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## Managing Somalia's stressed diplomatic relations with UAE briefing note By Sharmake Farah January 24, 2018

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### Background

The purpose of this essay is to provide policymakers a contextual background on the bilateral ties between Somalia and UAE, and advise them with a range of policy options to address UAE's bellicose behaviours and its continued interference in Somalia's internal affairs without sending relations into downward spiral.

Diplomatic ties between UAE and Somalia froze following when Somalia's central authority collapsed and descended into years of civil unrest. During the course of that period, relations between the two nations were based on mutual interests, largely on commercial grounds. Dubai ports and banks have increasingly become important hubs, in terms of, import, export and banking services, for Somalia's businesses. This doesn't mean, however, that UAE is our major trading partner: it only accounts sixteen per cent of Somali export (largely charcoal, which banned by the UNSC resolution 2036). Saudi Arabia is our number one trading partner: 37 per cent of our export commodities are bound for Saudi markets (largely Livestock), followed by Oman, which is around 22 per cent and growing each year at a considerable pace.



President Farmajo visiting UAE

While Somalia suffers perennial trade deficit with UAE, it has grown increasingly reliant on its business infrastructures, in particular, Dubai Ports (DP) and banks. The latter, (Dubai Banks) facilitate and process around \$1.3 billion of remittances money from diaspora communities to Somali families living inside and outside the country.

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Whereas the former, (Dubai Ports) serve as a transit point for most of our export commodities bound for China, India, and among other destinations. Thousands of Somalis from both the diaspora and otherwise (with limited rights), have made Dubai and surrounding regions as their permanent residences, resulting in booming investments in real estate and hospitality industries despite now subdued by the 2008 Global Financial Crisis. Assuming that the

number of Somali citizens living in UAE is hovering around twenty thousand, exact figures of how many of who have Somali passports are not clear however.

## **UAE interests in Somalia**

Setting that aside, UAE's interest in Somalia took a quick turnaround and became a foreign policy priority following September 2001. During which it established contacts with a handful of Somali actors to get a sense of what's happening on the ground and how that may affect its interests. Concerned with the spread of terrorism, human trafficking, and upsurge of piracy activities across the Indian Ocean disrupting commercial shipping lanes, UAE contracted in 2009, Sterling Corporate Services, Saracen International (a South African private military firm), and Eric Prince, the former head of the notorious Blackwater Worldwide to train and arm Puntland Maritime Police Force. To date, UAE maintains contacts with PMPF, bankrolls it through Sterling Corporate Services, and it further cemented its position in Puntland region in additional infrastructure investments.

Not only did UAE's antipiracy mission attract international condemnations for breaking *UNSC arms embargo resolution 733*, which was in place since 1992, but it has increasingly become impervious to such condemnations. Strengthening and accelerating even further at its unilateral zero-sum clandestine operations in Somalia with little or no regard to international norms. Its new military deployment in Berbera is one case in point. Yet, UAE claims frequently that it is protecting what it deems necessary strategic and economic interests.

UAE's illegally acquired military base in Berbera risks sucking Somalia into the Yemen conflict: a conflict that it's not involved. Not only does Somalia recognise the internationally recognised Hadi government based in Aden, but it abhors the Houthis' intention to seize power through violence, and calls all sides involved in this conflict to settle their differences through dialogue. That said, Somalia should demand from UAE to stop using its territory as a staging post for the Yemen conflict, and should call the closure of that illegally acquired military base in Berbera.

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## **The Memorandum of Understanding (MoU)**

It was only 2013 when foreign ministers of Somalia and UAE, Fowzia Haji Aden and Sheikh Abdullah bin Zayed Al Nahyan, respectively got down to business, and signed a memorandum of understanding, which paved the way for re-establishing diplomatic ties between the two countries, and UAE had since opened its embassy in Mogadishu.

## **The Arab spring and its slipovers**

The current UAE foreign policy is informed and shaped by the 2011 Arab spring uprising that shook the whole region, and that nearly upended age-old regional arrangements. Both Arab Monarchs and Ba'athists alike were caught by surprise by this event, and consider it as a moment of near-death experience. In response to the Arab Spring, UAE along with other GCC countries have not only embarked on a massive increase in social spending to appease

the public, but they've accelerated efforts to roll back post-Arab Spring administrations, and pursued a zero-sum-game foreign policy.

These events have, however, led to bifurcate among Sunni states in the region into two opposing poles: Turkey and Qatar on one side and the rest (Saudi-led Coalition) on the other—leading to a tough competition between them for spheres of influences—influences that played out across the entire Arab world in the past seven years. Somalia has seen a taste of that competition too: UAE tried to influence the last election but failed to install its favourite candidates in power.

