on humanitarian relief. Somalia is the site of the worst humanitarian crisis in the world. Historically the United States Government has been extremely generous. It is been a leader in the provision of humanitarian assistance to those in need, but because of the suspension of food aid, there is a debate right now as to why WFP and others have suspended their activities in south central Somalia.

On the one hand, it is because of insecurity from Shabaab and other groups. On the other hand, it is because of concerns about the Patriot Act and OFAC and the liability that Americans and organizations might have if substantial benefits accrue to a terrorist organization from our assistance. We need to grant a waiver to those organizations. For organizations working in areas controlled by Hamas and Hezbollah, that would be not only an important way to remove one of the hurdles to resumption of humanitarian aid, we would also put all of the burden on Shabaab when Somalis ask the question, "Where is the assistance?" Somalia is in huge trouble now. It is the hungry season, there is no food aid, and we need to make sure that they understand exactly who the obstacle is. It is not us. It is not the Treasury Department. It is Shabaab. I think that we can do that without guarantees that the aid will not substantially benefit Shabaab. I think it is low-hanging fruit for us.

Politically, another set of low-hanging fruit is engagement. We do not have enough people in our embassy in Nairobi engaging on Somalia. The State Department will be the first to tell you, and USAID as well, we need a full-court press of engagement across every spectrum of society. Right now, we have very limited opportunities to dialogue with Somalis in civil society, in business and politics and religion.

We are actually losing a public relations battle with Shabaab, which is doing outrageous things in the country, such as banning

the viewing of world cup soccer matches. How that is possible, I don't know. We need to be able to take control of the narrative. There is so much that we are doing that is positive. There is so much that Somalis do like about the United States, and I think one of the things that we can do much more is people to people development and diplomacy.

That is one of our great strengths around the world, the amount of foreign assistance that isn't necessarily official. It is unofficial, sister city programs. All kinds of opportunities are out there for the American people to engage with Somalis so that they start again to see us as they once did, which is the land of opportunity and a source of freedom and development.

Mr. SMITH. Thank you so much. Because we are running out of time, I have a number of questions, but we have another set of votes. On Eritrea, the International Religious Freedom Act designation of country of particular concern, again Eritrea has been named a CPC country. This week, Eritrea became a Tier 3 country on its violations of human trafficking and particularly as it related to labor trafficking.

A number of important recommendations have been made by the U.S. Commission on International and Religious Freedom about going beyond the 2005 actions, which was just to prevent the sale of defense articles to Eritrea, including, and I think one of the best targeted sanctions against individuals and institutions identified as responsible for or complicit in serious human rights abuses. I was wondering either now or for the record if any of you had any specific thoughts?

It would seem to me two terrible designations, CPC and Tier 3, religious freedom, human trafficking and all the other problems Eritrea has. We need to take it a new level I would think, but what is your view? Ted?

Mr. DAGNE. I think it is important to put this in proper context. One, I do think that putting Eritrea along the line of Saudi Arabia and Sudan in terms of religious discrimination in my view is way off target. The major religions, including Christians, Muslims and the minorities, Jews coexist peacefully for centuries, and yes, there has been a problem registering the evangelicals in particular in Eritrea, but to make the conclusion that across the board there is religious discrimination I think is in my view wrong and cannot be factually supporting.

I have read the International Religious Commission report. I met with them a week ago, and I asked the last time they went there to investigate this. It was 2004, so while there are problems in registering some religious groups, I think it is important that this issue is put in proper context.

Mr. SMITH. But with all due respect, is it your testimony that forced recantations of faith and torture of believers is not happening or not happening to the degree? I mean, if they asked to go tomorrow, would they be allowed to go and visit with the religious prisoners? I am talking about either State Department or the United States Commission on International Religious Freedom because both bodies, independent and separate, our own State Department and this independent commission, have come to the identical conclusions, which are contrary to yours.

Mr. DAGNE. My investigation, my research, and I have been to Eritrea more so than those who had claimed to have been there to do this report is that yes, there are people who we have been detained and arrested by the Eritreans, but I have not witnessed, heard or saw any credible evidence to show me that the religious leaders have been tortured. There have been a number of releases of religious individuals who have been arrested for one reason or another, some of whom have been arrested for refusing to serve in the national service.

