



SOMALIA: THE TRANSITIONAL FEDERAL GOVERNMENT

Assessment Report

August, 2008

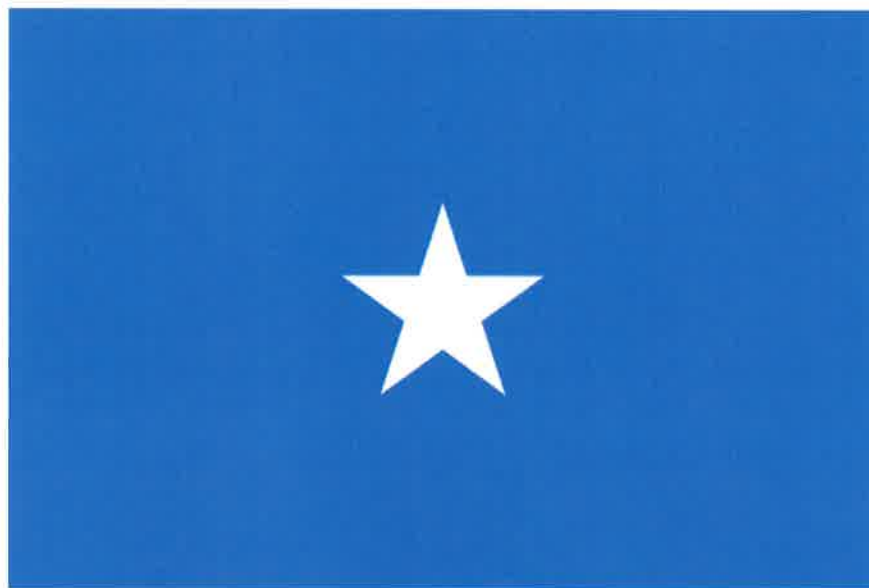


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National Democratic Institute for International Affairs

The National Democratic Institute for International Affairs (NDI) is a nonprofit organization working to strengthen and expand democracy worldwide. Calling on a global network of volunteer experts, NDI provides practical assistance to civic and political leaders advancing democratic values, practices and institutions. NDI works with democrats in every region of the world to build the capacity of political and civic organizations, safeguard elections, promote citizen participation, and encourage openness and accountability in government.

Democracy depends on legislatures that represent citizens and oversee the executive, independent judiciaries that safeguard the rule of law, political parties that are open and accountable, and elections in which voters freely choose their representatives in government. Acting as a catalyst for democratic development, NDI bolsters the institutions and processes that allow democracy to flourish.

Build Political and Civic Organizations: NDI helps build the stable, broad-based and well-organized institutions that form the foundation of a strong civic culture. Democracy depends on these mediating institutions—the voice of an informed citizenry, which link citizens to their government and to one another by providing avenues for participation in public policy.

Safeguard Elections: NDI promotes open and democratic elections. Political parties and governments have asked NDI to study electoral codes and to recommend improvements. The Institute also provides technical assistance for political parties and civic groups to conduct voter education campaigns and to organize election monitoring programs. NDI is a world leader in election monitoring, having organized international delegations to monitor elections in dozens of countries, helping to ensure that polling results reflect the will of the people.

Promote Openness and Accountability: NDI responds to requests from leaders of government, parliament, political parties and civic groups seeking advice on matters from legislative procedures to constituent service to the balance of civil/military relations in a democracy. NDI works to aid legislatures and local governments in becoming more professional, accountable, open and responsive to their citizens.

Introduction

The new leadership of the Somali Transitional Federal Government (TFG) was sworn in January 2008 following the resignation of the Ali Ghedi government a few months earlier. The incoming Prime Minister Nur Hassan Hussein Adde quickly laid out the government's work plan and its priorities to the Somalia's Transitional Federal Parliament (TFP).

The aim of the Adde Government is clear: achieve the goals necessary to fulfill the requirements laid out for the TFG in the Transitional Federal Charter. Achieving this objective remains challenging – after more than 17 years of war and 14 peace/reconciliation conferences, the TFG faces significant obstacles. The challenges are more than just political, but also organizational, exacerbated by the underdeveloped capacity of the government, limited funding, and continuing insecurity. The TFG needs to establish security and build momentum towards peace and reconciliation, and at the same time show Somalis that fledgling government institutions can bring development and improve the quality of life of average citizens.

The purpose of this assessment is to analyze the current state of the Somali government and to provide recommendations for the TFG as it identifies its priorities and develops strategies for improving its performance. The Institute recognizes the TFG will determine which recommendations it accepts and the types of interventions it wishes to undertake. The Institute anticipates working with the TFG to address those capacities it would like to develop with the assistance of NDI.

Objective: NDI conducted this assessment as part of its TFG executive strengthening program. The current report is designed to help the TFG, NDI and other groups better understand the capacity and functions of the government and the TFG's role in facilitating the political transition. The assessment prioritizes needs and identifies areas where interventions by NDI and other external actors can contribute to the advancement of Somalia's transition and to the development and strengthening of the Somali government.

Additionally, it is hoped that these findings and recommendations can contribute to the general discourse on Somalia and help a range of interested parties better understand the strengths and weaknesses of the TFG, its role in the country's unfolding political transition, and its relationships with the Transitional Federal Parliament (TFP), Somali civil society, and the general public.

Assessment Methodology: NDI's assessment took place in Baidoa, Somalia; additional discussions were held in Nairobi, Kenya. Through interviews and group discussions, the NDI team met with two deputy prime ministers, three ministers, business community representatives, the media, and civil society representatives.

The assessment was led by John Lovdal, NDI Resident Program Manager, as well as Edmond Efendija, Resident Program Manager for the Somalia parliamentary strengthening program. NDI Somalia Program Officer Mohamed "Garibaldi" Nur led logistical preparations and provided translation during meetings. Devin O'Shaughnessy, NDI Senior Program Manager for the Horn of Africa based in Washington D.C., helped draft this report; Program Assistant Emily Cole provided editing assistance.

Acknowledgements: The assessment mission, this report, and NDI's executive support program in Somalia are all made possible by the Norwegian Ministry of Foreign Affairs (MFA). NDI acknowledges the MFA officials for their commitment to the establishment of a democratic foundation for Somalia's formative governing institutions, and NDI thanks them for sharing their knowledge of Somalia.

The assessment team would also like to thank NDI's program staff and experts from throughout the world for their input and recommendations for strengthening the capacity of the TFG. John Johnson, Director of NDI's governance team, Senior Program Officer Dale Archer, NDI governance expert Sherrie Wolfe, and other support staff provided feedback based on their experience developing government capacity around the world.

Finally, NDI acknowledges the incredible dedication and sacrifice of the people who, in a country enduring famine, violence and political turmoil, risk their lives every day to help fortify the promise of peace and the formation of a credible and viable government. The assessment team appreciates the dedication, capability, and professionalism of a group of individuals who toil under some of the most difficult circumstances imaginable.

I. EXECUTIVE SUMMARY

While efforts by Somali leaders over the last 17 years to establish peace, stability, and effective governance have not yet been realized, the TFG's initiative to reconstitute an inclusive Somali government is the most promising since the fall of Siad Barre. A 2004 reconciliation effort culminated in the creation of a Transitional Federal Charter as well as the installation of a President, a power-sharing Transitional Federal Government (TFG), and a broadly-representative Transitional Federal Parliament (TFP) – collectively known as the Transitional Federal Institutions (TFIs).

The success of the TFG depends, in large part, on its ability to rebuild the traditional structures of government. Prime Minister Nur "Adde" Hassan Hussein's Five Point Plan – meant to address the country's economic, political and security challenges – is widely perceived as a reasonable way forward. With the security situation deteriorating, the challenge will be in implementation. The government is inexperienced, possesses limited resources, and has received insufficient technical assistance from the international community. Greater engagement and support from donors and international organizations, as well as progress on negotiations with opposition groups, are necessary if the situation is to improve.

During NDI's assessment interviews with government ministers, it became clear that the ministers need a more comprehensive picture of the ministerial and government structure. Based on its analysis of the TFG, NDI developed twelve findings and subsequent recommendations that, if adopted by the TFG, would improve the effectiveness of the ministries and Somali government. NDI considers the first nine findings and associated recommendations as immediate priorities that could markedly and rapidly improve government performance, coordination, and outreach to the Somali public. The remainder should be considered over the long term and addressed when possible.

Nine Short to Medium-Term Findings and Recommendations

Finding #1: The government – individual ministries and the Office of the Prime Minister – is not utilizing detailed, comprehensive strategic plans, making it difficult to implement government policy as effectively as possible.

Strategic plans and protocols for oversight and evaluation have yet to be finalized for the government as a whole or for the individual ministries, hindering policy implementation and monitoring.

Recommendation

- Develop short and medium term strategic plans for individual ministries and for the government as a whole, ensuring they are compatible and complementary.
- Ensure ministerial work plans are aligned with ministerial strategic plans as well as the National Strategic Plan and National Work Plan.
- Develop strategies for evaluating the implementation and success of policies and programs.
- Coordinate the creation of strategic plans with the budget development process

Finding #2: The TFG does not have sufficient revenue to fund its activities, especially the delivery of public services, which is exacerbated by a relatively informal and insufficiently consultative budget development process.

The transitional government of Somalia is not generating enough revenue – either from tax and tariff collection or from international donors and lenders – to govern effectively, especially when it comes to service delivery. Funds the TFG does receive are not being invested or spent optimally, which is partly a result of the lack of an all-inclusive national budget, indicating the Ministry of Finance is not fully aware of the government’s financial situation. The budget process is not sufficiently inclusive – that is, the finance minister currently does not seek detailed input from all ministries prior to presenting the national budget for final approval to the Council of Ministers (CoM). The TFG has formed a Revenue Committee to investigate the potential for collecting revenues in Somalia.

Recommendation

- Build the financial, accounting, and analytical capacity of those staff involved in the budget process, in every relevant ministry, using a common curriculum and methodology.
- Establish a formalized, inclusive, transparent, multi-ministerial budgetary process.
- Identify and appoint points of contact within each ministry to liaise with the Ministry of Finance and the parliament regarding the budgetary process.

Finding #3: The organizational structure of the TFG, including its ministries, remains unclear and underdeveloped.

Even after the reduction of ministries from 31 to 18, the ministries are having significant difficulty establishing appropriate organizational structures, both functionally and politically. The establishment of a Government Structures and Action Plan has been an important step forward in solidifying the organizational structure of the TFG; however, work remains on concluding the organizational and logistical details for each individual body of the TFG, especially the ministries.

Recommendation

- Finalize the organizational structure for the ministries, ensuring ministries are efficient and financially sustainable.

Finding #4: Ministries are understaffed, and administrative and human resource systems are either insufficient or non-existent.

