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**GROUPS AND ENTITIES
CONTROLLING SOMALIA**

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SOMALIA

GROUPS AND ENTITIES CONTROLLING SOMALIA

Executive Summary

Somalia is a failed state and no one entity or group enjoys complete control of its territories. While the northern part of the country, including Somaliland and Puntland, has seen relative peace in the hands of entities that exercise effective control over these areas, the situation in southern and central Somalia remains highly unstable.

Two sides and various actors are locked in a struggle for territorial control in southern and central Somalia. On the one side is the Transitional Federal Government (TFG) of Somalia and its foreign and local allies. On the other is Al-Shabaab, which has been designated as a terrorist organization by the United States government.

At the moment the TFG side is continuing to push Al-Shabaab out of various key posts in southern and central Somalia, but whether it will hold on to this momentum and the territorial gains remains to be seen.

I. Introduction

This report was prepared in response to an inquiry regarding the groups in Somalia that enjoy effective control of territories within the country for purposes of taking responsibility for the implementation of an international treaty to which Somalia is party.

Somalia is a failed state. It has not had an effective central government since the end of President Siad Barre's government in 1991.¹ Continued efforts over the next decade to end the violence that ensued following the overthrow of Barre's government culminated in the establishment of the Transitional National Government in 2000 at a conference held in Djibouti, Somalia's northern neighbor.² This government was far from uniting Somalia and establishing effective central government when its mandate ended in 2004.³ Ensuing talks in Kenya resulted in the establishment of the Transitional Federal Government of Somalia (TFG) later that year by

¹ *Somalia Profile*, BBC NEWS AFRICA (Aug. 21, 2012), <http://www.bbc.co.uk/news/world-africa-14094503>.

² *In-Depth: Somali National Peace Conference*, IRIN (July 10, 2000), <http://www.irinnews.org/In-depth/72039/54/Somali-National-Peace-Conference>.

³ *Somalia Profile*, BBC NEWS AFRICA, *supra* note 1.

way of establishing a Parliament, which then appointed a President.⁴ After the TFG's five-year mandate expired in 2009, the Transitional Federal Parliament extended its mandate through 2011.⁵ In 2011, the TFG unilaterally extended its mandate through 2012.⁶ Just prior to this report being finalized, on August 20, 2012, Somalia began the transition to a permanent government with the swearing in of a new Parliament, whose members were selected by elders representing the various clans. The selection of a new President by this Parliament is expected soon.⁷ As of the date of this report, the TFG does not control all of Somalia.

For the purpose of this inquiry, Somalia may be divided into three regions: Somaliland, Puntland, and southern and central Somalia. While the first two regions have governments that have shown effective control over an extended period of time and enjoy relative stability, the third region remains highly unstable, with control of parts of the region changing hands constantly between the Somalia Transitional Federal Government (TFG) (through its foreign and local allies) and Al-Shabaab, an Islamist group on the U.S. government's list of terrorist organizations. While the scale of control of large parts of southern and central Somalia is currently tipped in the TFG's favor due to the assistance of foreign forces, including Kenya, Ethiopia, and the African Union Mission in Somalia (AMISOM), as well as some clan-based local groups opposed to Al-Shabaab's brand of rule, this cannot by any means be characterized as a permanent state of affairs. The TFG's exercise of consistent control, particularly in southern and central Somalia, will largely depend on various factors, including how long the foreign forces currently in Somalia remain there; how quickly the new Somali government can recruit, train, and maintain a professional army and law enforcement force; and the willingness and ability of the TFG to work with the local governments/groups opposed to Al-Shabaab.

This report provides a brief summary of areas in Somalia and the entities and groups that vie for or control them.

II. Northern Somalia

A. Somaliland

Somaliland is a territory in the northwestern part of Somalia that is seeking to secede. A former British protectorate, Somaliland declared its independence on May 18, 1991, with Hargeisa as its capital after Said Barre's government was overthrown and chaos ensued in the rest of the country⁸ (see the general area in Map 2, below).

⁴ *Id.*; Stephanie Hanson & Eben Kaplan, *Somalia's Transitional Government*, COUNCIL ON FOREIGN RELATIONS (May 12, 2008), <http://www.cfr.org/somalia/somalias-transitional-government/p12475>.

⁵ *Background Note: Somalia*, U.S. DEPARTMENT OF STATE, BUREAU OF AFRICAN AFFAIRS (Apr. 20, 2012), <http://www.state.gov/r/pa/ei/bgn/2863.htm>.