Some have been arrested for meeting according the government rules and regulations illegally, but I am not here to say that there are now discrimination, there are no arrests, yes. Have there been deliberate delays and denials of registration of religious groups? But what I am stating for the record is that this has to be put in the proper context that Eritrea does not deliberately discriminate or penalize its religious leaders or followers.

Mr. SMITH. Ms. Lefkow, do you agree with that?

Ms. LEFKOW. I do, and I don't. I mean, I think we have documented some very serious human rights abuses in Eritrea, including on the score of denial of freedom of religion to various groups including Pentecostals and Jehovah's witnesses, and I think we are extremely concerned about the human rights situation, actually. There is no question that it is a society that has become increasingly militarized where military service and conscription, for example, continues indefinitely.

This is generating an outflux of refugees from Eritrea that has grown substantially in the last couple of years, and I think this is always a good indicator of things going very wrong at home when you have these kind of increased migration flows, but I think where I would agree with my colleague is there is another dimension to Eritrea's human rights crisis.

It is also very much part of the regional picture, and I think the one thing that the United States has to be incredibly cautious about is having a balanced and principled approach to the region because I think that the appearance of imbalance and of partisan backing to forces that commit abuses as has been referred to already, for example, supporting or being perceived to support the Ethiopian military when it commits abuses, being perceived to support the TFG when it commits abuses, being perceived to support AMISOM when it indiscriminately shells civilians in Mogadishu.

I think this is very much contrary to the interests of the United States to have this perception circulating, and I think that is why it needs to be extraordinarily careful about how it handles the situation with Eritrea because to be seen as zealously anti-Eritrea and not taking a balanced approach to the very serious human rights abuses that the Ethiopian Government is committing I think is not the interest of this government in this country.

Mr. SMITH. I would agree. I mean, we have raised when it was under the Bush administration, and I actually did the Ethiopia Human Rights Act. Mr. Payne, our chairman, did it the following 2 years later, and we were very discouraged by our Government through both administration's response, but with Eritrea, it seems to me that we are trying to stand in solidarity with those who are in prison, and I would love it if the U.S. Commission for Inter-

national Religious Freedom could visit and have access to prisoners. I doubt that they can, but I will follow up on that.

Finally, and this would be for the record because we are out of time, but, Ms. Ali Aden, you talked about the toxic waste and radiological, and Eni Faleomavaega on this committee has been absolutely dogged in reminding us year in and year out that the French detonated so many atomic weapons which have had a disproportionate, horrific impact on the ecosystems and the lives of people living in the South Pacific, and now it would appear there is a kind of *déjà vu* here with regards to toxic dumping.

I wonder if for the record or briefly now but certainly for the record because Nick Nuttall of the U.N. Environmental Program has raised this. He did it during the tsunami when he said people were getting sick because of this stuff washing up on shore. Could you provide a more detailed record and anyone else who would like to on this toxic dumping of radiological and mercury and all the other terrible things that do grave injury to people?

Ms. ALI ADEN. Also included in my testimony, written statement, the information that I put in there is what is out there so far because it seems the international community is busy with the piracy, and like I say, it is a symptom, so for the past 15 years or so, toxic waste dumping has been taking place in the Somali Sea, most of it coming from the European countries and Asian countries.

Mr. SMITH. Do you have any names of companies that might be doing that?

Ms. ALI ADEN. There are no names that have been publicly announced, but there has been certain countries in Europe, and there are some in Asia, so I would not want to go ahead of the game when this hearing was not just about these countries, but I would love to have a hearing where really the whole issue is dominated by the toxic waste dumping in Somalia because what you have is a ticking environmental bomb. If things even work out in Somalia, we don't know what is going to happen on the next tsunami or if anything else goes wrong.

I cannot name particular countries, but we know consistently European countries and Asians have been named even by the U.N. agencies and also the former U.N. Envoy, Ould-Abdallah, has also mentioned that.

Mr. PAYNE. Let me thank you all very much. I think we are on the court on most of these issues. However, I don't want you to say I said something behind your back after you left, but let me also talk about the conscription in Eritrea now. It is wrong, and they say you must join the military. However, as you may recall, when I was coming up, I had to also by law go into the military, and if I didn't, I could be imprisoned or not allowed to have student aid.

Many in the United States of America left the country and went to Canada if they did not want to go into the military. I am not condoning it. I am just simply saying, and I think your point was good about on balance on the religions. I visited religious places in Eritrea myself and saw the Jewish, the Catholic, the Protestants and so forth. There is no question that there has been a restriction on the registration of new religions, including some of the Evangelicals, and we discussed that.