Many of the TFG bodies – including the ministries, the Council of Ministers, and the Prime Minister’s Office – lack defined organizational and administrative structures; including, 1) terms of reference for the majority of its staff positions; 2) organized and efficient human resource systems; and, 3) consistent methodologies for reviewing performance such as giving promotions, and determining salaries using a unified pay scale.

Recommendation

- A clear organizational structure and separation of responsibilities should be instituted.
- The Prime Minister's Office should identify the development of human capital in government as a top priority and seek to attract well-qualified staff for key ministerial positions.
- Standard terms of reference templates could be developed at the senior ministerial level to address limited human resource capacity within ministries. These standard templates could then be tailored within each ministry based on its specific needs and structures.

Finding #5: The National Civil Service Commission recruits civil servants and places them into appropriate ministries, but does not effectively train them for their positions.

Even though the NSCS is one of its most successful institutions, it is not providing sufficient orientation and training to staff – both newly recruited and current employees. The ministries are unlikely to make significant gains in government reform unless staff capacity is strengthened.

Recommendation

- Establish a training unit for staff for ministries as well as a central capacity-building entity, perhaps as part of the National Civil Service Commission or within each ministry.

Finding #6: The Council of Ministers does not have clear rules of procedure or manual to guide how the government should function, especially in terms of inter-governmental communication and cooperation.

The Council of Ministers is the main coordinating body in which all major issues are meant to be discussed; however, it is not performing this role due, in part, to unclear mechanisms and rules for conducting its business. Decisions from the Council of Ministers are not being developed in a collaborative process between the ministers and the prime minister. The Cabinet has formed two internal working committees in order to coordinate the work of the TFG on the key issues of reconciliation and rehabilitation of infrastructure, but they have yet to finish their assigned duties.

Recommendation

- Establish rules of procedures and a working manual for the Government and the Council of Ministers.
- The Prime Minister's Office should serve as the main coordination unit within the government, overseeing ministerial efforts to implement government policies.

Finding #7: Most individual ministries lack external communication strategies, public affairs offices and formal spokespersons.

The Ministry of Information is designated as the body with the primary responsibility of informing the public and the media on government policies and activities; however, instead of coordinating with the Ministry of Information, the Prime Minister's Office and the Office of the President are currently

handling their own communication almost completely independent from each other and the Ministry of Information. This lack of coordination can lead to conflicting messages and confusion about the government among the Somali public. In addition, many ministers see the need to develop better relationships with the media and be more strategic in their public communication.

Recommendation

- Establish external communication strategies – including creating protocols and scheduling regular interactions with the media – and improve coordination on public communication between the Offices of the President, the Prime Minister, and the ministries.
- Identify and appoint public affairs officers and/or spokespersons to coordinate communication between the ministries and the Government Spokesman in the Office of the Prime Minister and the President's Office.

Finding #8: There are significant weaknesses in terms of inter- and intra-ministerial communication as well as between the Prime Minister's Office, the Office of the President and ministries.

Communication and coordination between the individual ministries, the Prime Minister's Office and the Office of the President continue to be a significant problem, which makes implementation of government policies – especially those that require contributions from multiple government institutions – as well as the coordination of external messages extremely challenging. Though there is relatively consistent communication between Ministers, there is little coordination among the senior management and administrative staff of each ministry. A significant factor in the low levels of communication and information-sharing between ministries (and inside ministries) is the near absence of information and communication technology and few staff with the skills and experience to use this equipment.

Recommendation

- Improving intra-ministerial communication should be an immediate priority, utilizing technological solutions as well as scheduling routine meetings among staff members.
- Protocols and systems for inter-ministerial communication and between the Prime Minister's Office and the Office of the President should be strengthened, with focus placed on effective information and communication technology solutions as well as regular meetings between top staff.

Finding #9: The uneven relationship between the government and the parliament creates challenges for the transitional institutions to establish effective, democratic government institutions.

Many government officials have a poor reputation regarding their level of communication and willingness to engage with the parliament. This has created an atmosphere of mistrust and frustration, though several members of parliament are sympathetic to the extreme difficulty the government faces in implementing its programs, including a lack of funding, materials, supplies, office space, experience and security.

Recommendation

- Identify and appoint a staff liaison from ministries to parliamentary committees with the responsibility of facilitating collaborative relationships between the ministry and the parliamentary committees.
- Establish rules, formal and informal routines and procedures of communication and interaction between the executive and legislative branches.

Three Longer-Term Findings and Recommendations

Finding #10: The ministries do not have access to all of the technical resources they may need to properly draft new bills.

Every ministry appears to have significant access deficiencies to technical resources (including resource material), internet access to conduct research and internal legal capacity. No ministry appears to have an in-house legal department to assist with legislative drafting. This forces all ministries that intend to submit legislation to the parliament to depend on the Attorney General's Office. Research capabilities in the various ministries are also severely deficient: no ministry appears to have any assigned staff members or experts assisting public policymaking or strategic planning.

Recommendation

- Streamline the process through which bills are drafted within the ministries, strengthen the relationship with the Attorney General's Office and explore Parliament's involvement in the law making process.
- The Office of the Prime Minister should be the central unit for coordination during the drafting process, liaising with the other relevant ministries.
- The legal capacity of the government should be strengthened, including the Offices of the Prime Minister, the Attorney General, and individual ministries – especially the Ministry of Justice and Religious Affairs, and the Ministry of Constitutional, Federal Affairs, Reconciliation and Regional Development.
- Create a central archive where significant government documents are kept and accessible to government ministries and national commissions.
- Reach out to local resources and experts from academia, civil society, and the private sector to provide support.

Finding #11: Following the government's official relocation to Mogadishu, there are no longer secure office buildings in which the ministries can operate.

The ministries have officially moved to Mogadishu, though few ministerial staff members have remained in Baidoa. While this may have a positive effect on the perceived legitimacy of the TFG to Somalis, operationally it has been hugely disruptive as ministers are often separated from their staff

for long periods of time. The government is still trying to find and furnish appropriate and secure office buildings as well as ensure the buildings are connected to utility and communications, information technology infrastructure.

Recommendation

- Ensure that ministries have secure, functional offices in which to conduct government work.

Finding #12: The disconnect between civil society, the business community and media with transitional institutions and the government seems to be more about a lack of effort and coordination as well as mutual unfamiliarity than any deep-seated tension or enmity.

Despite the vital role civil society has played and continues to play in Somalia, the transitional institutions have not been very effective at reaching out to these important groups, which has created a sense of frustration amongst civil society actors. In the business community, there appears to be similar dissatisfaction as well as some trepidation about the fiscal, monetary and taxation policies of the TFG; however, this is tempered with opportunities for stability and security that should allow businesses to flourish. It is also possible that government officials do not have enough time, desire, and/or contact information necessary to cultivate relationships with civil society participants. Government officials may have an insufficient understanding of the advantages of working with civil society which continues to limit progressive communication efforts.

Recommendation

- Create forums and procedures for dialogue and collaboration with civil society including religious organizations, business professionals, youth, women, disabled, Internally Displaced Persons (IDPs) and other civic groups.

While these findings and recommendations can serve as a useful guide for the leadership of the TFG, the Institute and the donor community, this report does not have the ambition of giving the full and final overview of the TFG. This report is the result of a number of meetings and conversations between the NDI assessment team and government ministers, members of the media and civil society as well as the international community. Other government officials, Somalia experts and development specialists may have opposing viewpoints or recommendations in contrast to this report. However, based on NDI's experience building the capacity of executive branches in other countries and its two years of program implementation in Somalia, the assessment team is confident its recommendations, if implemented, can markedly improve the performance and the public's perception of the Somali government.

II. BACKGROUND

Since the collapse of its last national government in 1991, Somalia has been characterized by political anarchy, economic destitution and general insecurity. Although two distinct and relatively stable self-administered regional entities have emerged—‘Somaliland’ in the northwest and ‘Puntland’ in the northeast—most of Somalia, until recently, has been splintered among clan- and sub-clan-affiliated warlords. Various attempts have been made to reconcile the warring clans and warlords in the rest of Somalia, including the U.S.-led operation in 1992 and the United Nations (U.N.) operation in 1993, yet all such efforts have failed to disarm the factions and bring stability to the country. Recent events, however, have revived international interest in Somalia, as efforts by the TFG to reconstitute a durable governing framework and to negotiate a peaceful resolution between opposing factions have shown significant promise.

A Tumultuous Political Transition

When the fledgling Transitional Federal Government returned to Somalia in January 2006, the country entered a period of both political turmoil and opportunity. Though the TFG succeeded in convening its first legislative session on Somali soil in February 2006, the TFG continued to face many challenges: it failed to exercise control over wide swaths of the country or provide security; it struggled to establish local administrative capacity; and, political divisions threatened to undermine the government’s progress.

The unfolding political drama culminated when the Union of Islamic Courts (UIC) – a Mogadishu-based Islamic political movement – forcibly seized control of the city, began consolidating its political and military authority, imposing *Shari’a* law throughout the country, and confining the TFG to its base in the town of Baidoa. Despite the efforts of regional bodies, including the Arab League and IGAD (northeast Africa’s Intergovernmental Authority on Development), to encourage reconciliation and an agreement of mutual recognition, relations between the UIC and TFG continued to deteriorate over the latter half of 2006.

Ethiopia, fearing the rise of a militant Islamist movement on its sensitive southeastern border, sent troops into Somalia to back the transitional government, ultimately leading a December 2006 rout of UIC forces. A widely-feared regional conflict did not materialize and the TFG entered Mogadishu for the first time, opening a window of renewed opportunity. In March 2007, Uganda sent two battalions to help secure Mogadishu — a 1,700-man vanguard for the African Union Mission to Somalia (AMISOM). The TFG has also announced plans for a national reconciliation conference, appointing former president Ali Mahdi Mohamed to chair the independent committee charged with guiding that process.

While these steps are signs of progress, such optimism should be tempered by the realities on the ground. Violence and insecurity in Mogadishu has displaced hundreds of thousands of fleeing residents in the past year. For its part, the TFG has yet to deliver essential services, establish itself as a credible governing authority, or initiate a meaningful transition to a permanent government. Much-anticipated reconciliation conferences were twice postponed due to logistical difficulties and an unstable security situation. However, in June 2008, the TFG and the Alliance for the Re-Liberation of Somalia (ARS) successfully drafted an agreement focused on bringing long-term peace to Somalia. Recent events appear to have presented Somalia with another opportunity to reconstruct an inclusive

and capable governing framework after 17 years of political anarchy and warlord rule, the country's troubled history underlines the importance of not allowing this opportunity to pass.

