

DOING THE IMPROBABLE: ESTABLISHING A COMPREHENSIVE PLAN TO ELIMINATE CORRUPTION IN SOMALIA

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I. INTRODUCTION

In 2009, Somalia received an estimated \$793 million in humanitarian and developmental assistance.¹ The United Nations requested an additional \$1.5 billion in humanitarian aid for Somalia in 2012.² Despite this massive level of contribution, Somalia remains one of the three poorest countries in the world.³ More than one in every four Somali citizens has had to flee from their homes.⁴ These people currently live as refugees in neighboring countries or as displaced citizens within Somalia.⁵ Nearly one in every five children dies before their fifth birthday.⁶ In addition, scores of Somali citizens die every day because of malnutrition.⁷

These staggering statistics lead to an obvious question: what has caused such a deplorable state of affairs in Somalia? And the answer:

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1. JOHN NORRIS & BRONWYN BRUTON, CTR. FOR AM. PROGRESS & ONE EARTH FUTURE FOUND., TWENTY YEARS OF COLLAPSE AND COUNTING: THE COST OF FAILURE IN SOMALIA 16 (2011), available at <http://www.americanprogress.org/issues/2011/09/pdf/somalia.pdf>.

2. *Somalia: Humanitarian Response*, GLOBAL HUMANITARIAN ASSISTANCE, <http://www.globalhumanitarianassistance.org/countryprofile/somalia> (last visited Nov. 11, 2012).

3. Per capita gross domestic product (GDP) measures total output of a country and divides it by the number of people in the country. *Per Capita GDP*, INVESTOPEDIA, <http://www.investopedia.com/terms/p/per-capita-gdp.asp> (last visited Oct. 21, 2013). It is a primary indicator of a country's economic performance. *Id.* Per capita GDP is also a useful measure to compare the relative economic performance of countries. *Id.* The United Nations provides the per capita GDP for countries around the world on a yearly basis. *See Per Capita GDP at Current Prices – US Dollars*, UNDATA, <http://data.un.org/Data.aspx?q=per+capita+gdp&d=SNAAMA&f=grID%3a101%3bcurrID%3aUSD%3bpcFlag%3a1> (last updated Dec. 24, 2012). In 2011, Somalia had the lowest per capita GDP, at \$111.67, among the 211 reporting countries. *Id.*

4. *See* NORRIS & BRUTON, *supra* note 1, at 11.

5. *See id.*

6. *See* *Somalia: Statistics*, UNICEF, http://www.unicef.org/infobycountry/somalia_statistics.html (last visited Oct. 20, 2013).

7. *See* NORRIS & BRUTON, *supra* note 1, at 11 (citing 2011 conditions).

corruption. This Note will assess the history of corruption in Somalia and its impact on the country. Generally, corruption involves the “misuse of public authority for private gain.”⁸ More specifically, political corruption involves “[t]he misuse by government or political officials of their governmental powers and resources for illegitimate, usually secret, private gain.”⁹ A 2011 study conducted by Transparency International ranked Somalia as the most corrupt country in the world.¹⁰ Somalia’s problems with corruption, however, date back to the founding of the country.

On July 1, 1960, the former colonies of Italian Somaliland and British Somaliland combined to form the Somali republic.¹¹ Somalia’s problems with political corruption began with the first post-independence elections in 1964.¹² At that time, most Somali citizens viewed Somalia’s political system as the easiest place to amass private wealth.¹³ Most politicians used their public positions for personal gain by looting the state coffers and using foreign aid to cover the deficits.¹⁴ In the 1964 election, numerous candidates entered the race with the hope of winning a government position that they could then use for private gain.¹⁵ The citizens of Somalia suffered the most from this political corruption. During the election, their needs and concerns became a mere afterthought to the candidates.¹⁶

Somalia’s political system maintained this level of corruption until the overthrow of the government in 1969.¹⁷ On October 15, 1969, a member of the Somali police force assassinated President Abdirashid Ali Shermarke.¹⁸ Within a week, Somalia’s military staged a bloodless

8. Kate Gillespie & Gwenn Okruhlik, *The Political Dimensions of Corruption Cleanups: A Framework for Analysis*, 24 COMP. POL. 77, 77 (1991).