And judging from its bellicose behaviour, it appears that it still continues to pursuing “change of government policy,” this time through subversive strategies. It is worth noting that UAE's rebellious approach towards Somalia became apparent when Turkey became a strong strategic ally of Somalia and embarked on taking over or financing various strategic infrastructures (airport, Port, hospitals, roads etc.), and opened the biggest embassy and military base ever built outside of Turkey. In addition, the trade between Somalia and Turkey has significantly increased surpassing that of the UAE.

In response, UAE started envyingly to match Turkey's level of support, by building hospitals, military training school and, by carrying out other small projects in Mogadishu and other regions. However, contrary to Mogadishu's consent and indifference to violations of the UN arms embargo, UAE provided lethal weaponry to the regional states to curb, what it assumes, as the growing Turkish influence in Somalia.

Against this backdrop, UAE's foreign policy in Somalia must be understood and must be interpreted in the context of post-Arab spring mindset: competition with Turkey and geo-economical calculations, namely, the potential that if Somalia returns to normalcy, its rich and long coastlines will likely attract massive investments and will become the economic/commercial hub, entry points to African markets, and UAE believes that this outcome will deprive it from resources and will damage its economic interests.

In this context, it considers the growing interests by Turkey and Qatar in Somalia as a threat to its national security, and deems necessary to take all possible pre-emptive actions to protect itself from perceived threats stemming from a future strong and stable Somalia (UAE prefers to keep Somalia at its current status quo) even if that means straining relations with Mogadishu.

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Growing wary to the newly opened Turkey-run military training base in Mogadishu, UAE has since not only embarked on a policy to illegally acquiring all critical infrastructures (Bosaso, Berbera, Barawe, Kismayo, and Hoby) to prevent from perceived Turkish expansion on those areas, but also induced Federal Member States' leaders as well as some members of the federal parliament to align themselves with its strategic and economic interests, albeit, at the expense of Somalia. While business case assumptions underpinning such critical infrastructure acquisitions rest on no solid foundations, and point it is driven by mere paranoia, its continued interference in Somalia's sovereignty shouldn't be left unchecked.

At times, Somalia's interest intersects with the Saudi-led coalition, and responds positively when such opportunities arise as was the case when Somalia severed ties with Iran for its aggressive behaviour and growing interference in the Middle East. At other times though, Somalia's interest may not align to that of the Saudi block, and such posture is within its sovereign rights and should be respected as such. As stated in Somalia's foreign policy context, our interests lie in pursuing zero-conflict, zero-enemy foreign policy across the region and across the Islamic world. And we should maintain that neutral stance, especially in relation to the two competing Sunni blocks. That said UAE's growing violations in Somalia's sovereignty and its continued interferences in its internal affairs warrants measured diplomatic response.

## Current Issues

Given considerable economic ties between the two nations on which UAE stands to benefit in great deal than we do, its zero-sum-behaviour in interfering with our political system, subverting our institutions, and destabilising our country can no longer continue unchecked. The latest of which was the attack at Senator Abdi Qeybdiid's residence by UAE's trained Somali forces, and allegedly abetted by local elements contracted to do us harm and destabilise the country. There is now growing evidence that UAE is pouring in millions of dollars to utilise for motions of no-confidence aimed at toppling the current government for its neutral stance at the GCC conflict.

Should the current trend (UAE's continued interferences) remain sustained, and the international community remains silent, it would lead to destabilising the country; risks reversing the political progress that has been made over the past eleven months; and would help providing Al Shabab with a window of opportunity to strike back and carryout deadly attacks akin to the 14 October Zobe Junction attack. To prevent Somalia from descending into downward trajectory, the international community along with regional partners must take coordinated action to restrain UAE and bring it into the line of the ongoing efforts to stabilise the country.

"Should current trend ... is sustained, and the *international* community remains silent, it would lead to destabilising the country..."

Not only does the SFG's neutral position enjoy unprecedented popular support within the Somali community, it is also the most sensible decision that any responsible government would take, and it is in line with Somalia's long-term foreign policy position. Similar instances can be found in history following when most Arab states cut ties with Egypt after it normalised relations with Israel in late 1970s, Somalia refused to follow suit and maintained its relations with Egypt, thus cementing its image as a reliable friend. Likewise, Somalia should always strive maintaining that image at all cost despite numerous domestic issues.