⁶ *Id.*

⁷ Gabe Joselow, *Somalia Swears in New Parliament*, VOICE OF AMERICA (Aug. 20, 2012), <http://www.voanews.com/content/somalians-optimistic-about-new-parliament/1491366.html>.

⁸ *Our History*, SOMALILAND GOVERNMENT, <http://somalilandgov.com/history/> (last visited Aug. 9, 2012).

While it does not enjoy the recognition of the international community as an independent state, the territory has a “functional constitutional democracy.”⁹ It has functioning government institutions including a bicameral legislature, a three-tiered court system, and an executive branch, as well as a police force and its own currency.¹⁰ However, the fact that the territory lacks the recognition of the international community as an independent nation, an important element of statehood, prevents it from entering into treaty-based international obligations. It nonetheless appears committed to honoring treaty obligations created by Somalia before 1991.¹¹

Although it has an unresolved territorial dispute with Puntland, an autonomous region in the northeast, over the Sanaag and Sool border areas (*see* the general disputed area in Map 2, below) and has been a victim of multiple terrorist attacks, Somaliland enjoys relative peace and security.¹²

B. Puntland

Puntland is a semiautonomous regional state in northeast Somalia. It consists of the following seven regions:

East Region of Bari, Nugal, Sool, South Togdher (Buhodle District), Mudug except the Districts of Hobyo and Haradhere and Sanag Region except the District of El-Afweyn and Northeast of Erigavo District.¹³

Puntland established itself as an autonomous region in 1998, but is not seeking independence from Somalia.¹⁴ Its Constitution specifically states that it is “an independent integral part of Somalia and has the obligation to restore and maintain the unity of Somalia on the basis of a Federal System.”¹⁵

Like Somaliland, this region has enjoyed relative peace and security since its establishment. The government has put in place basic political as well as administrative

⁹ *Background on Somaliland*, THE CENTER FOR JUSTICE AND ACCOUNTABILITY, <http://www.cja.org/article.php?id=437> (last visited Aug. 9, 2012).

¹⁰ *Somaliland Profile*, BBC NEWS AFRICA (June 21, 2012), <http://www.bbc.co.uk/news/world-africa-14115069>; *Our Government*, SOMALILAND GOVERNMENT, <http://somalilandgov.com/the-administration/> (last visited Aug. 9, 2012).

¹¹ THE CONSTITUTION OF THE REPUBLIC OF SOMALILAND art. 10 (May 31, 2001), *available at* the International Relations and Security Network website, <http://www.so.undp.org/docs/Somaliland%20in%20English.pdf>.

¹² *Somaliland Profile*, BBC NEWS AFRICA, *supra* note 10; Yahya Mohamed, *Fear of Terror Attack in Somaliland*, SOMALIA REPORT (May 18, 2011), http://www.somaliareport.com/index.php/post/782/Fear_of_Terror_Attack_in_Somaliland.

¹³ TRANSITIONAL CONSTITUTION OF PUNTLAND REGIONAL GOVERNMENT art. 3 (July 1, 2001), *available at* the Max-Planck-Institute website, http://www.mpil.de/shared/data/pdf/transitional_constitution_puntland.pdf.

¹⁴ *Puntland Profile*, BBC NEWS AFRICA (Dec. 9, 2011), <http://www.bbc.co.uk/news/world-africa-14114727>.

¹⁵ TRANSITIONAL CONSTITUTION OF PUNTLAND REGIONAL GOVERNMENT art. 2.

institutions and provides basic social services, including education and health services.¹⁶ The government structure consists of three branches: legislative, executive, and judicial.¹⁷ Much like the case with the newly created national Parliament,¹⁸ the sixty-six members of its legislative body, the House of Representatives, which was formed in 1998, are appointed by traditional (clan) leaders.¹⁹ This body has enacted over eighty-five laws and regulations in little over a decade.²⁰

Puntland is not, however, completely immune from the security problems that have plagued Somalia in the past two decades. The region has a serious piracy problem off of its coast,²¹ and like its neighbor to the west, Somaliland, it has been a victim of multiple terrorist attacks.²² As noted above, the region also has an unresolved territorial dispute with Somaliland over which the two have engaged in occasional military skirmishes.²³

II. Southern and Central Somalia

Unlike the case with Somaliland and Puntland, which have demonstrated relative stability over extended periods of time, control of southern and central Somalia is highly unpredictable and changes constantly depending on which groups enjoy a military edge. There are two sides and various players in the struggle for control of territories in this area. On one side is Al-Shabaab, an Islamist militant group that has been on the US list of foreign terrorist organizations since February 2008.²⁴ On the other is the TFG with its foreign and local allies.