9. *Glossary of Statistical Terms: Political Corruption*, OECD (July 23, 2007), <http://stats.oecd.org/glossary/detail.asp?ID=7290>.

10. See TRANSPARENCY INT’L, CORRUPTION PERCEPTIONS INDEX 2011 (2011), available at http://files.transparency.org/content/download/101/407/file/2011_CPI_EN.pdf.

11. *Somalia—From Independence to Revolution*, SOMALIPRESS.COM (Nov. 13, 2009), <http://www.somalipress.com/somalia-overview/somali-independence-revolution-1042.html>.

12. See TERRENCE LYONS & AHMED I. SAMATAR, SOMALIA: STATE COLLAPSE, MULTILATERAL INTERVENTION AND STRATEGIES FOR POLITICAL RECONSTRUCTION 12–13 (1995).

13. *Id.* at 12.

14. *See id.* at 12–13.

15. *See id.*

16. *Id.*

17. *See id.* at 14.

18. *Id.*

coup and Siad Barre, a military general, ascended to power.¹⁹ The Somali citizens initially welcomed Barre's regime with open arms.²⁰ They soon realized, however, that Barre and his cohorts engaged in the same practices of stealing government funds and using their public positions for personal gain as the previous administration.²¹ For the next twenty-one years, the citizens of Somalia would suffer under Barre's corrupt regime.²²

In January of 1991, clan-based opposition groups drove Barre out of the capital of Somalia, and Somalia's central government collapsed.²³ Since 1991, many political scientists have described Somalia as a "collapsed state."²⁴ Collapsed states are defined as places "where the structure, authority (legitimate power), law, and political order have fallen apart and must be reconstituted in some form, old or new."²⁵ Following the overthrow of Barre's regime, numerous warlord-led clans began to fight for control of Somalia and a civil war ensued.²⁶ Since 1991, the citizens of Somalia and the international community have made at least fourteen attempts to restore peace and establish a legitimate centralized government in Somalia.²⁷ All have failed.²⁸

Rampant corruption has played a pivotal role in the inability to restore order and establish a stable government in Somalia. This Note will examine the epidemic of corruption in Somalia and propose that Somalia adopt a comprehensive anticorruption program to correct the problem. This program follows the anticorruption approaches used in Liberia and Rwanda.

First, this Note will assess the present level of corruption in the

19. *Id.*

20. Abdi Ismail Samatar, *Leadership and Ethnicity in the Making of African State Models: Botswana Versus Somalia*, 18 *THIRD WORLD Q.* 687, 701 (1997).

21. See LYONS & SAMATAR, *supra* note 12, at 14; Mwangi S. Kimenyi et al., *Reconstituting Africa's Failed States: The Case of Somalia*, 77 *SOC. RES.* 1339, 1349 (2010).

22. LYONS & SAMATAR, *supra* note 12, at 21.

23. See LYONS & SAMATAR, *supra* note 12, at 21.

24. See, e.g., Ken Menkhaus, *Governance Without Government in Somalia: Spoilers, State Building, and the Politics of Coping*, *INT'L SECURITY*, Winter 2006–2007, at 74, 82; J. Peter Pham, *Somalia: Where a State Isn't a State*, *FLETCHER F. WORLD AFF.*, Summer 2011, at 133, 133 (quoting Robert I. Rotberg, *The Failure and Collapse of Nation-States: Breakdown, Prevention, and Repair*, in *WHEN STATES FAIL: CAUSES AND CONSEQUENCES* 1, 9–10 (Robert I. Rotberg ed., 2004)); Jonathan E. Hendrix, Note, *Law Without State: The Collapsed State Challenge to Traditional International Enforcement*, 24 *WIS. INT'L L.J.* 587, 587 (2006).