A Crisis of Government

With untested institutions, little experience, and few resources, government institutions face ongoing and daunting challenges as ministries confront their new role in Somalia's changing political context. Since the fall of General Mohamed Siad Barre's government in 1991, Somalia has carried on as the world's truest example of a stateless society: a country in which the traditional roles of government, such as education and health care, have been filled by civil actors, including familial clans, the private sector and religious institutions. Even the provision of water for people and livestock has become the domain of civic associations. Indeed, the popular rise of the UIC movement was derived in large part from its ability to deliver essential services, including schools, hospitals, and the provision of basic security.

If the TFG is to earn a credible governing mandate, it should focus on building the traditional structures of a state and on beginning to deliver public services. To date, however, progress to that end has been limited. The government still exercises little practical control over the country's basic services, including health or education. Security remains more the domain of Ethiopia's troops than of the government's inexperienced and under-manned police and armed forces.

Prime Minister Nur "Adde" Hassan Hussein, nominated and sworn into office in late 2007, has inspired greater confidence among the international community and most Somalis than that of his predecessor, Ali Mohammed Ghedi. His five-point plan for the TFG includes: (1) establishing the economic and financial sector; (2) adopting a constitution and restoring federal affairs (3) advancing dialogue and reconciliation; (4) establishing security, peace and rule of law; and, (5) addressing social services and the humanitarian situation – is widely considered a reasonable way forward. The challenge will be implementation. As the security situation slowly deteriorates, there continues to be disagreement at the highest levels on engagement with the opposition, the increasingly dire humanitarian situation, and the limited funding and internal capacity necessary for the TFG to implement many of its goals. As the TFG mandate ends, opportunities become increasingly limited for the government to bring peace and security and complete the transition envisioned in the transitional charter. Greater international assistance and engagement as well as significant progress in negotiations with opposition groups are necessary for the situation to improve.

The new cabinet was appointed and approved by the parliament in January 2008. Many of the ministers are new to their positions and have limited experience in these roles, though they bring knowledge and experience from the private sector, civil society and media. In addition, the ministries have few qualified staff, limited resources, poorly equipped offices, insufficient communication technology and an unclear vision for their ministries' administrative and organizational structures. Since the prime minister has decided to create a leaner government with only 18 ministries in place of the previous 31, several ministries have been consolidated. For example, the new single Ministry of Education and Culture used to be the Ministry of Education and the Ministry of Culture. It could be a significant challenge to merge some of these ministries, adjust staffing levels and create workable and efficient structures.

III. ASSESSMENT FINDINGS & RECOMMENDATIONS

The TFG faces three core challenges if it is to become a legitimate transitional national government. First, the TFG must resolve the political crises that have become endemic within its institutions. Inter-clan and political conflicts continue to divide the government, limiting its ability to fulfill the normal roles of a government or to begin implementing the transitional process outlined in the Transitional Federal Charter. Additionally, TFG leaders have yet to establish a truly inclusive governing framework through a good-faith national reconciliation effort.

Second, the TFG should address its lack of capacity. A host of shortcomings inhibit the ability of core ministries to provide government services, including: the inexperience of political and administrative leaders; the lack of a professional staffing structure and inadequate human resources; the lack of appropriate technical resources; inadequate infrastructure; weak or unclear organizational mandates; poor financial and budget management capabilities; and limited strategic planning. If the TFG as a whole is to earn credibility, its individual ministries should become better-organized, operationally capable and begin to produce demonstrable results in the lives of Somalis.

Third, the TFG should earn the confidence of ordinary citizens who expect the government to begin meeting basic humanitarian needs and reconstituting the institutions of a functioning state. Hampered by poor communication skills, the TFG is seen by many Somalis as both ineffectual and aloof, and has had little success in constructively reaching out to – or receiving feedback from – Somali civil society, the private sector and the general public. Likewise, there has been a tendency by the government to view the media and civil society as adversaries rather than as partners and conduits between itself and the public at-large. This tenuous relationship between the TFG and civil society has heightened tensions and magnified the TFG's negative perception issues. Without a concerted effort to create a more consultative, more accountable policymaking process, and without strategies to better communicate government plans, policies and results, it is unlikely that the TFG will win the confidence of skeptical Somalis.

While the first challenge can only be resolved by political leaders themselves, international donors and organizations can help the TFG address the latter two: the government's capacity problem and its inability to effectively engage Somalia's civil society. This assessment focused primarily on the Prime Minister's Office and government ministries, though where relevant, information has been provided on the parliament and the Office of the President.

Finding #1

The government – individual ministries and the Office of the Prime Minister – is not utilizing detailed, comprehensive strategic plans, making it difficult to implement government policy as effectively as possible.

Prime Minister Adde, in a speech to parliament, outlined his overall vision for government on political priorities, focusing on five topic areas: the economic and financial sector; the constitution and federal affairs; dialogue and reconciliation; security, peace and rule of law; and social services and humanitarian assistance. While considered a positive first step for the prime minister's new government, there is still a significant distance between the establishment of broad priorities and the

creation of the tools – such as strategic plans, action plans and structures for oversight and evaluation – necessary to effectively implement policies and monitor their effects.

To begin to address the gap between vision and progress, the prime minister created a manual, “Transitional Federal Government of Somalia: Government Structures and Action Plan,” which:

- Defines more clearly the structures, duties, and responsibilities of the Office of the President, the Cabinet (made up of the prime minister, the three deputy ministers, and the 18 ministers), and the ministries (including each department and section);
- Outlines the government’s proposed program, as endorsed by parliament in January 2008;
- Provides a list of proposed “actions” for each structure, as well as broadly defined “expected outcomes,” “time-frames,” and “milestones/performance indicators;” and,
- Summarizes the staffing needs for each structure, including a breakdown of whether staff should be appointed or recruited “based on merit.”¹

The impetus for creating the manual may have been to respond to a request from the United Nations Development Programme (UNDP) for the TFG to clearly define how it would use funds the U.N. would potentially provide as part of its six-month Start-Up Package to the TFG.² While clearly useful in terms of helping the various governmental bodies consider their “big picture” goals, there are a number of deficiencies in the document, including:

- Actions are not prioritized or given a reasonable timeline (currently planned for completion in six months) in which to be completed;
- Anticipated results are not clearly defined or easily measurable;
- Challenges should be identified along with suggested solutions for overcoming them; and,
- Actions should be described in terms of the larger strategic objectives.

With this in mind, the prime minister has asked every government ministry to develop narrative work plans over the course of the next six months.³ However, the Prime Minister’s Office has provided little guidance beyond the Government Structures and the Action Plan, so it is likely that ministries’ work plans will contain many of the same weaknesses of the overall Action Plan.

Recommendations

Develop short and medium term strategic plans for individual ministries and for the government as a whole, ensuring they are compatible and complementary.

An effective national strategic plan should serve as the overall master plan for the government and fit within the goals and objectives of the prime minister’s administration. The most effective way to develop strategic plans is to start from the top, from the Prime Minister’s Office to the ministries. Otherwise, individual ministries run the risk of being out of sync with the vision of the prime minister as well as the rest of the ministries. While the national Government Structures and Action Plan is a

¹ “Merit based recruitment” is not defined in the document, but NDI presumes that this means they will be hired through the National Civil Service Commission (NCSC); for more details on the NCSC, see p. 23-24.

² In January 2008, the TFG and UNDP agreed on a start-up package for transitional government in the form of financial support. The UNDP start-up package came with conditions, including the requirement that the TFG develop a governmental workplan and a strategic plan for hiring staff for each of the 18 ministries in the government. Additionally, the Prime Minister and the Minister of Finance and Planning were asked to develop a six-month budget for the TFG.

³ The UNDP encouraged the TFG to submit these plans in return for a six-month funding package, with which the TFG will pay its salaries and buy necessary equipment and supplies (see following page for more details).

positive start, it is critical that the prime minister reformulate this into a National Strategic Plan (NSP), taking into account the administrative and structural needs, available human resources, financial limitations, Transitional Federal Charter deadlines, and the need to properly monitor government progress.

The NSP should be visionary yet realistic and contain an action plan that includes the following details:

- (i) Vision statement (*provided personally by the prime minister*)
- (ii) Mission statement
- (iii) List of prioritized goals and objectives
- (iv) Description of strengths, weaknesses, challenges and opportunities
- (v) List of actions to be taken to achieve the goals and objectives (including a legislative agenda)
- (vi) Estimated resources needed to achieve the goals and objectives
- (vii) Plan for acquiring, distributing, and expending resources
- (viii) Delineation of participants in the process
- (ix) Timelines
- (x) Monitoring and evaluation plan

The NSP would also serve as both a guide and template for the ministries as they create their individual ministerial strategic plans. As the ministries work on their plans, each minister should ensure that ministerial policies are in line with that of the overall vision, goals, and objectives of the president and the prime minister. Once these plans are complete, they should be reviewed, revised, and approved by the Prime Minister's Office and bundled together into a National Work Plan (NWP).

The NWP along with the NSP should be made freely available to every ministry – as well as the general public and the international community⁴ – and should lead to better coordination and a collective sense of responsibility on the Cabinet's part. With this information clearly outlined in a public strategic plan, the prime minister is more likely to mobilize support among Somalis and international donors, build a coordinated effort amongst all the ministries and other government institutions, and deliver on his agenda.

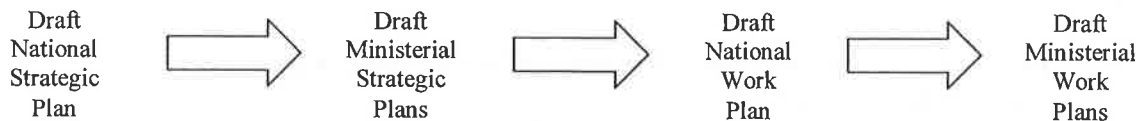
Ensure ministerial workplans are aligned with ministerial strategic plans as well as the National Strategic Plan and National Work Plan.

The ministries are currently developing, or in some cases have already developed, six-month work plans which can eventually be modified once the strategic plans are completed. Ideally this process would have waited until the Prime Minister's Office had finished the NSP, but due to the tight timelines under which government institutions are working, ministries should continue and make the necessary adjustments once the NSP and the ministerial strategic plans are completed. The ministers should maintain close contact with the Prime Minister's Office throughout this process to ensure that

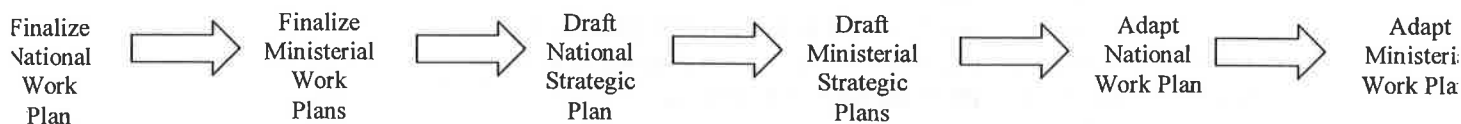
⁴ There are several reasons for making the NSP a public document: 1) transparency: it is useful for the public to know what the government aims to accomplish; 2) accountability: if the public is aware of the government's goals, it can be held accountable when it fails to meet its goals or given credit for accomplishing its objectives; 3) monitoring: the media, civil society, and the general public can monitor the performance of the government; 4) feedback: the public can suggest methods for improving performance or suggest other worthwhile issues for the government to address. An operational section that includes appendices and other purely administrative or functional details can be withheld from the public.

their workplans are on roughly the same track as those of the prime minister. Workplans should have a series of achievable concrete milestones and deadlines to keep ministers and their staff focused and motivated.