The other thing too we were able through negotiations on a trip that I had with Mr. Dagne many years ago after consultation with the leadership of Eritrea that a number of prisoners were released after we had dialogue with the President and his cabinet people, and so I think that dialogue is much more important than a hammer. To try to exclude and cut Eritrea off and have no dialogue I think gains us nothing.

I do think that as long as there is some opportunity to have dialogue, I would not like to see them put on a state sponsor of terrorism with North Korea and Iran. Eritrea is not, in my opinion, a North Korea or Iran. With 5 million people, I am not sure they can bring the world down, but we need to try to get them to understand that there must be more cooperation. Mr. Dagne?

Mr. DAGNE. Just for the record, Chairman Payne, the national service in Eritrea is a service for everyone across the board for less than 2 years, and it is not entirely military training. You are not recruited into the military. The 1 year actually is studying for your twelfth grade, and it is about 6 months where they will be getting military training, and no one, including the President's son, actually had gone through that, the son of the defense minister. Everyone had to do that service the same way they do it in Israel and in other countries.

Mr. PAYNE. Thank you.

Ms. LEFKOW. Sorry. I just want to clarify for the record, and our objection at Human Rights Watch is not toward conscription per se, not at all.

Mr. PAYNE. Okay.

Ms. LEFKOW. Our concern with Eritrea is the indefinite nature because we have found that in many, many cases the 2 years ends up actually being many, many years and sometimes indefinite service in Eritrea, so that is the concern.

Mr. PAYNE. Thank you. All right. I do hope we can revisit Somalia. As you know, I went to Mogadishu and had an excellent day there on the ground and met with women's groups and education groups and 30 different women's groups at one time, educators and so forth, and I think that there is a great opportunity. I think we are not maximizing it. Of course, I had an unpleasant experience on the way out because it was so positive.

The press conference was so positive about my wanting Americans to come back. I was the first American to go there maybe in a dozen years or so. Al-Shabaab shot missiles at my plane on the way out, however. Fortunately, they didn't succeed, but I think it was desperation because they don't want people to come in because they thrive when others stay out, so I hope that we can have enough security so that we can get the EU and other Americans to go into work with the fledgling government.

Now since I must get over to vote again, but there was one thing I wanted Mr. Smith to hear, but I am sure that staff can relay it to him that we looked at the language in the Constitution, and the draft Constitution of Kenya says that abortion is not permitted unless in the opinion of a trained health professional there is a good need for emergency treatment or the life of the health of the mother is in danger, so to say that the new Constitution will allow abortion on demand is totally incorrect.

It does not say that, and people continue to say that, but it is not correct. Abortion is illegal in Kenya. This reaffirms the current Kenya penal code. It does not change the penal code, and that outsiders are going in and reinterpreting what it says. It says that abortion is not permitted unless in the opinion of a trained health professional there is a need for emergency treatment or the life or the health of the mother is in danger, period.

With that, I will ask unanimous consent that members have 5 legislative days to revise and extend their remarks. Without objection, it is so ordered. Let me once again thank the witnesses. We could be here all day, and if there were not votes, we would be here all day, but thank you all. You were an excellent panel, and thank you those in the audience. Thank you. The meeting is adjourned.

[Whereupon, at 1:03 p.m., the subcommittee was adjourned.]

A P P E N D I X



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SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
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SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH
Donald M. Payne (D-NJ), Chairman

June 15, 2010

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Subcommittee on Africa and Global Health, to be held in **Room 2172 of the Rayburn House Office Building (and available live, via the WEBCAST link on the Committee website at <http://www.hcfa.house.gov>)**:

DATE: Thursday, June 17, 2010

TIME: 10:00 a.m.

SUBJECT: Horn of Africa: Current Conditions and U.S. Policy

WITNESSES: Mr. Ted Dagne
Specialist in African Affairs
Congressional Research Service

Ms. Leslie Lefkow
Senior Researcher
Africa Division
Human Rights Watch

Ms. Sadia Ali Aden
Human Rights Advocate and Freelance Writer

Kenneth John Menkhaus, Ph.D.
Professor of Political Science
Department of Political Science
Davidson College

Mr. Pagan Amum
Secretary General
The Sudan People's Liberation Movement

By Direction of the Chairman

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