25. Hendrix, *supra* note 24, at 587 n.1.

26. See Menkhaus, *supra* note 24, at 80–81.

27. See Seth Kaplan, *Rethinking State Building in a Failed State*, 33 *WASH. Q.* 81, 81 (2010).

28. *Id.*

country. Second, the Note will trace the history of corruption in Somalia and the absence of government programs to combat it. This analysis will span from the country's founding in 1960 to the attempts to found a centralized government in the post-Barre era. Third, this Note will describe the impact that corruption has had on the citizens of Somalia. Fourth, it will examine the effectiveness of the anticorruption programs in Liberia and Rwanda. Finally, this Note will propose that Somalia adopt an anticorruption program that incorporates elements from the anticorruption programs implemented in Liberia and Rwanda.

II. BACKGROUND

A. *The Present State of Affairs—Somalia Is the Most Corrupt Country in the World*

Founded in 1993, Transparency International seeks to create change towards “a world in which government, politics, business, civil society and the daily lives of people are free of corruption.”²⁹ Every year, Transparency International produces its Corruption Perceptions Index (CPI), a survey that ranks approximately 182 countries on their perceived levels of corruption.³⁰ In the December 2011 CPI, Somalia received a score of 1.0.³¹ This score placed Somalia in a tie for last place and thus tied for the most corrupt country among those surveyed.

The absence of an effective anticorruption program in Somalia has had major adverse effects on the country and ultimately contributed to Somalia's low CPI score.³² Somalia has laws criminalizing corrupt activities like bribery, money laundering, and using public funds for private gain.³³ Somalia, however, does not have an anticorruption agency or ombudsman with the power to investigate and prosecute corruption.³⁴ In addition, in the rare case that a corruption prosecution results in conviction, Somalia lacks a centralized government with the power to enforce the conviction.³⁵

29. *Our Organisation: Mission, Vision and Values*, TRANSPARENCY INT'L, http://www.transparency.org/whoweare/organisation/mission_vision_and_values (last visited Sept. 7, 2013).

30. See TRANSPARENCY INT'L, *supra* note 10.

31. *Id.*

32. See *Global Integrity Report: Somalia—2010*, GLOBAL INTEGRITY, <http://www.globalintegrity.org/report/Somalia/2010> (last visited Sept. 8, 2013).

33. See *Somalia—Scorecard: Anti-Corruption Law*, GLOBAL INTEGRITY, <http://www.globalintegrity.org/report/Somalia/2010/scorecard> (last visited Sept. 8, 2013).

34. See *Global Integrity Report: Somalia—2010*, *supra* note 32.

35. See *Somalia—Scorecard: Judicial Independence, Fairness, and Citizen Access to*

Somalia has always had problems with corruption.³⁶ Political corruption dates back as far as the founding of the country in 1960.³⁷ The next Section will address the history of corruption in Somalia and assess the failure of political leaders to form government programs to counteract it.

B. The History of Corruption in Somalia – Over Fifty Years of Bribery, Looting, and Political Malfeasance

This Section will focus on the history of corruption in Somalia by addressing three key periods. First, it will assess the corruption present in the newly established government following the formation of Somalia in 1960. Second, it will turn to Barre's overthrow of the government in 1969 and the corruption that followed under his regime. Lastly, it will assess the corruption in Somalia since the collapse of the Barre regime in 1991.

1. Corruption in Somalia from 1960 to 1969

Shortly after Somalia's formation in 1960, the composition of the government became an issue of importance.³⁸ At that time, election into the National Assembly was the easiest way for a Somali citizen to establish private wealth.³⁹ Elected officials commonly exploited their positions as public officials for private gain.⁴⁰ In 1964, Somalia held its first post-formation National Assembly election.⁴¹ A substantial number of candidates participated in the election, not because of their interest in politics, but because they wanted access to the incentives associated with holding public office.⁴² Candidates joined the process by associating themselves with a political party.⁴³ During the 1964 election, eighteen political parties participated, but only three held national standing.⁴⁴ In the election, the Somali Youth League (SYL) gained the majority of the seats, winning sixty-nine of the 123 available

Justice, GLOBAL INTEGRITY, <http://www.globalintegrity.org/report/Somalia/2010/scorecard> (last visited Sept. 8, 2013).