¹⁶ Somalia: Puntland, including government structure, security, and access for internally displaced persons (IDPs) from Somalia (November 25, 2011), IMMIGRATION AND REFUGEE BOARD OF CANADA, *available at* UNHCR Refworld, <http://www.unhcr.org/refworld/country,,IRBC,,SOM,,4f0eb40c2,0.html>; Puntland State, First Anniversary of President Farole's Administration (Jan. 10, 2010), *available at* the Alwafaa Group, [http://alwafaagroup.com/Report/Puntland First Anniversary Report 2009.pdf](http://alwafaagroup.com/Report/Puntland%20First%20Anniversary%20Report%202009.pdf).

¹⁷ *Puntland State of Somalia*, PUNTLAND GOVERNMENT, <http://www.puntlandgovt.com/puntland-state-of-somalia/> (last visited Aug. 9, 2012).

¹⁸ Nastasya Tay & David Smith, *Somalia's First Parliament Since 1991 Inaugurated in Mogadishu*, THE GUARDIAN (Aug. 20, 2012), http://www.guardian.co.uk/world/2012/aug/20/somalia-first-parliament-inaugurated?CMP=tw_t_gu.

¹⁹ *Puntland Parliament Background*, PUNTLAND PARLIAMENT (July 5, 2009), http://puntlandparliament.org/view_eng.aspx?articleid=26.

²⁰ *Id.*

²¹ Mohamed Samantar & David Leonard, *Puntland and the Quandary of Somali Piracy*, DALJIR (Aug. 17, 2012), <http://www.radiodaljir.com/xview.php?id=867>.

²² Abi Hussein Daud, *Somaliland-Puntland Strategic Cooperation*, THE SOMALILAND TIMES (Aug. 11–17, 2012), <http://www.somalilandtimes.net/sl/2012/550/37.shtml>.

²³ *Puntland Profile*, BBC NEWS AFRICA, *supra* note 14.

²⁴ Stephanie Hanson, *Backgrounder: Al-Shabaab*, COUNCIL ON FOREIGN RELATIONS (Aug. 10, 2011), <http://www.cfr.org/somalia/al-shabaab/p18650>.

A. Al-Shabaab

Al-Shabaab was initially part of the Islamic Courts Union (ICU), a group born out of necessity after the collapse of the Somali government in 1991 to restore law and order that gradually morphed into a military organization.²⁵ ICU controlled much of Southern Somalia until Ethiopia invaded the country in July 2006 and defeated the group.²⁶ Al-Shabaab, which until then had remained the youth/military wing of the ICU, then reconstituted itself as a militia and began fighting for territorial control.²⁷

Al-Shabaab's control of areas in southern and central Somalia changes constantly. For instance, the presence of Ethiopian forces in Somalia from 2006 through 2009 greatly limited the group's ability to expand its territorial control.²⁸ The complete withdrawal of Ethiopian forces from Somalia in 2009 allowed Al-Shabaab room to make territorial gains.²⁹ Al-Shabaab also encountered resistance from local clan-based groups opposed to its rule, particularly in central Somalia. For instance, in January 2009, Al-Shabaab's attempt to seize Galgadud, a region in central Somalia, failed when it was successfully repelled by local militias.³⁰ However, the local groups' reach was limited to parts of central Somalia and, with the Ethiopian forces out of the picture, Al-Shabaab was able to take control of large parts of south-central Somalia, including parts of Mogadishu, the capital, until early 2011, when, through the concerted efforts of various foreign forces, it was pushed out of key areas it had previously controlled.³¹

B. The TFG and Foreign Forces

Currently, there are several foreign forces in Somalia, including the African Union Mission in Somalia (AMISOM), Ethiopian forces, and Kenyan forces. Created by the African Union Peace and Security Council in January 2007, AMISOM was initially deployed in Somalia on March 6, 2007.³² It is mostly made up of Ugandan and Burundian contingents, but more countries have pledged to send troops.³³ Although AMISOM's deployment was initially for six months, its mission has been extended by the African Union (AU) and the United Nations Security Council.³⁴

²⁵ *Profile: Somalia's Islamic Courts*, BBC NEWS (June 6, 2006), <http://news.bbc.co.uk/2/hi/5051588.stm>; see also Stephanie Hanson, *supra* note 24.