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Judging from evidences available to the authors of this brief, UAE ambassador in Somalia is in breach of the Vienna Convention of Diplomatic Relations. In particular, *Article 31 (c): "a diplomatic agent shall enjoy immunity from the criminal jurisdiction of the receiving state...except if he/she engages an action relating outside of his/her official functions," and Article 41 (1): "without prejudice to their privileges and immunities, it's the duty of all persons enjoying such privileges...to respect the laws and regulations of the receiving state...and not to interfere in the internal affairs of that state."*

How then should the Federal Somali Government respond to these apparent breaches? Under article 9 of the Vienna Convention of Diplomatic Relations stipulates that: *“receiving states may at any time and without having to explain its decision, notify the sending state That the head of the mission or any member of the diplomatic staff of the mission is persona non-grata....”*

So, should the SFG invoke article 9, and declare persona non-grata the UAE ambassador in Mogadishu? While such decision may attract popular support among the Somali people, after careful consideration, we came to the conclusion to warn the SFG against such decision because the opportunity costs involved in this appears to be high. This doesn't mean that UAE will not suffer from it. Yes, it will, and it stands to lose in great deal, but our concern is how the Saudis, our number one trading partner, would interpret such decision and respond to it.

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There are other measured response options to explore, however, and that is at the government's disposal, which is better than sending relations downward spiral. Among which include: assuming direct responsibility over UAE run military training facilities; limiting their staff at the embassy; restricting their movements; denying access to senior government ministers; and among others.

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In the unlikely event of such a situation where Somalia severe relations with UAE, prior preparation involving thorough analysis of opportunity costs paired with comprehensive consultations with all stakeholders should be carried out. Assuming such outcome, the FGS should appoint a diplomatic emergency committee to engage with the Somali business community for developing comprehensive action-plan to mitigate the impact of such eventuality.

Among the necessary measures that should be put in place include (but not limited to): gradually shifting of all liquid assets to Oman and Turkey, setting up consular emergency team to protect the rights of citizens, and facilitate their return if they wish so, and among others.

While the UAE currently enjoys a tad of leverage, history is on Somalia's side. Somalia will be in a favourable position in three-to-five-year's time should it maintain its current levels of political progress. With Oman's 2030 vision in place, mainly to diversify its economy, which uplifting its critical infrastructures more competitive and more open for business may help Somalia's trade activity in the future.

Massive investments in critical infrastructure projects are currently underway in Oman aimed at attracting international companies to open up offices in Muscat, and operate their businesses from Oman. Given that Oman is our second major trading partner, and given it is liberalising its business infrastructures, it could as well be an alternative hub to ease

Somalia's over-reliance on Dubai business infrastructure. That said, the political situation in Oman remains unreliable, in large part, Sultan Qaboos' ill-health and his lengthy absence from the country, and the lack of apparent heir to the throne, is also a cause for concern.

## Recommendations

- **Engage** with the international community: UN, AU, EU, USA, UK, Germany, Norway, IGAD, Arab League, and OIC to draw attention to UAE's subversive behaviours and continued interferences in the internal affairs of Somalia. The international community should intervene and restrain UAE from continuing its destructive and disruptive behaviour, which have the potential to distracting the FGS leaders from focusing on delivering agreed milestones of: implementing the National Security Infrastructure; resuming the Constitutional Review; and enacting enabling legislations to hold Universal Suffrage in 2020.
- **Assume** immediately direct responsibility over all UAE run military training facilities in Mogadishu, reassess training manuals, and if civic education is absent, retrain all UAE trained soldiers to expose to them the sense and the spirit of patriotism.
- **Demand** the immediate closure of UAE's illegally acquired military facilities in Berbera, which is also in contravention of UNSC Resolution 733 arms embargo.
- **Expedite** Somalia's political Parties legislation, which establishes goalposts (Guiding principles) and effects parameters around which mushrooming political party leaders' behaviours can be measured against it and can be held them to account.
- **Appoint** inter-departmental technical committee to assess and thoroughly evaluate at the opportunity cost of any decision that would lead to escalations of diplomatic tensions between the two countries.
- **Engage with** all stakeholders (both regional leaders and business leaders) whose stakes and interests maybe in jeopardy, and work with them very closely in developing strategies to mitigate such costs.
- **Phase out** Somalia's over-reliance on UAE business infrastructures by shifting liquid assets first, and establishing markets for our import and export commodities in Oman and elsewhere.
- **Set up** consular emergency committee to help facilitate potentially stranded citizens to return home.
- **Embark** campaigns to raising public awareness on UAE's destructive policy, and its long-term strategy to keep Somalia fragmented and underdeveloped.
- **And whence** those measures are taken, and if UAE's aggressive behaviour continues, send signals to downgrade its relations by limiting its staff, restricting its movement, and denying it access to senior government ministers. And if it does misinterpret

those signals, recall the Somali ambassador, and declare the UAE ambassador in Somalia as persona non-grata.

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