36. See Samatar, *supra* note 20, at 698 (explaining how political leaders in Somalia have exploited their political positions for personal gain as far back as the country's founding in 1960).

37. See LYONS & SAMATAR, *supra* note 12, at 13.

38. See LYONS & SAMATAR, *supra* note 12, at 12.

39. See *id.*

40. See Samatar, *supra* note 20, at 698.

41. LYONS & SAMATAR, *supra* note 12, at 13.

42. See *id.*

43. See *id.*

44. *Id.*

seats.⁴⁵ In the aftermath of the election, another twenty-one delegates decided to switch parties and join the SYL.⁴⁶ These delegates decided to switch parties, not because of a change in their political ideology, but instead to garner favor from the ruling party.⁴⁷ Essentially, these politicians declared their allegiance to the SYL solely for self-serving, monetary reasons.⁴⁸

The National Assembly members elected in 1964 had individualistic goals. Members of the National Assembly held an elite position in Somali society and most felt insecure about their likelihood of reelection.⁴⁹ Many feared losing their elite position in the National Assembly because they lacked the requisite skills or resources to maintain the same standard of living in a nongovernmental position.⁵⁰ This fear led most National Assembly members to engage in survivalist tactics instead of focusing on the needs of their constituency.⁵¹ They concentrated on defending their positions and exploiting them for private gain while they had the chance.⁵² The day-to-day problems faced by the citizens of Somalia were the least of their concerns.⁵³

Corruption was just as rife in the 1967 presidential election as it was in the 1964 National Assembly election.⁵⁴ The election, conducted by members of the National Assembly, involved two candidates: the incumbent, President Aden Abdullah Osman, and the former Prime Minister, Abdirashid Ali Shermarke.⁵⁵ While President Osman ran a clean campaign, Prime Minister Shermarke engaged in numerous acts of corruption to gain the upper hand.⁵⁶ Shermarke and his cohorts played on the greed of the members of the National Assembly. He handed out cash rewards and promised elite positions in the future government to any National Assembly member who promised to vote for him.⁵⁷ These promises of money and prestige fed into the survivalist mentality of the National Assembly members and were ultimately too

45. *Id.*

46. *Id.*

47. *Id.*

48. *Id.*

49. Samatar, *supra* note 20, at 698.

50. *Id.*

51. *See id.*

52. *Id.*

53. LYONS & SAMATAR, *supra* note 12, at 12–13.

54. Samatar, *supra* note 20, at 700.

55. *Id.*

56. *See id.* at 700–01.

57. *See id.*

tempting for them to turn down.⁵⁸ Shermarke's corrupt tactics led to a narrow victory over President Osman.⁵⁹

After his election in 1967, President Shermarke started planning for the 1969 National Assembly election.⁶⁰ Between 1964 and 1969, members of the National Assembly came to a consensus on almost no matters of concern to the Somali citizens.⁶¹ The only unifying aspect of the National Assembly was the willingness of its members to trade access to public resources for their own personal gain.⁶² To maintain control over the National Assembly, President Shermarke's regime enticed its members with more rewards.⁶³ Openly engaging in corruption of this magnitude ultimately caused Shermarke's regime to lose legitimacy in the eyes of the public.⁶⁴

The 1969 National Assembly election saw even more competition for seats than the 1964 election. In 1969, over sixty parties and one thousand candidates ran for 122 available seats.⁶⁵ To secure victory, the SYL engaged in numerous corrupt practices. The SYL named Prime Minister Ibrahim Egal the leader of the party.⁶⁶ This was a strategic and corrupt move because appointing Egal gave the SYL access to Somalia's national treasury.⁶⁷ Throughout the course of the election, the SYL illegally took approximately \$5 million out of the national treasury to fund its election campaign.⁶⁸ It used the money to carry out a number of illicit deeds, including buying votes and pressuring the director of the National Police Force to offer the services of his troops to the SYL party.⁶⁹

In the end, the SYL won seventy-three seats; however, in the days that followed, all but one of the other National Assembly members joined the SYL party.⁷⁰ These National Assembly members switched parties to secure a favorable position for the distribution of power and

58. *See id.* at 701.