²⁶ *Background Note: Somalia*, U.S. DEPARTMENT OF STATE, *supra* note 5.

²⁷ Hanson, *supra* note 24; Zalman, *supra* note 25.

²⁸ *Background Note: Somalia*, U.S. DEPARTMENT OF STATE, *supra* note 5.

²⁹ *Id.*; Hanson & Kaplan, *supra* note 4.

³⁰ Hanson, *supra* note 24.

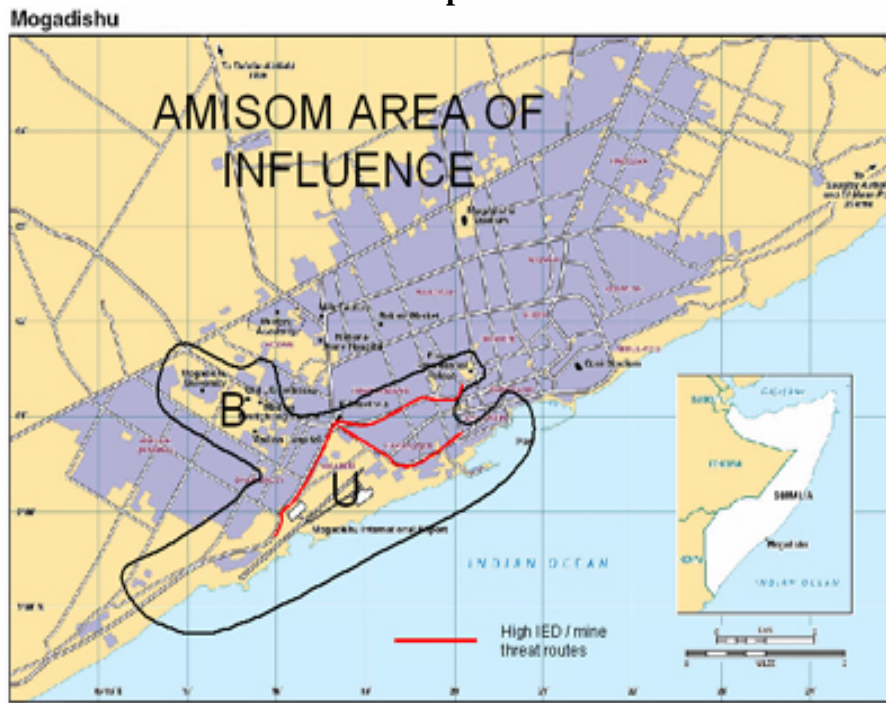
³¹ *Background Note: Somalia*, U.S. DEPARTMENT OF STATE, *supra* note 5.

³² *Frequently Asked Questions*, AMISOM, <http://amisom-au.org/about/frequently-asked-questions/> (last visited Aug. 20, 2012).

³³ *Military Component*, AMISOM, http://www.africa-union.org/root/au/auc/departments/psc/amisom/AMISOM_MILITARY_COMPONENT.htm (last visited Aug. 21, 2012).

³⁴ *Frequently Asked Questions*, AMISOM, *supra* note 32.

AMISOM has recently put more pressure on Al-Shabaab. The area of AMISOM's operation was initially limited to Mogadishu,³⁵ but AMISOM forces have now expanded their operations outside of Mogadishu into the surrounding areas.³⁶ AMISOM forces are said to have driven the Al-Shabaab forces to a position thirty kilometers (about 18.6 miles) outside of the capital so far (see Maps 1 and 2).³⁷

Map 1³⁸

AMISOM will likely further expand its areas of operation beyond the capital and its environs, according to its stated plan. That plan divides Somalia into four sectors with forces from various participating African countries taking responsibility for securing each sector, as follows:

- Ugandan forces with the support of Burundi will secure two sectors, including Shabelle and Baido
- Kenyan and Sierra Leonean forces will command an area covering Juba House
- Djibouti will have responsibility for securing an area including Hiraam³⁹

³⁵ Risdel Kasasira, *Somalia: Gains Made in the Battle Against Al-Shabaab*, THINK AFRICA PRESS (June 14, 2012), <http://thinkafricapress.com/somalia/gains-made-battle-against-al-shabaab-amisom>.