Standard Approach



Suggested Approach for TFG



As the ministries are developing both their strategic and their work plans, it is recommended that ministers undergo this process in consultation with their directors general as well as their administrative and political staff. By discussing with ministerial staff the challenges they face and their suggestions for addressing them, ministers would gain a fuller picture of the state of the ministries, which would improve the quality of the strategic assessments and plans. Perhaps more importantly, by asking staff for feedback and incorporating their suggestions, ministers can better secure the support of the management as well as the core of ministerial staff, crucial once policies are actually implemented.

Develop strategies for evaluating the implementation and success of policies and programs.

Strategic plans can be improved by building in a monitoring and evaluation component. Without it, TFG officials would be unable to appraise the effectiveness of their policies and programs, to make adjustments at either the end of a set time period or on an ongoing basis, and to determine lessons learned that would inform future initiatives and strategic plans. With this in mind, the prime minister's NSP should include clear goals and objectives, measurable results, and realistic timelines, which would serve as a template for every ministry as they draft their individual strategic plans. The ministries may likely need assistance in this task, both from the Prime Minister's Office and possibly from international donors and organizations.

Coordinate the creation of strategic plans with the budget development process

Strategic plans created with insufficient attention paid to the overall budgetary process are unlikely to accurately reflect reality. If developed in isolation, strategic plans may not be realistic given fiscal restraints, while budgetary decisions may not devote the appropriate amount of funds necessary to address core governmental priorities. Typically, national budgets for the upcoming fiscal year are completed towards the end of the current fiscal year and reflect a previously defined set of government goals and objectives. However, it is important that those defining the strategic priorities have a general sense of the overall budgetary limits, fixed annual costs, and the estimated costs of proposed initiatives before finalizing their strategic plans. Otherwise, there is significant risk that

strategies will not realistically account for the fiscal limitations the TFG faces. The Office of the Prime Minister should oversee the development of the strategic plans, workplans, and the national budget to ensure that the results of the three processes are compatible.

Finding #2

The TFG does not have sufficient revenue to fund its activities, especially the delivery of public services, which is exacerbated by a relatively informal and insufficiently consultative budget development process.

The transitional government of Somalia is not generating enough revenue – either from tax and tariff collection or from international donors and lenders – to govern effectively, especially when it comes to service delivery. The TFG does not have sufficient funds to pay salaries or operating costs to operate at full capacity, much less to invest in government programs and initiatives. Revenue the TFG does receive are not being invested or spent optimally, partly a result of the lack of an all-inclusive national budget, indicating the Ministry of Finance is not fully aware of the government's financial situation. It is unclear how much funding has been given to the TFG by international donors, what these resources are being used for, or if the funds have been spent at all. Despite these challenges, the TFG signed a Start-up Package with the UNDP in January 2008, which should enable the TFG to staff ministries and cover its minimal operational costs. The Start-Up Package will be overseen by both the Ministry of Finance and UNDP Somalia. According to the agreement between the TFG and UNDP, UNDP will second a financial expert to oversee package implementation.

Currently, the creation, management, and accounting of the national budget are not being done in a consistent or transparent fashion. It is unclear in which department(s) the national budget is being generated, what level of skill or expertise those creating the budget possess, and which templates are being utilized by staff are using. The responsibilities of the Ministry of Finance, the Prime Minister's Office and the Office of the President in the budget process are unclear. As stated in the Government Structures and Action Plan, the Ministry of Finance's Budget Department is responsible for coordinating the preparation of the budgets for the central government, local government and public agencies/commissions; however, the coordination process is poorly defined. The prime minister's advisor on economic and financial issues is tasked with liaising with the Office of the President, the parliament and various ministries, while the Office of the President's Department of Finance and Administration has been assigned to develop and monitor financial policies and procedures. In addition, the oversight role of the parliament in the budget process is not well defined or understood by the TFG or the TFP. Overall, the roles of these government bodies are loosely defined with uncertain levels of authority; if this situation remains, the budget process could remain ineffective, unaccountable and lack democratic transparency.

The budget process appears to consist of one-on-one consultations between the Minister of Finance and the other ministers, after which the finance minister presents the national budget for final approval to the Council of Ministers. In many countries, the government hosts several full cabinet discussions on the budget – commonly referred to as budget conferences – during which ministers agree on the general parameters of the budget. The process generally concludes with a cabinet-level discussion on the final budget before it is submitted to the parliament. In Somalia, however, there seem to be few if any joint ministerial discussions before the national budget is finalized by the Ministry of Finance. Neither independent experts nor members of civil society seem to be involved in

the process. Without input from civil society, it is unclear how government ministers determine what citizens' needs are or how they choose between possible spending priorities.

The TFG has formed a Revenue Committee to investigate the potential for collecting revenues in Somalia in order to help reduce the dependence of the TFG on international donors and build a sustainable revenue stream for the government. At present there is little reliable information of how much revenue is collected from airports and seaports, the primary sources of potential income for the TFG. According to unofficial sources, the port in Mogadishu alone brings in \$2 million USD per month. Within a six-month period, the Revenue Committee is expected to present its findings to the Ministry of Finance.

Recommendation

Build the financial, accounting, and analytical capacity of those staff involved in the budget process, in every relevant ministry, using a common curriculum and methodology.

Most personnel in the executive branch, from the presidency to prime minister to each individual ministry, are unprepared to produce itemized annual budgets. Each government body needs to better understand the budget process in order to think strategically about achieving the goals they have identified and prioritized in their strategic plans. Financial staff (Chief Financial Officers, accountants, financial analysts) in every ministry should be trained using a standard curriculum and financial software. By the end of this process, ministries should be able to list each project in every department with line-item breakdowns for each budget projection by category and task.

Establish a formalized, inclusive, transparent, multi-ministerial budgetary process.

It is generally accepted that the executive should have the primary role in developing the annual budget with input from other agencies and sources. As an itemized summary of probable expenses and revenues, the budget should determine how money is allocated for existing programs and new initiatives as well as projected expenses for the future.

However, the creation of the budget is not just a technical process – it is a political one as well. Led by the Ministry of Finance with direction from the Offices of the President and the Prime Minister, the process should include realistic time frames for input from the ministries, civil society, parliament and other stakeholders. It should also be transparent and accountable to the citizens; otherwise, Somalis may doubt the good faith of the TFG, especially since significant improvements in economic and infrastructure as well as service delivery are unlikely to occur quickly. The Council of Ministers should convene in joint budget conferences and establish a broad consensus on the budget. This should ensure that the ministers collectively support and defend the budget.

While there are a number of models that the TFG may want to consider for developing its budgets, an inclusive process would involve the ministries in the development of the national budget. The process should take into account the national and ministerial strategic plans when determining fiscal priorities. One possible approach is described below:

- a. The Council of Ministers, based on financial and economic analysis from the Ministry of Finance and the policy priorities of the Offices the President and Prime Minister, outlines broad spending priorities and estimated budget limits per ministry;

- b. Senior political and administrative officials in each ministry determine their budgetary needs, based on planned projects and operating expenses;
- c. The ministries present their proposed budgets to the Ministry of Finance
- d. The prime minister calls a budget conference for the Council of Ministers, during which the first draft of the budget should be discussed. Ministries receive feedback from the Ministry of Finance and the prime minister on their proposed budgets; afterwards, the budget ceiling for each ministry should be set;
- e. Ministries adjust their budget proposals in accordance with the information received at the budget conference;
- f. A final budget for each ministry is presented to the Ministry of Finance, which combines them into one national budget; and,
- g. The budget is approved in a Council of Ministers meeting before being forwarded to the parliament for approval⁵.

Identify and appoint points of contact within each ministry to liaise with the Ministry of Finance and the parliament regarding the budgetary process.

Points of contact within the ministries to liaise with the Ministry of Finance, Prime Minister's Office, Council of Ministers, other ministries and the parliament on specific ministry-related budget issues could prove vital in effectively facilitating and communicating the budget process. Staff peer-to-peer interaction would also improve inter-ministry relations as the budget process is one of the primary functions of government as well as parliamentary oversight.

Finding #3

The organizational structure of the TFG, including its ministries, remains unclear and underdeveloped.

Of the five ministers NDI's assessment team interviewed during assessment activities, only two had a clear picture of their ministry's organization and structure. The reduction in the number of ministries from 31 to 18 and subsequent restructuring had not been completed, with all of the ministries having significant difficulty establishing appropriate functional and policy-making structures.

Since the assessment trip, however, there has been progress made in establishing an organizational structure within the cabinet. This includes the finalization of the Government Structures and Action Plan, which recommends the creation of the following:

- Plans to ensure financial sustainability of TFG organizational structures;
- Appointment, recruitment and hiring strategies;
- Roles and responsibilities of the inter- and intra-ministerial structures;
- Job descriptions for staff members;
- A clear coordination mechanism between the Council of Ministers and the National Civil Service Commission;

⁵ In many countries, the budget is typically presented to the parliament without "formal" consultations. Often, political parties in the parliament are consulted during the budget making process, but this is not currently possible in the Somali context given the absence of formal political parties (though it is likely clans are already doing this informally). Therefore, the TFG may consider discussing overall budget principles with the leadership of the TFP before submitting the official budget to reduce the likelihood of the budget being delayed or rejected by the parliament.

- A consultation mechanism between the various ministries and the Council of Ministers; and,
- Differentiation between administrative and policy responsibilities.

Though the Government Structures and Action Plan is an important step forward in solidifying the organizational structures of the TFG, further work remains to complete the organizational and logistical details for each TFG institution, including the ministries.

Recommendation

Finalize the organizational structure for the ministries, ensuring ministries are efficient and financially sustainable.

Recent restructuring efforts following the downsizing of the government should be completed in a timely and appropriate fashion. Ministries' political goals should match the administrative support needed to implement government policy. For example, if a ministry seeks to accurately measure the impact of its programs, it should hire a sufficient number of researchers and specialists in data analysis to track the effectiveness of government projects.

A ministry's operational plan should describe the roles and responsibilities for all the administrative, logistical, financial and policy-oriented staff. Operational plans often include: administrative and human resources policies; defined linkages with other institutions; communication (internal and external); guidance on using information technology; and standards for handling and archiving of official ministerial documents.