59. *See id.*

60. *See id.*

61. *See id.*

62. *Id.*

63. *Id.*

64. *Id.*

65. LYONS & SAMATAR, *supra* note 12, at 13.

66. *Id.*

67. *See id.*

68. *See id.*

69. *Id.*

70. *Id.* at 13–14; Samatar, *supra* note 20, at 701.

privilege following the election.⁷¹ In addition, many switched parties in the hopes of retrieving the appropriate reimbursement for campaign expenses.⁷² Essentially, after the 1969 National Assembly election, Somalia became a one-party state, with a government inundated with corruption and unresponsive to the needs of the Somali citizens.⁷³

2. Siad Barre's Overthrow of the Government in 1969 and the Twenty-one Years of Corruption that Followed

In 1969, discontent with the corrupt Somali parliamentary democracy reached a breaking point.⁷⁴ On October 15, 1969, a member of the Somali police force assassinated President Shermarke.⁷⁵ In the days following his assassination, armed forces, led by General Siad Barre, staged a coup and overthrew the government.⁷⁶ The public, which had grown increasingly wary of the Shermarke regime, welcomed the change in government.⁷⁷ They viewed the military officials involved as representatives of the population, heroes saving the nation.⁷⁸

Following the overthrow, General Barre formed the Supreme Revolutionary Council (SRC), which took control of the government.⁷⁹ At first, the SRC appeared to have the goal of establishing a corruption-free government.⁸⁰ The SRC instituted a program of "accounting without shame," where the press notified the public of politicians known to have mismanaged public funds.⁸¹ The government investigated and detained many former high-ranking government officials on suspicion of corruption.⁸² In addition, Barre's regime placed army officials in ministries and state agencies to monitor civil servants.⁸³ Initially, these anticorruption efforts increased the SRC's legitimacy in the public eye.⁸⁴ The Somali citizens soon realized, however, that Barre's regime was as corrupt as the previous

71. LYONS & SAMATAR, *supra* note 12, at 13.

72. *See id.*

73. *See id.*; Samatar, *supra* note 20, at 701.

74. *See* LYONS & SAMATAR, *supra* note 12, at 14.

75. *Id.*

76. *Id.*

77. *See id.*; Samatar, *supra* note 20, at 702.

78. Samatar, *supra* note 20, at 702.

79. LYONS & SAMATAR, *supra* note 12, at 14.

80. *See id.*

81. David Laitin, *Revolutionary Change in Somalia*, MERIP REP., Nov. 1977, at 6, 7.

82. John Markakis, *Radical Military Regimes in the Horn of Africa*, in MILITARY MARXIST REGIMES IN AFRICA 14, 22 (John Markakis & Michael Waller eds., 1986).

83. *Id.*

84. LYONS & SAMATAR, *supra* note 12, at 14.

government.⁸⁵

By the mid-1970s, the public became aware of the SRC's intent to retain the power and privileges of government for its members.⁸⁶ General Barre particularly exemplified the corruption of the SRC.⁸⁷ In most cases, Barre alone made the decisions regarding the promotion, appointment, demotion, and dismissal of government officials.⁸⁸ Barre used this power to appoint his friends and friends of other SRC members to elite positions in government.⁸⁹ This policy led to many unqualified individuals attaining high-profile government positions.⁹⁰