³⁶ *Id.*

³⁷ Domenic Wabala, *AMISOM Troops Bring New Hope to Somalia*, THE STAR (June 11, 2012), <http://www.the-star.co.ke/lifestyle/128-lifestyle/79872-amisom-troops-bring-new-hope-to-somalia>.

³⁸ Reprinted from *Military Component*, AMISOM, *supra* note 33.

In addition to AMISOM, Ethiopian and Kenyan forces have engaged Al-Shabaab since late last year. Ethiopian forces invaded Somalia in 2006 and defeated the ICU, the parent organization of Al-Shabaab, only to completely withdraw in 2009.⁴⁰ Ethiopia sent its troops back into Somalia in late 2011. Since then Ethiopia has pushed Al-Shabaab out of various posts including the group's stronghold, Baidoa. Kenya sent its forces to Somalia in October 2011 intent on occupying Kismayo, Al-Shabaab's stronghold, which it has yet to accomplish.⁴¹

C. Local Groups/Administrations

In addition to the self-governing regions in the north (Somaliland and Puntland), several local groups and administrations exercise control of parts of central Somalia. Among the most notable areas are Galmudug and Himan iyo Heeb (Ziman and Xeeb) in central Somalia, which have reportedly enjoyed relative stability since 2011.⁴²

Galmudug is a regional administration in central Somalia. It was formed out of a union of two local administrative areas, Galguud and Mudug, in 2006.⁴³ This Union conforms to the requirement for statehood in a Somalia Federation under the 2004 Nairobi Charter for Somalia.⁴⁴ The administration has been invited to participate in negotiations regarding the transition period in Somalia,⁴⁵ a sign that it is seen by the TFG and the international community as a credible entity.

Ahlu Sunna Wa Jama'a (ASWJ) enjoys a dominant influence in the region. ASWJ was established in 1991 by people that subscribe to the Sufi traditional practice in order to push back against reformist groups.⁴⁶ The group established itself as an armed militant group in 2008 and

³⁹ *British Aiding Al Shabaab – AMISOM*, RED PEPPER (May 30, 2012), <http://redpepper.co.ug/welcome/?p=38164>.

⁴⁰ *Background Note: Somalia*, U.S. DEPARTMENT OF STATE, *supra* note 5.

⁴¹ *Kenya Invades Somalia, A Big Gamble*, THE ECONOMIST (Oct. 29, 2011), <http://www.economist.com/node/21534828>; Gabe Joselow, *Kenya PM Says Troops Will Take Kismayo by August*, VOICE OF AMERICA (June 12, 2012), <http://www.voanews.com/content/kenya-prime-minister-says-troops-will-take-kismayo-by-august/1206288.html>.

⁴² *Somalia Conflict: Why Should the World Help?*, BBC NEWS AFRICA (Feb. 20, 2012), <http://www.bbc.co.uk/news/world-africa-16970982>.

⁴³ Abdi Abtidoon et al., *Special Report: What is Galmudug?*, SOMALIA REPORT (Apr. 8, 2012), <http://www.somaliareport.com/index.php/post/3120>.

⁴⁴ The Transitional Federal Charter of the Somali Republic § 11(b) (Feb. 2004), *available at* the UNDP in Somalia website, <http://www.so.undp.org/docs/Transitional%20Federal%20charter-feb%202004-English.pdf>.

⁴⁵ CHATHAM HOUSE, *SOMALIA'S TRANSITION: WHAT ROLE FOR SUB-NATIONAL ENTITIES?* 6 (Jan. 2012), <http://www.chathamhouse.org/sites/default/files/public/Research/Africa/0112report.pdf>.

⁴⁶ INTERNATIONAL CRISIS GROUP, *SOMALIA: THE TRANSITIONAL GOVERNMENT ON LIFE SUPPORT* 14 (Africa Rpt. No. 170, Feb. 21, 2011), <http://www.crisisgroup.org/en/regions/africa/horn-of-africa/somalia/170-somalia-the-transitional-government-on-life-support.aspx>.

has since been fighting Al-Shabaab's rule.⁴⁷ This is mainly because Al-Shabaab reportedly took certain actions that the group found unpalatable, including

- imprisoning senior ASWJ members,
- seeking to force ASWJ members to join its ranks and abandon their core beliefs, and
- banning ASWJ members from conducting their religious rituals.⁴⁸