Ministries should also develop office manuals, which often include but are not limited to:

- (i) Job descriptions for all staff;
- (ii) Personnel rosters and contact numbers;
- (iii) Human resource contacts;
- (iv) Office policies;
- (v) Organizational structures (*i.e.* organizational charts);
- (vi) Rules and procedures for policy development in the ministry;
- (vii) Procedures for coordination in the Council of Ministers;
- (viii) Procedures for internal communication in the ministry and for the Council of Ministers;
- (ix) Procedures for external communication in the ministry and for the Council of Ministers.

Traditionally, political and administrative duties are separated and performed by different staff. Political and administrative staffs have separate functions and while there is need for coordination, the two typically remain separate to avoid confusion of roles and to allow specialization of staff in their respective areas of expertise. Administrative staff should be responsible for day-to-day office management of the office as well as other internal administrative and financial matters. Meanwhile, political staff should focus on issues of policy, developing the strategic vision of the ministry, conducting constituency outreach, and maintaining good inter-governmental relations throughout Somalia.

Finding #4

Ministries are understaffed and administrative and human resource systems are either insufficient or non-existent.

Many government bodies – including the ministries, Council of Ministers and the Prime Minister’s Office – do not have detailed, defined organizational and administrative structures; terms of reference for the majority of its staff positions; organized and efficient human resource systems; or, consistent methodologies for reviewing performance, awarding promotions and determining salaries using a unified pay scale.

Due in part to these administrative weaknesses, a shortage of dedicated administrators and financial managers, and the ministers’ primary focus on political and policy matters, ministerial work plans and programs are not being effectively implemented. The National Civil Service Commission⁶ is responsible for the hiring civil servants (administrative staff) while ministers are responsible for hiring political staff, including their personal advisors.⁷ In the past, there has not been a clear division in responsibility between the political and administrative staff (in those cases where administrative personnel were actually hired). Administrative duties were often handled by staff hired to work on policy issues. This has resulted in poor administration and program implementation.

Recommendations

A clear organizational structure and separation of responsibilities should be instituted.

Once the appointment and hiring process is complete, staff in each ministry should be put in charge of managing human resources, administration/logistics and financial matters. There should be a clear division in responsibility between political and administrative staff. With the help of the NCSC, ministries eventually should have a professional, non-political administrative staff hired and guaranteed job security regardless of the political or clan affiliation of the ministers. This should lead to the creation of a class of technocrats with institutional memory, experience and competence. Resolving these staffing challenges would result in the non-biased implementation of governmental programs.

The Prime Minister’s Office should identify the development of human capital in government as a top priority and seek to attract well-qualified staff for key ministerial positions.

Recruiting quality staff to fill government positions could help resolve many of the most serious issues facing the TFG. Without qualified, experienced staff to implement the policies of the government, even the most well-considered and designed work plans will yield few positive results. The uneven security situation (especially in Mogadishu) and the limited ability of the TFG to pay salaries that would attract talented Somalis to accept positions in the government are the most important challenges to recruiting qualified ministers and senior level managers.

While it is unlikely that security will improve immediately throughout the country, the TFG should focus first and foremost on protecting its staff so that prospective officials can feel secure in accepting positions in the government. This may even include providing private security to senior ministers, advisors, and managers 24 hours a day, as many of the most high profile assassinations have occurred outside working hours. The TFG should provide basic security training to its officials to help staff reduce their vulnerability and feel more secure. The establishment of a “safe zone” for government

⁶ For more details on the National Civil Service Commission (NCSC), see pp. 23-24

⁷ The hiring of senior-level advisors is the responsibility of the ministers, ideally in consultation with the Prime Minister.

officials to live and work could create an atmosphere of security that would attract qualified Somalis, especially those in the Diaspora. The TFG also needs to prioritize raising sufficient funds for salaries and paying them in a timely, consistent manner over a long period of time. Otherwise, prospective officials will look elsewhere for employment, either locally in the private sector or abroad.

Standard terms of reference templates could be developed at the senior ministerial level to address limited human resource capacity within ministries. These standard templates could then be tailored within each ministry based on its specific needs and structures.

Many senior level positions in the ministries have similar responsibilities, despite their varying mandates. Creating a standard template for job descriptions/terms of reference to be used by all the ministries would save each the time and resources necessary to put together its own templates. Ministries would also have a common understanding of the roles and responsibilities of their counterparts in other ministries, which would prevent confusion and misunderstandings in inter-ministerial communication. Other human resource materials could also be shared, such as contract templates, salaries, benefits packages, and software for tracking payments and taxes for employees. Each ministry would be free to tailor the templates as appropriate for their particular needs and structures; however a unified pay scale should be developed for all ministries which is consistent with job descriptions, roles and responsibilities of ministerial staff.

Finding #5

The National Civil Service Commission recruits civil servants and places them into appropriate ministries, but does not effectively train them for their positions.

The National Civil Service Commission (NCSC) is responsible for hiring and placing the majority of ministerial positions. While there is potential for improvement in recruitment procedures and systems, such as an increased use of information and communication technology, most ministers appear satisfied with the recruitment system. This is no small feat in the contentious Somali environment, where salaried positions are rare, highly sought after commodities. For all civil service positions, the NCSC adheres to the following procedures:

- Step 1: Creation of a formal job description;
- Step 2: Advertising for the job through the media;⁸
- Step 3: Review of applicant resumes and selection of top candidates;
- Step 4: Creation of an interview panel, including representatives from the relevant ministry;
- Step 5: Top candidates, as determined by the panel, are hired.

Even though the NSCS is seen relatively as one of the most successful TFG institutions, it should improve its systems for orienting and training staff – both newly recruited and current employees – if the ministries are to make significant gains in governance and program delivery.

According to the feedback received during the assessment, most ministries do not have individual training units, formal orientation or continuing staff development programs. The Ministry of Finance has indicated it may provide training to staff in finance, accounting and budget management and may consider providing this training to relevant and interested staff from other ministries as well. Other ministries have indicated an interest in developing their own staff development programs as well.

⁸ Advertisements are normally published in newspapers or posted on information boards outside public buildings

Recommendation

Establish a training unit for staff for ministries as well as a central capacity-building entity, perhaps as part of the National Civil Service Commission or within each ministry.

With a clearly defined need to increase the performance capacity of new and current personnel, the TFG should establish an overall government strategy for training staff. As part of this strategy, the TFG could establish a central government entity responsible for creating orientation and capacity-building policy for the entire government. This body – which could take a number of forms, including an ad hoc committee consisting of representatives from several ministries, or perhaps a permanent unit inside the NCSC – would draft protocols and curricula that would help each ministry effectively train its staff as well as ensure a level of uniformity based on universally identified needs, including financial and time management, communication skills, strategic thinking, and budget development.

In addition to a central training body, each ministry should create its own internal training unit. While a training unit for every ministry may not be feasible or cost-effective in the short term, at a minimum at least one staff member per ministry should be responsible for monitoring gaps in skill or knowledge among its staff and then designing training modules to address such weaknesses. Some ministries, such as the Ministry of Finance, have expressed interest in establishing an internal training unit that could be used by all ministries for training on financial management and budget development. This practice should be encouraged in other ministries that specialize in areas useful for many or all government employees, such as training in drafting legislation by the Ministry of Justice or communications training by the Ministry of Information.

Finding #6

The Council of Ministers does not have clear rules of procedure or manual to guide how the government should function, especially in terms of inter-governmental communication and cooperation.

The Council of Ministers (sometimes referred to as “The Cabinet”) is the principal instrument of government policy. It consists of the prime minister and a minimum of 18 other ministers of government. The function of the Council of Ministers, as described in Article 52 of the Transitional Federal Charter, is to:

- a) Develop government policy and implement national budgets;
- b) Prepare and initiate government legislation for introduction to parliament;
- c) Implement and administer acts of parliament;
- d) Coordinate the functions of government ministers; and,
- e) Perform any other functions provided for by the charter or an act of parliament, except those reserved for the president.

The Council of Ministers is the main coordinating body in which all major issues facing the government are discussed. Ideally, decisions by the Council of Ministers should be developed in a collaborative process between the ministers and the prime minister with the primary goal being consensus. However, due in part to logistical difficulties in convening the entire Council as well as

political issues, many decisions are being made by the Office of the Prime Minister without consensus from the ministers.

The Council of Ministers has formed two internal working committees, each led by a deputy prime minister and responsible for half of the 18 ministries to help coordinate the work of the TFG. One of the committees, led by the deputy prime minister/minister of Education, has developed a draft “Law of the Organization of the Federal Government.” The other committee under the leadership of the second deputy prime minister/minister of Information has developed a “Strategic Framework for the Reconciliation Process.”

The Council of Ministers established two committees, one on Rules and Procedures for the Council of Ministers and one to assess the needs of ministerial buildings and to design a renovation plan. During the committee meetings members were given their mandate and a timeline for their work. The latest drafts of the committees’ work have been submitted to the Council of Ministers for deliberation and final adoption.

Recommendation

Establish Rules of Procedures and a Working Manual for the Council of Ministers.

Clearly defined rules of procedure for the TFG and the Council of Ministers drafted to complement the “Law of the Organization of the Federal Government,” would be invaluable for improving the functioning and organization of the government. The rules would ideally contain:

- A formal definition of the Council and its duties;
- Regulations concerning the frequency of cabinet meetings, the preparation of the cabinet agenda, and the protocol for cabinet meetings;
- Internal procedures (*i.e.* Cabinet documents, rules on debate, language, and decorum);
- A description of the roles, duties, responsibilities and accountability of each office and office holder;
- Methods for forming inter-ministerial working committees, subcommittees, and ad-hoc working groups;
- Guidance on internal and external communication as well as on coordination with other government entities, including the TFP; and
- Provisions for amending the rules.

Well-crafted rules of procedure, implemented effectively, should help ministers individually and collectively support the prime minister in managing and implementing the politics of the TFG. When drafting the rules of procedure, the TFG may consider reviewing both the parliament’s rules of procedure as well as executive-level rules from other countries in which inter-ministerial cooperation is a high priority.

In addition to finalizing rules of procedure, developing a procedural manual should lead to better cooperation and joint strategic development between the individual ministries and the Prime Minister’s Office. A working manual should provide guidelines on how things are meant to function at the Council of Ministers level. Such a manual should include guidance on the following:

- Forming an agenda for meetings of the Council of Ministers;
- Preparing briefing materials, including those from multiple ministries;

- Calling and announcing meetings;
- Outlining code of conduct/regulations on conflicts of interest;
- Accessing Council documents;
- Drafting Council minutes;
- Communicating with parliament and related protocols; and
- Additional administrative guidelines/procedures

The working manual should include details describing how the various ministerial levels interact. With limited resources and multiple competing priorities, ministries should adopt a coordinated strategy and remain in consistent, regular contact with one other in order to successfully address the numerous interrelated problems in Somalia. Regular communication channels and points of contact beyond the minister level – including directors general and upper-level managers to mid-level and lower-level staff – should be formally defined in the working manual. The manuals should also guide the ministries' public relations departments and ensure that news releases are consistent and do not contradict each other or government policy.