Furthermore, once appointed, Barre allowed these unqualified officials to exploit their government positions for personal gain.⁹¹ Barre nationalized access to many fundamental resources, including land, water, and banks.⁹² This nationalization process allowed the government to control the assets garnered from these resources.⁹³ Instead of using the money gained from these resources for the public good, Barre redistributed the wealth to his friends and supporters.⁹⁴ As a result, the country suffered as Barre's tactics caused Somalia's economy to progressively decline.⁹⁵ During his reign, Barre discontinued his earlier anticorruption efforts and made no further attempts to establish a public management system to stop corruption.⁹⁶ In fact, all of Barre's actions only encouraged and exacerbated the problem of corruption in Somalia.⁹⁷ By the end of Barre's regime, the Somali citizens' excitement about the change in government had transitioned into indifference and cynicism toward the government.⁹⁸

3. The Fall of the Barre Regime and Somalia's Degeneration into a "Collapsed State"

In January 1991, the Somali citizens' frustration with Barre's regime

85. *See id.*

86. *Id.*

87. *Id.*

88. *See Samatar, supra* note 20, at 702.

89. *Id.*

90. *Id.*

91. *Id.*

92. Kimenyi et al., *supra* note 21, at 1349 (2010).

93. *See id.*

94. *Id.*

95. *Id.* at 1350.

96. Samatar, *supra* note 20, at 702.

97. *Id.*

98. *Id.* at 703.

peaked, and clan-based opposition groups ousted Barre and his supporters from power.⁹⁹ Although Somalia was free from Barre's oppressive control, no legitimate leader replaced him or his regime.¹⁰⁰ As a result, the country devolved into a state of anarchy that would last for years.¹⁰¹ Since 1991, political scientists have described Somalia as a "collapsed state"¹⁰² or "failed state."¹⁰³ Immediately following the collapse, conflict ensued between warlord-led militias for control of territory and resources.¹⁰⁴ In the process, thousands of innocent Somali citizens were either killed in the crossfire or murdered because of their particular clan affiliations.¹⁰⁵

During his retreat from the capital, Barre instructed his army to conduct a "scorched earth campaign."¹⁰⁶ This resulted in the destruction of "crops, animals, and homes of the unarmed civilians."¹⁰⁷ The lack of a legitimate central government, coupled with the ongoing power struggle between militias, left the population of Somalia at risk for famine.¹⁰⁸ To survive, many Somalis looted both public and private property.¹⁰⁹ By early 1992, the international community could no longer ignore the extent of the lawlessness and destruction in Somalia.

4. How Corruption Undermined Efforts to Deliver Humanitarian Aid to Somali Citizens During the Post-Barre Era

Since 1991, the international community has made at least fourteen attempts to bring peace to Somalia and establish a centralized government.¹¹⁰ All of these attempts have failed.¹¹¹ As a result, Somalia has suffered from the longest period of complete state-collapse

99. LYONS & SAMATAR, *supra* note 12, at 20–21.

100. *See id.* at 7, 21.

101. *See* Kimenyi et al., *supra* note 21, at 1353.

102. *See supra* text accompanying note 24.

103. *See* Kaplan, *supra* note 27, at 82 (quoting Eben Kaplan, *Somalia's Terrorist Infestation*, COUNCIL ON FOREIGN REL. (June 6, 2006), www.cfr.org/publication/10781/somalias_terrorist_infestation.html); Kimenyi et al., *supra* note 21, at 1348; Mario Silva, *Somalia: State Failure, Piracy, and the Challenge to International Law*, 50 VA. J. INT'L L. 553, 556 (2010); Walter Clarke & Jeffrey Herbst, *Somalia and the Future of Humanitarian Intervention*, FOREIGN AFF., Mar.–Apr. 1996, at 70, 71.

104. LYONS & SAMATAR, *supra* note 12, at 21.

105. Abdulqawia A. Yusuf, *Government Collapse and State Continuity: The Case of Somalia*, 13 IT. Y.B. INT'L L. 11, 14 (2003).

106. LYONS & SAMATAR, *supra* note 12, at 22.

107. *Id.*

108. *Id.* at 23.