By 2009, ASWJ had become the largest national military force allied with the TFG, although the relationship is rocky at times.⁴⁹ While it does not see itself as a regional entity, much like the territories in the north, it has respectable territorial control over various areas including Hiraan, Galguud, and Mudug.⁵⁰

Another up and coming local administration in central Somalia is Ziman and Xeeb (also spelled Himan and Heeb). This is a pro-TFG local provincial administration formed by Somali diaspora and businessmen in 2008 who wanted to end the long period of lawlessness that followed the end of the Bare regime in 1991 and restore peace in central Somalia.⁵¹ The administration is said to control three districts in Galgaduud (Gadadud), including the Adado district, and three districts in the neighboring Mudug region.⁵² However, it does not have the extent of visibility that Galmudug enjoys, including in terms of participation in national dialogs.⁵³

D. Going Forward

It is difficult to say whether TFG's control over the various areas in southern and central Somalia that were previously controlled by Al-Shabaab will last. The TFG lacks the capacity to free or maintain control of any territory in Somalia and Al-Shabaab remains a potent threat. After its formation in 2004, the TFG operated from Kenya until June 2005.⁵⁴ The Parliament's first session in Somalia was in February 2006.⁵⁵ When the TFG moved into Somalia, it was mainly restricted to a few districts in Mogadishu, as it lacked (and still does) an "army strong

⁴⁷ *What is the ASWJ?*, SOMALIA REPORT (May 3, 2012), http://www.somaliareport.com/index.php/post/3294/What_is_the_ASWJ.

⁴⁸ *Id.*

⁴⁹ *Id.*; see also CHATHAM HOUSE, *supra* note 45, at 6.

⁵⁰ INTERNATIONAL CRISIS GROUP, *supra* note 46, at 14; CHATHAM HOUSE, *supra* note 45, at 6.

⁵¹ ADADO DISTRICT CENTRAL SOMALIA, DISTRICT DEVELOPMENT FRAMEWORK 4, 5 (Nov. 22, 2011), <http://www.goboladaradio.com/wp-content/uploads/2012/08/HALKAN-AQRISO-WARBIXINTA-KALE-EE-DDF-KA.docx>.

⁵² *Id.*

⁵³ CHATHAM HOUSE, *supra* note 45, at 6.

⁵⁴ Hanson & Kaplan, *supra* note 4.

⁵⁵ *Id.*

enough to re-capture territory from Al-Shabaab.”⁵⁶ Even with all the recent successes in the fight against Al-Shabaab, the inauguration of the newly constituted Parliament was held in the Mogadishu airport, one of the few secure locations in the capital.⁵⁷ This is because Al-Shabaab has been engaging in guerrilla-type tactics to exert considerable fear, including suicide bombings and assassinations of key figures.⁵⁸

The areas in the country that TFG is said to control were freed from the hands of Al-Shabaab and are currently secured by foreign forces or local groups opposed to Al-Shabaab’s rule, as illustrated by Map 2, below. Most parts of Mogadishu and its environs were freed and are currently secured by AMISOM forces.⁵⁹ As shown in Map 2, Al-Shabaab was pushed out of large parts of central Somalia by pro-TFG, clan-based groups and the Ethiopian forces (*see* the parts of central Somalia in yellow and red shades in Map 2). Kenyan forces secured areas in south and southwestern Somalia, and Ethiopian forces and local militia supported by Ethiopia were responsible for repelling Al-Shabaab forces from the south and southwestern parts of Somalia, including Baidoa. An ongoing effort to reconstitute the old national army, recruit new members, and train an effective defense force remains frustratingly slow.⁶⁰

One can conclude from the discussion above that taking any further territories from the hands of Al-Shabaab and maintaining control of what has already been secured will, at least in the near future, depend on the presence of foreign forces and the strength of local groups. The ability of the Somali government to secure territories in southern and central Somalia will depend on how quickly it can establish/train an effective professional army and law enforcement capabilities.

⁵⁶ BERTELSMANN STIFTUNG, BTI 2012 – SOMALIA COUNTRY REPORT 3 (2012), <http://www.bti-project.org/fileadmin/Inhalte/reports/2012/pdf/BTI%202012%20Somalia.pdf>.