The Prime Minister's Office should serve as the main coordination unit within the government, overseeing ministerial efforts to implement government policies.

According to the Transitional Federal Charter, the role of the Prime Minister's Office is to coordinate and structure the work of the government and to ensure that the various ministries are fulfilling their responsibilities. To perform this duty effectively, it is essential that the prime minister's top advisors are clearly informed about the structures, functions and work plans of each ministry. In order to accomplish this, the prime minister should empower a strong chief cabinet secretary who would be in charge of coordinating all the ministries and who reports directly to the prime minister. The chief cabinet secretary should receive extensive training and technical assistance, including the scheduling of extended sessions with former and active cabinet chiefs from other countries, who would be able to relate first-hand the challenges of the position and provide strategies for overcoming these obstacles. Though past experience has shown that ministers and other high-level officials are often reluctant to deal directly with a chief cabinet secretary versus the Prime Minister/President, a strong chief cabinet secretary can free up the Prime Minister to concentrate on the overall strategic direction of the government while the cabinet chief oversees day to day management and coordination.

The Prime Minister's Office should also oversee inter-ministerial working committees/ad-hoc committees when policies or initiatives affecting more than one ministry are needed. While some coordination issues can be handled by the chief of cabinet or at weekly meetings of the Council of Ministers, there may be many occasions when one or more ministries may be required to participate in ad hoc working groups on specific issues or programs. As referenced earlier, regulations for the establishment of ad hoc groups should be included in the TFG rules of procedure as well as the procedural manual for members of the government.

Finding #7

Most ministries lack external communication strategies, public affairs offices and formal spokespersons.

The Prime Minister's Office is considered by many to be the body with primary responsibility for informing the public and the media on government policies and activities. The Prime Minister's Office is supposed to be responsible – in close cooperation with the Office of the President and the Ministry of Information – for creating and implementing a comprehensive communication strategy. However, as of May 2008 no such strategy appears to exist. The Office of the President and the Prime Minister are currently handling their own communication, almost completely independent of each other, and with little coordination or input from the Ministry of Information which has led to conflicting messages and confusion about the TFG among the Somali public.

For example, according to the Government Structures and Action Plan, the communication advisor for the Prime Minister's Office is responsible for: developing and organizing a media and public outreach plan for the prime minister; creating and maintaining relationships with media contacts (TV, electronic, newspaper); and coordinating media activities of the Prime Minister's Office with the presidency, speaker of parliament, and media offices in the ministries. In addition, the Prime Minister's Office is supposed to have a public spokesperson who communicates with the public, speaks on behalf of the prime minister and writes the prime minister's statements and news releases. The spokesperson is also responsible for coordinating activities with spokespersons from the ministries and the Office of the President.

While these arrangements for the Prime Minister's Office appear appropriate and well-designed, upon closer review there are significant weaknesses regarding implementation of these plans. The draft ministerial work plans and organizational charts seen during the assessment do not reflect the plans of the Prime Minister's Office. Most of the ministries⁹ do not have official media offices or spokespersons to interact with the prime minister's spokesperson, though this has begun to change in the last several months. For those ministries that do not have defined media-related positions, in most cases these responsibilities are being fulfilled by other staff members such as the directors general or the director of administration. Though the spokesperson of the Prime Minister's Office is supposed to coordinate its messages with the Ministry of Information and the Office of the President, this does not appear to be occurring on a regular basis.

While the Ministry of Information and the Prime Minister's Office have the prime roles to play in external communication, many ministers see the need to formulate better relationships with the media and to be more strategic in their public communication. Requests for information from the public to the ministries are not collected in a strategic and clearly defined manner and, formal responses are rarely released. Key staff members have not been trained in public communication, protocols for handling inquiries from the news media, or given strategies for drafting news releases, which has severely hindered ministries' ability to communicate with the media. At present, three ministries have designated staff to cover their external communication responsibilities.

Recommendation

Establish external communication strategies – including creating protocols and scheduling regular interactions with the media – and improve coordination on public communication between the Offices of the President, the Prime Minister, and the ministries.

⁹ Official media spokespersons exist only in the Office of the Prime Minister (shared with the Office of the President), the Ministry of Information and the Ministry of Interior. The remaining ministries have appointed spokespersons ad-hoc.

There has been an expressed and observed need to develop a formal strategy in external communication within the TFG and ministries. The OPM should generate a clear message/platform, one that each member of the government and the ministries can incorporate into all public outreach efforts. This platform should be developed in the prime minister's initial strategic plan. It is critical to develop a clear message before attempting to outline communication strategies; without one, it is likely conflicting messages may be communicated to the media and general public thus undermining the image of professionalism and competence the government would like to project.

The responsibility for fine-tuning the message of the government and determining a communication and outreach strategy should be that of a communications director, who would serve in the Prime Minister's Office. While the communications director would not need to approve all messages sent to the media from each individual ministry, spokespersons should keep the communications director informed of any formal communication with the media. This includes providing the communications director with copies of news releases and, if possible, video or audio recordings of news conferences.

Public communication from the government should be consistent, clear, coordinated and simple to understand so that all citizens recognize what the government is attempting to accomplish. To secure the most effective communication, each ministry should have a designated contact point for media relations (an official spokesperson) who is also capable of acting as the ministerial spokesperson. The spokesperson's main responsibilities should be:

- Acquiring information on media outlets in the country and deadlines for publications and broadcasting (the government spokesperson could provide updates on a regular basis to the various ministries and the Offices of the Prime Minister and the President);
- Following media coverage and determining what information or news about the spokesperson's respective ministry which would be of interest to the media;
- Coordinating speech writing for ministerial officials;
- Organizing regularly scheduled news briefings, news releases and other public relations efforts organized by the ministry; and,
- Coordinating with other ministries and spokespersons and the Prime Minister's Office on communication-related issues.

Identify and appoint public affairs officers and/or spokespersons to coordinate communication between ministries and the Government Spokesperson in the Office of the Prime Minister and the President's Office.

Without effective internal channels of communication, a cohesive external message will be difficult to achieve. To help improve the quality and consistency of ministerial external communication, spokespersons could be selected and made responsible for informing the Government Spokesperson on issues the ministries would like to have publicized. As part of his/her job, immediately following daily ministerial meetings the spokesperson/communication officer would prepare messages that the minister would like to convey to the public. Ministerial spokespersons would be responsible for ensuring that their messages are in line with the TFG platform. Before publicizing their message, spokespersons would be in contact with the Governmental Spokesperson to make sure that the message is supported by the government

Finding #8

There are significant weaknesses in terms of inter- and intra-ministerial communication, as well as between the Prime Minister's Office, the Office of the President and the ministries.

Communication and coordination between the individual ministries, the Prime Minister's Office and the Office of the President continues to be a significant problem, which makes implementation of government policies – especially those that require contributions from multiple government institutions – as well as the coordination of external messages extremely challenging. While regular meetings of the Council of Ministers may ensure ministries and the Prime Minister's Office have a general understanding of ongoing government activities, there is little to no coordination among the senior management and administrative staff of each ministry. There have been some efforts to create ad hoc working groups at the cabinet level for issues related to reconciliation and rehabilitation of public infrastructure but neither group has defined terms of reference or clearly defined goals and objectives.

To tackle coordination challenges related to the work of the cabinet, the government established an ad hoc working committee under the 2nd Deputy Prime Minister/Minister of Education to draw up rules of procedure for the Council of Ministers. The most recent draft includes regulations for coordination between ministries on issues affecting more than one ministry. The description in the Government Structures and Action Plan is vague, stating that there should only be coordination but without any further description.

As part of the recently drafted ministerial workplans, focus has been placed on both inter- and intra-ministerial communication. To help address internal communication problems, ministries are recommending holding weekly meetings, chaired by the directors general, with all directors/senior managers participating. The purpose of these meetings is to distribute and delegate specific tasks to directors/senior managers for completion during the forthcoming week, as well as to monitor the completion of tasks assigned the previous week.

A significant factor in the low levels of communication and information-sharing between ministries (and inside ministries) is the near absence of information and communication technology, including computers, internet connections, internal networks (intranet), and government websites. Exacerbating this problem is the relatively low level of knowledge of information and communication technology, computer technology, and standard software (Microsoft Word, Excel, PowerPoint, Outlook and Quicken, etc.) amongst staff members.

Recommendation

Improving intra-ministerial communication should be an immediate priority, utilizing technological solutions as well as scheduling routine meetings among staff members..

While improving communication between ministries is important, without first improving internal communication inside each ministry, efforts to improve inter-ministerial cooperation are unlikely to succeed. If ministerial staff members are not sending a common message to outside entities, attempts to increase communication with others will be counterproductive and expose ministries to charges of incompetence and/or chicanery. Quality internal communication within a ministry also is necessary to avoid duplication and to secure that all staff members are working with the same goals and

objectives. Additionally, good communication leads to an environment of inclusiveness and information sharing. This can reduce the tendency for rumors to arise and factions to form, which eventually creates obstacles to policy implementation; this is especially important in the Somali context, where fracturing of the ministries along clan lines is a significant risk.

To improve intra-ministerial communication, each ministry should develop policies and systems that delineate roles and responsibilities and define a clear chain of command, especially in terms of emergency/crisis communication. Successful internal communication systems link all offices of a ministry, and specifically ensure effective communication between the political, administrative, logistical, and financial branches. Daily meetings of top administrative and political staff are recommended to ensure that the ministry is working towards the same goals and all staff members are aware of the latest decisions and initiatives as well as the current message that the minister wants relayed externally. Finally, ministries need sufficient information and communication technology (computers, access to the internet and shared drives, telephones), as well as training in how to use these resources, to allow its staff to communicate rapidly and regularly.

Protocols and systems for inter-ministerial communication, as well as between the Prime Minister's Office and the Office of the President – should be strengthened with focus placed on effective information and communication technology solutions.

The rules of procedure for the Council of Ministers are a positive step forward, expected by the TFG to improve communication and coordination at the Council level. The greatest challenge to rules implementation may likely be issues of security, availability of ministers, and commitment of the principal actors to coordination. However, there is a risk that the information exchanged at the highest of levels may not trickle down to the Directors General, senior managers and the rest of the ministerial staff. With this in mind, directors generals should have regular meetings (perhaps on a weekly basis) to ensure ministries, vertically and horizontally within each ministry, are properly informed as to what the other ministries are doing. Ministries should also begin producing monthly written reports to be shared with the Prime Minister's Office, Office of the President and other ministries in which ministries provide updates on activities, new initiatives, progress on ministerial work plans and recent challenges.