109. Yusuf, *supra* note 105, at 14.

110. Kaplan, *supra* note 27 at 81.

111. *Id.*

of any country in the world in postcolonial history.¹¹² In most failed states, the absence of legitimate government leads to widespread corruption.¹¹³ Similarly, political instability in Somalia's government has resulted in massive corruption.¹¹⁴ That corruption has played an important role in undermining attempts to render humanitarian assistance in Somalia.¹¹⁵ This Section will focus on how corruption undermined two specific efforts at intervention in Somalia: the Djibouti Conferences¹¹⁶ and the U.N. efforts at intervention.

a. The First and Second Djibouti Conferences

In the wake of Barre's ouster, a struggle for power broke out among numerous warlords. Two warlords in particular gained the strongest foothold: General Ali Mahdi Mohamed and General Mohamed Farah Aideed.¹¹⁷ Initially, General Ali Mahdi proclaimed himself interim president of Somalia and began appointing a cabinet.¹¹⁸ General Aideed, however, contested his claim to the presidency.¹¹⁹ Greed motivated both warlords, as each wanted to reap the spoils associated with holding public office in Somalia.¹²⁰ To retain control of the government and the financial benefits that came with it, both Aideed and Ali Mahdi directed their factions to undermine any attempt by the other to establish a government in Somalia.¹²¹

In an attempt to resolve the conflict, the Djibouti government convened the two Djibouti Peace Conferences.¹²² General Aideed, however, decided not to attend or participate in either conference.¹²³ As a result, the Djibouti government, along with the governments of Italy and Egypt, formed the "Manifesto" government in Somalia and elected General Ali Mahdi as president.¹²⁴ Despite choosing not to participate

112. Menkhaus, *supra* note 24, at 74.

113. Kimenyi et al., *supra* note 21, at 1347.

114. See Silva, *supra* note 103, at 558.

115. See, e.g., Clarke & Herbst, *supra* note 103, at 74.

116. The Djibouti government convened the Djibouti Conferences in an attempt to stop the fighting between warlords and bring peace to Somalia. Abdalla Ahmed Hirad, *Djibouti's Fourth Somali Peace Conference: Is it the End of Political Partisanship?*, WARDHEERNEWS.COM (Feb. 9, 2009), http://wardheernews.com/Articles_09/Feb/09_djibouti_conference_hirad.html.

117. See LYONS & SAMATAR, *supra* note 12, at 22.

118. *Id.*

119. *See id.*

120. *See id.*

121. *See id.*

122. Hirad, *supra* note 116.

123. *Id.*

124. *Id.*

in the conferences, General Aideed made every attempt to undermine its success. He waged war on General Ali Mahdi's camps and used his political power to interfere with the implementation of the new Manifesto government.¹²⁵ General Aideed's unwillingness to comply eventually resulted in the failure of the Djibouti Peace Conferences.¹²⁶ In this instance, both warlords' motivation to use their government positions for personal gain ultimately undermined the peace attempts of the Djibouti Peace Conferences.

b. U.N. Efforts in Somalia

After the failed Djibouti Peace Conferences, the United Nations stepped up its humanitarian efforts in Somalia.¹²⁷ The first attempt by the United Nations began in April 1992 with the U.N. Operation in Somalia (UNOSOM I).¹²⁸ UNOSOM I sought to deliver humanitarian aid to Somali citizens suffering from starvation.¹²⁹ UNOSOM I also sought to monitor the ceasefire agreement reached between Aideed and Ali Mahdi.¹³⁰ As with the Djibouti Conferences, however, this U.N. directive met its demise at the hands of Generals Aideed and Ali Mahdi.

The regimes of both Aideed and Ali Mahdi looted the humanitarian aid supplies delivered during UNISOM I.¹³¹ Each side attempted to justify its actions by arguing that the supplies would advantage the opposing party.¹³² In reality, however, both militia leaders stole the humanitarian aid supplies for monetary reasons.¹³³ After stealing the supplies, both regimes resold them to the same starving and suffering Somali citizens for whom the supplies were initially intended.¹³⁴ Generals Aideed and Ali Mahdi used the money they gained to purchase weapons for their militias to use in their ongoing war with each other.¹³⁵ In many ways, the entire economic and political system in Somalia functioned based on the corrupt industry of stealing humanitarian aid.¹³⁶

125. *Id.*

126. LYONS & SAMATAR, *supra* note 12, at 29.

127. *Id.* at 25.