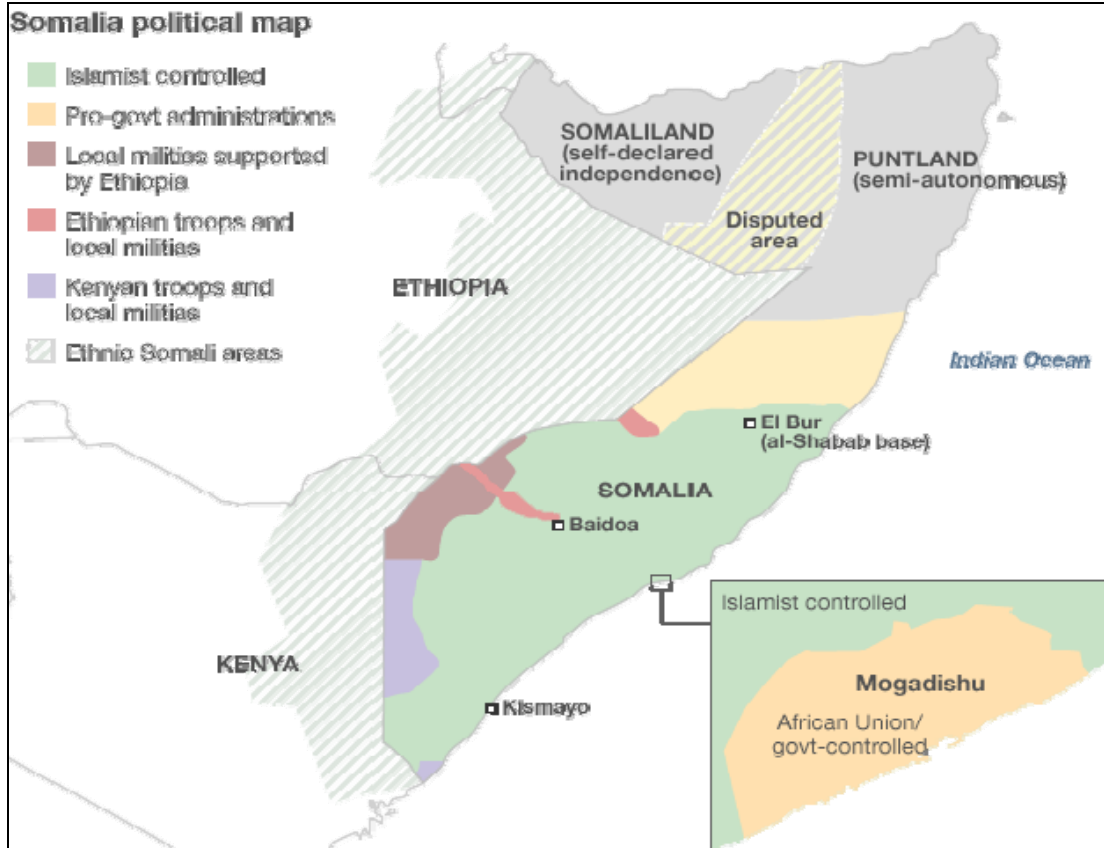
⁵⁷ David Smith, *Somalia’s First Parliament Since 1991 Inaugurated in Mogadishu*, THE GUARDIAN (Aug. 20, 2012), http://www.guardian.co.uk/world/2012/aug/20/somalia-first-parliament-inaugurated?CMP=tw_t_gu.

⁵⁸ *Id.*

⁵⁹ *Somali Rebels Repel AU/Government Attack on Airstrip Near Capital*, REUTERS AFRICA (Mar. 30, 2012), <http://af.reuters.com/article/topNews/idAFJOE82T08R20120330>.

⁶⁰ *See* Katharine Houreld, *Instructors Struggle to Rebuild Somalia’s Army*, CNNNEWS.COM (Aug. 25, 2011), <http://cnnnews.com/news/article/instructors-struggle-rebuild-somalias-army>; *see also* *Somalia’s National Army Struggles to Rebuild*, ARAB ONLINE (Aug. 9, 2012), <http://www.alarab.co.uk/english/display.asp?fname=%5C2012%5C08%5C08-09%5Calsoz%5C915.htm&dismode=x&ts=9-8-2012%2013:19:14>.

Map 2⁶¹



Prepared by Hanibal Goitom
Foreign Law Specialist
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⁶¹ Reprinted from *Somalia Conflict: Why Should the World Help?*, BBC NEWS AFRICA (Feb. 20, 2012), <http://www.bbc.co.uk/news/world-africa-16970982>.