The protocols for the creation and functioning of cross-ministerial, ad hoc working committees should be more clearly defined, including what authority, if any, such committees have to make decisions or implement policies. These committees should include political and administrative staff acting with a clear mandate from the relevant ministers. Once the committee has agreed on a policy, it should draft a detailed memorandum and present it to the Council of Ministers. The Council should then determine a strategy for implementing the recommendations. Only on extremely important and/or politically sensitive issues should the working committees be led by ministers; otherwise, senior staff advisors are more appropriate.

For the TFG to avoid inter-ministerial disagreements, poor coordination and redundancy, it should utilize ad hoc working committees strategically and effectively. To do this, the Council of Ministries should develop a methodology that would define the situations in which such committees are to be established and how the mandates would be formed. It should also develop a set of internal regulations for the structure and administrative functioning of these committees.

One possible approach could be as follows:

1. The Council of Ministers agrees to form an ad hoc working committee and determines which ministries should be included in the committee;
2. The Council gives the committee its mandate and explains in writing the issues to be discussed and a deadline for the completion of the committee's work;
3. The ministries involved appoint members to the working committee and give the members instructions on how they are to represent the ministry in the committee;
4. When the working committee has reached an agreement and produced a report and/or set of recommendations, it should be sent to the individual ministers for approval;
5. Once the ministers have approved the report, it should be presented for discussion to the full Council of Ministers; and
6. If approved, the Council would then decide how the recommendations should be implemented and determine the division of labor and the responsibilities to the relevant ministries.

The members of the committee should continue to consult with the minister and his/her senior staff throughout the process in order to receive valuable input and secure their eventual support of the final report. However, as referenced earlier, the ministers should only get personally involved in the discussions of the working committee if its members are unable to agree; otherwise, it is best left to the members to reach agreement and consensus. An exception would be on highly sensitive issues in which the involvement of the minister is paramount.

Many of the technical obstacles that prevent effective information sharing and cooperation can be overcome with effective information and communication technology solutions. However, the provision of hardware, software, and internet connections should only be the first step. For example, given the logistical challenges of travelling in Somalia, video conferencing should be used with greater regularity, but even equipment, phone, and internet connectivity would only be effective if staff members are trained in how to use the equipment and receive necessary information technology support from technical specialists. "Shared" network space, such as intranets and common drives, should be created to allow individual users from across ministries and government bodies to access common files. Protocols should also be put in place for archiving and saving important files and documents, while ensuring that sensitive information is secure and available only for appropriate users.

Finding #9

The uneven relationship between the government and the parliament creates challenges for the transitional institutions to establish effective, democratic government institutions.

Truly accountable, democratic systems of government carry a natural tension between the branches of government; this way, they can serve as "checks and balances" to each other, making sure that no entity becomes too powerful and, inevitably, begins to abuse said power. However, a certain level of professionalism, accountability, consultation and even cooperation is necessary for a system of government to function effectively. Otherwise, the various branches may encounter serious conflict, resulting either in administrative and legislative gridlock or one branch overwhelming the other and leading to the gradual destruction of authority and legitimacy of the weaker entity. At that point, the system is neither democratic nor effective, which may inevitably lead to a loss of public support for all institutions of government. Maintaining this combination of a balance of power and a constructive relationship is especially important during this period of transition, when all the branches of

government need to work together to create a positive legacy and put in place permanent systems and institutions.

According to the Transitional Federal Charter, the parliament has the right to request the prime minister as well as individual ministers to attend parliamentary or committee sessions to answer questions provide updates on the implementation of policies and provide additional details on draft legislation submitted to the parliament. Executive oversight is one of the most important functions of a legislature, and a good working relationship between the government and the parliament would help to improve accountability and transparency on the part of the TFG and enhance its legitimacy in the eyes of members of parliament (MPs) and the general public.

TFG officials currently have a poor reputation in terms of their level of communication and willingness to engage with the parliament. Invitations to speak with parliament and its committees, as well as simple requests for information, often go unanswered, ignored or in some cases are flatly rejected. This has created an atmosphere of mistrust and frustration, though a several members of parliament are sympathetic to the extreme difficulty that the TFG faces in implementing its programs, including a lack of funding, materials, supplies, office space, experience, and security.

Recommendation

Identify and appoint a staff liaison (could be the DG) from ministries to parliamentary committees with the responsibility of facilitating collaborative relationships between the ministry and the parliamentary committees.

Effective governance depends on the establishment of a good relationship between the legislative and the executive bodies. In the case of Somalia there is a need to develop a better working relationship between the ministries and the relevant parliamentary committees. A recommendation for the TFG would be for each minister to appoint staff to liaison with the parliament.

A liaison staff will, on behalf of its minister, be responsible for:

- channeling communication between the parliament and the ministry and acting as the primary point of contact for the parliament in the ministry;
- ensuring that the minister is informed on processes/discussions in the parliament and relevant parliamentary committees;
- arranging meetings between the parliament/parliamentary committees and the ministry;
- Updating the minister on the work in the parliament and the relevant parliament committees;
- ensuring that the minister answers written questions from the parliament in a timely manner
- ensuring that the minister appears in front of the parliament and/or a parliament committee for hearings;
- facilitating meetings where the minister can inform the parliament committee on important issues discussed in the ministry and describe to the relevant committee its policy priorities as well as answer any relevant questions.

Enabling a ministry and minister to actively communicate with the parliament and parliamentary committees helps ministries include perspectives from the parliament while preparing to draft bills. It will also ensure that TFG is held accountable by the TFP. Since the Office of the Prime Minister is

the coordinating unit in the TFG, the Prime Minister's Office is responsible for facilitating meetings with the leadership of the Parliament. The Office of the Prime Minister has a special role in facilitating dialogue between the TFG and the TFP on policy issues of national interests (including the national budget).

Establish rules and procedures of communication and interaction between the executive and legislative branches.

In examining how other countries manage the relationship between the executive and legislative branches, it becomes clear that establishing and adhering to certain rules and procedures of communication and interaction is critically important to maintaining productive and professional relations. These often include weekly question sessions, a consistent flow of letters, faxes, and email communication, regular hearings, and some form of consultation mechanism during the budget process. The TFG leadership should also be proactive in informing the parliament on critical, timely issues, such as when the prime minister spoke to the parliament April 30, 2008, regarding progress in the reconciliation process. Because there are no party-based mechanisms for members of parliament to formally or informally communicate with their compatriots in the ministries during the creation of legislation or the implementation of government programs, the TFG should make efforts to consult parliamentary committees when they are discussing new laws and policies before drafts laws are sent to the parliament to avoid unexpected surprises and the unnecessary rejection of legislation. If this is not possible, there should at least be consistent communication between the prime minister and the speaker of the parliament.

In addition to the government-parliament relationship, it is useful if all the TFIs, including key commissions such as the Independent Federal Constitutional Commission, the Border Commission, and Electoral Commission, interact professionally and cordially. The TFG should initiate a discussion among the leadership of the TFIs (the president, prime minister and the speaker) to discuss how to strengthen the links between the TFIs and how the TFIs could better coordinate their activities.

Three Longer-Term Findings and Recommendations

Finding #10

The ministries do not have access to all of the technical resources they may need to properly draft new bills.

Each ministry appears to have significant to severe deficiencies regarding access to technical resources (physical and human), including: resource material (legal documents, public policy research, comparative legal literature), easily available internet access to conduct research, and internal legal capacity (lawyers, clerks, constitutional experts). According to the Transitional Federal Charter, the attorney general is supposed to be the primary legal advisor to the government, including assisting the ministries and the Prime Minister's Office in drafting legislation. However, not all the ministries appear to be using the Attorney General's Office effectively; furthermore, no ministry appears to have an in-house legal department to assist with legislative drafting. This leaves all ministries relying on the Attorney General's office when intending to submit legislation to the parliament which inevitably creates a bottleneck and reduces the quantity and quality of introduced draft laws.

Research capabilities of the various ministries are also drastically deficient. No ministry appears to have dedicated staff or experts assisting with the crafting of public policy or strategic planning. Despite the presence of significant intellectual resources within Somalia – especially amongst former officials from the Siad Barre regime and members of civil society – political disagreements, unfamiliarity and skepticism prevent the TFG from utilizing these resources in a significant manner. Even when these political obstacles are overcome, the absence of effective, organized contact databases combined with insufficient technological resources (such as computers, internet connections, remote conference tools and ministerial intranet sites) limit the ability of ministries to quickly find and hire consultants.

Recommendations

Streamline the process through which bills are drafted within the TFG, strengthen the relationship with the Attorney General's Office and explore Parliament's involvement in the law making process.

While a number of possibilities exist for improving the legal drafting capacity and mechanisms of the TFG, NDI recommends the following steps as one possible approach:

- a) The Council of Ministers would, based on a memorandum from the involved ministry, discuss the issue of new legislation and give the ministry a mandate to draft new legislation;
- b) The ministry would be responsible for drafting the narrative for new bills. It would be the responsibility of a central unit in the TFG, either the Ministry of Justice or the Office of the Prime Minister to transform the narrative into legislative text;
- c) During the narrative drafting process relevant ministries would be notified and given the opportunity to comment. The responsibility to ensure that other ministries are informed and given the opportunity to respond to draft legislation would fall to the Director General of the lead ministry. The Office of the Prime Minister would ensure that other ministries have been consulted.
- d) If the ministries appoint a liaison officer to maintain contact with Parliament (or if that responsibility falls to the director general), this person would ensure that the Parliament and/or relevant parliamentary committees are informed about the drafting process and would seek input from Parliament. (see recommendations under Finding #12); and
- e) When the ministry has the final version of the bill from the, central unit in the TFG, either the Ministry of Justice or the Office of the Prime Minister, the law would be presented to the Council of Ministers for final approval and subsequently submitted to the Parliament for their review and possible adoption.

The Office of the Prime Minister should be the central unit for coordination during the drafting process, liaising with the other relevant ministries.

To ensure that bills have the approval of the entire TFG, the Office of the Prime Minister should act as the central coordinating unit. The Office of the Prime Minister needs to ensure that all relevant ministries have been consulted in the drafting process. Memoranda from the Council should indicate which ministries have been consulted and whether or not their suggestions were adopted.

The legal capacity of the government should be strengthened, including the Offices of the Prime Minister, the Attorney General, and individual ministries – especially the Ministry of Justice and Religious Affairs, and the Ministry of Constitutional, Federal Affairs, Reconciliation and Regional Development.

Though both the transitional parliament and the ministries have the ability and legal right to draft legislation, as of early 2008 all draft legislation had been developed within ministries and not by the parliament. While members of parliament may become more active in writing their own draft bills in the future, the ministries will likely continue to take the lead in initiating legislation in the short to medium run. To fill this drafting role more effectively, the TFG should improve its legal capacity within each ministry and especially in the Office of the Attorney General as well as the two ministries most responsible for legal and constitutional issues: the Ministry of Justice and Religious Affairs, and the Ministry of Constitutional, Federal Affairs, Reconciliation and Regional Development. In addition, each ministry should create an internal legal unit, even if it is only one legal officer, which assists in the writing, review, and interpretation of legal language for draft bills.

According to the TFC (Article 64c) the Attorney General is the principle legal advisor to the TFG; reviews all draft legislation before it is presented to the parliament to ensure that draft laws are in accordance with the Transitional Federal Charter, the 1960 Constitution of Somalia, and all other relevant legislation. Since the judicial branch has struggled to establish itself and the legal capacity of the parliament remains limited, the TFG should take on the temporary responsibility of ensuring the constitutionality of draft legislation, at least until the other branches of government are able to contribute more substantively in this area.

Create a central archive where significant government documents are kept and accessible to government ministries and national commissions.

In order to improve the ministries' ability to draft legislation, the TFG should develop/establish an archive where important documents relevant to all ministries can be kept and be accessible for staff. An archive could take a number of forms, including: a physical space similar to the Library of Congress in the United States; a virtual environment, such as an intranet or a system of shared drives; or, a combination of the two. If possible, these resources should be available remotely via the internet to those users granted remote access, allowing research to continue regardless of the security situation and staff travel. Each ministry could be responsible for providing the archives with copies of policy documents, work plans, monitoring systems, and background research. This information would be made available to other government bodies to encourage collaboration, adoption of best practices and policy coordination. If finances allow, an in-house research unit could be created and trained, assisting TFG staff in utilizing the archives and maximizing its utility.

In addition to serving the needs of the government, the archive could also be made available to the public, at least for those documents and plans deemed appropriate for public viewing. While perhaps not an immediate necessity, in the long term the TFG could create a better and more transparent relationship with civil society, the media, and the business community if it shares information with the public.

Finally, if the funding and political will exists, the archive could adopt a proactive approach to sharing information by producing an annual or even semi-annual report of the government's activities. This report would be based on the updates from various ministries, commissions and other bodies. The

report could be managed independently or with the oversight of the Prime Minister's Office and eventually be presented to the parliament, civil society and the media as well as the international community. Relevant information noted in the report could include: strategic plans, success stories, a description of the challenges faced and fiscal/budgetary information.

Reach out to local resources and experts from academia, civil society, and the private sector to provide support.

A wide range of talented and experienced Somalis, including former government officials from the Siad Barre regime, are available to provide expert-level assistance to the TFG, the TFP, and other government institutions. At this stage, the government has not undertaken much of an effort to recruit these Somalis on a short- or long-term basis to support the TFG. The government should make a concerted effort to seek out advice from Somalis inside and out of the country, especially from former government lawyers and technical experts, to take advantage of their expertise. These individuals could be given short term consultancies (keeping costs low) to assist with specific issues, pieces of draft legislation, and program design.

Finding #11

Following the TFG's official relocation to Mogadishu, secure office buildings are unavailable in which the ministries can operate.

As of April 2008, the ministries had officially moved to Mogadishu, though this occurred sporadically, with much of the ministerial staff – minus the ministers and most of the directors generals – practically divided between Baidoa and Mogadishu. This decision was made primarily for political reasons instead of practical reasons, as the government attempts to stake its claim in the capital. While this may have a positive effect on the perceived legitimacy of the TFG to Somalis, operationally it has been hugely disruptive as ministers are often separated from ministerial staff for long periods of time. It also has made hiring new employees and planning for the future difficult, as it is unclear if recruitment and hiring need to be done for Mogadishu versus Baidoa.

Assuming the ministries move forward with plans to permanently move to Mogadishu, the government should locate, secure and furnish office buildings and ensure the buildings are connected to utility and communications, information technology infrastructure. The government has made available six office buildings in Mogadishu that may eventually host the 18 ministries. The renovation, furnishing, and equipping of the new offices in Mogadishu is supposed to be covered under UNDP's recently approved Start-Up Fund. However, the path from budget approval to actual disbursement of funds, procurement, delivery and installation of supplies and equipment can be lengthy. All the ministries should be prepared to operate with threadbare offices for a minimum of six months.

Recommendation

Ensure that ministries have secure, functional offices in which to conduct government work.

In order for the Prime Minister's Office and the ministries to effectively fulfill their duties and responsibilities, they should have secure and functional office space in which to conduct their work. Moreover, as long as the TFG remains divided between Mogadishu and Baidoa, productivity,

monitoring of activities and supervision of staff, and inter- and intra-ministerial communication may be difficult at best. Currently, all Directors General have moved to Mogadishu along with the ministers while some staff remain in Baidoa¹⁰.

Therefore, perhaps regardless of the political ramifications of choosing one city over the other, the TFG should consider choosing one location where they can efficiently accomplish their duties, safely and in reasonable conditions. If political factors can not be ignored, one option would be to locate the most politically sensitive ministries in Mogadishu while keeping the more technocratic ministries in Baidoa, at least until greater security and better office space can be acquired in the capitol.

Another option would be to continue maintaining one office for the ministers, Directors General, and political staff (Mogadishu) and another for administrative staff (Baidoa). Though not ideal in terms of functionality, communication, and oversight, sufficient information and communication technology solutions and regular travel between the two offices could make this a feasible option. Regardless of where the offices are located, all staff should have access to improved information technology resources, equipment, supplies, and most importantly security.

Finding #12

The disconnect between civil society, the business community and media with transitional institutions and the government seems to be more about a lack of effort and coordination as well as mutual unfamiliarity than any deep-seated tension or enmity.

In the absence of a proper government, civic institutions have defined Somali society for the past 17 years. Civic groups, community organizations, and some private sector elements sought to fill the governance vacuum by providing essential services and providing for a modicum of normalcy in a country gone haywire. Despite this vital role they have played and continue to play in Somalia, the transitional institutions have not been very effective at reaching out to these important groups which has created a sense of frustration amongst civil society actors. In the business community there appears to be similar dissatisfaction as well as some trepidation about the fiscal, monetary, and taxation policies of the TFG, though this is tempered by a desire for stability and security that should allow business to flourish.

Though the quality of the relationship between the TFIs and the general public is not outstanding, the challenges to creating closer links are hardly insurmountable. While there are some groups – usually ardent supporters of the former Islamic Courts – that are unlikely to cooperate with the TFIs, most Somalis are willing to work with the government if it reaches out to them. Members of civil society organizations and of the business community that NDI spoke with hypothesized that one of the reasons for the lack of engagement is that government officials and members of parliament are afraid to show that they have less knowledge and experience than civil society representatives, many of whom once worked for the government under Siad Barre. It is also possible that government officials do not have enough time, desire and/or contact information necessary to cultivate these relationships. An insufficient understanding of the advantages of doing so may be limiting these crucial outreach efforts.

¹⁰ As of May 2008 the Ministry of Reconciliation, Constitution and Regional Development, the Ministry of Finance and Planning, the Ministry of Interior and the Ministry of Information still have staff remaining in Baidoa.

Recommendation

Create forums and procedures for dialogue and collaboration with civil society including religious organizations, business professionals, youth, women, disabled, Internally Displaced Persons (IDPs) and other civic groups.

Minimal contact has led to unfamiliarity and a feeling among much of the general public that the TFIs are accomplishing little and misusing the donor funds that they are receiving. Without building better relationships, the TFIs may lose the support of the Somali people and miss the opportunity to utilize their knowledge and skills to help the TFIs govern the country and effectively provide services. These relationships can become stronger and increase the legitimacy of the government when government officials create stronger communication links, improve transparency and find opportunities for mutually beneficial lobbying and sharing of technical expertise.

An office, or a designated person within all ministries and in the Offices of the Prime Minister and the President, should be established whose responsibility it is to develop and maintain outreach to civil society (including religious organizations), CSOs, NGOs, businesses, and youth and women groups, etc. This office would be responsible for promoting good relations between the government and these groups by collecting input from citizens on policies and legislation, receiving and answering letters and petitions, holding civic forums to listen and respond to citizen questions and requests, and promoting active communication through the use of newsletters, meetings, radio programs and other media.

In addition to setting up a central office for civic outreach, individual ministries should designate a person responsible for building relationships with outside groups and experts. Ministries should begin to hold public and private meetings with influential and knowledgeable citizens, organizations, and institutes (including universities), especially when they are creating draft legislation or creating new government programs. Aside from generating new ideas and taking advantage of outside expertise, these meetings would help secure support from the Somali people for government policies and the TFG in general.

Civic groups have been the sole providers of social services since the collapse of the Siad Barre regime and are likely to remain involved indefinitely, even after the establishment of permanent government. In the short to medium term, as the TFG builds its capacity and begins to provide public services, the well-being of the population is dependent on civil society organizations. The TFG should reach out to these groups and support them with technical expertise, financial assistance, and security (if requested).

IV. CONCLUSION

This assessment represents NDI's initial observations of the challenges facing the TFG and should not be interpreted as a comprehensive and definitive evaluation. Instead, this assessment should be viewed as the first step in the process of setting forth ideas designed to improve operations within the TFG. While the initial assessment has concluded, NDI will continue to meet with government institutions and pertinent members of the international community to gain a better understanding of the TFG and its challenges.

The assessment meetings made it clear that the situation for the government is challenging, not only politically with the limited time left for the transitional period, but also structurally and administratively. The government does not have in place the necessary administrative or financial support in order to be able to implement the policy of the government. This challenge was underlined as possibly the most important one facing the government.

Despite the myriad challenges facing the TFG, the government has shown encouraging signs of putting aside political and clan differences and of being deeply committed to the task at hand: establishing an effective, functioning government for Somalia. The TFG leadership, while in many cases relatively inexperienced in the realm of governance, has displayed significant talent and skill in negotiating an extremely challenging environment over the past two and a half years. Discussions with the opposition (the former UIC) continue to progress and, hopefully, will lead to an improvement in the security situation. If these talks are successful, the TFG should be able to make significant advances in the transitional process and improve its ability to provide services to the Somali people.

In the Institute's view, the twelve findings and related recommendations detailed in this report, if addressed, should markedly improve the performance of the TFG and bolster its standing among Somalis. The assessment team realizes that time, funding, and organizational constraints of the TFG, donors, and those NGOs providing assistance to Somalia preclude the TFG from implementing all of the report's recommendations immediately. As a next step, NDI suggests that Prime Minister Nur "Adde" consider scheduling a retreat with the leading members of the TFG to discuss this report and determine a plan of action for implementing any number of the report's recommendations. NDI is prepared to assist the Prime Minister in: (1) reviewing the findings and recommendations with ministers; (2) helping them choose their top priorities; and (3) developing action plans for responding to those priorities.