128. See U.N. Department of Public Information, Somalia—UNOSOM I (Mar. 21, 1997), <http://un.org/Depts/DPKO/Missions/unosomi.htm>.

129. *See id.*

130. *See id.*

131. Christopher J. Coyne, *Reconstructing Weak and Failed States: Foreign Intervention and the Nirvana Fallacy*, 2 FOREIGN POL'Y ANALYSIS 343, 349 (2006).

132. *Id.*

133. See Clarke & Herbst, *supra* note 103, at 74.

134. *See id.*

135. *See id.*

136. *Id.*

The United Nations responded by implementing the Unified Task Force (UNITAF), an initiative led by the United States.¹³⁷ UNITAF aimed to provide protection for the distribution of humanitarian aid provided for under UNOSOM I.¹³⁸ The United States supported the implementation of UNITAF after President Bush realized the extent of the corruption in Somalia and the plight of its citizens.¹³⁹ In reference to Generals Aideed and Ali Mahdi's attempts to interfere with UNISOM I, President George H.W. Bush stated, "Our mission is humanitarian, but we will not tolerate armed gangs ripping off their own people, condemning them to death by starvation. . . . The outlaw elements in Somalia must understand this is serious business."¹⁴⁰ The United Nations expanded the protections of UNITAF under U.N. Operation in Somalia II (UNOSOM II).¹⁴¹ UNOSOM II intended to restore law and order in Somalia through disarmament and reconciliation.¹⁴² This mission met the same fate as the earlier missions, as it also failed at the hands of General Aideed, who opposed the disarmament provisions.¹⁴³

C. The Effect of Corruption on the Citizens of Somalia—Displacement, Starvation, and Death

Since the collapse of Barre's regime in 1991, corruption has led to internal fighting for political power that has ravaged Somalia.¹⁴⁴ The citizens of Somalia have suffered as a result.¹⁴⁵ Since 1991, between 450,000 and one million Somali citizens have died due to violence or starvation.¹⁴⁶ Many of those that survived have had to flee their homes in an effort to remain safe.¹⁴⁷ As of April 2011, approximately 725,000 Somali citizens were living as refugees in the nearby countries of Djibouti, Ethiopia, Yemen, Uganda, Tanzania, and Eritrea.¹⁴⁸ In

137. Coyne, *supra* note 131, at 349.

138. *Id.*

139. *See id.*; Clarke & Herbst, *supra* note 103, at 74–75.

140. George H. W. Bush, Address to the Nation on the Situation in Somalia (Dec. 4, 1992), available at http://bushlibrary.tamu.edu/research/public_papers.php?id=5100 (last visited Sept. 8, 2013); *see* Clarke & Herbst, *supra* note 103, at 74–75.

141. Coyne, *supra* note 131, at 349.

142. U.N. Department of Public Information, Somalia—UNOSOM II (Mar. 21, 1997), <http://un.org/Depts/DPKO/Missions/unosom2b.htm>.

143. *Id.*

144. Yusuf, *supra* note 105, at 14.

145. *Id.*

146. NORRIS & BRUTON, *supra* note 1, at 3.

147. *Id.* at 12.

148. *Id.*

addition, another 1.4 million Somalis are internally displaced people, meaning individuals who have left their homes but remain within Somalia.¹⁴⁹ That means that one in every four Somali citizens are either internally displaced or a refugee in a neighboring country.¹⁵⁰

Corruption has most directly affected Somali citizens in the area of humanitarian aid. The international community has contributed to Somalia with humanitarian aid in the form of monetary donations and supplies.¹⁵¹ Since 1991, the international community has contributed approximately \$55 billion in aid to Somalia.¹⁵² Despite these substantial donations, however, Somali citizens still suffer from starvation and poor living conditions.¹⁵³

Extensive corruption in Somalia's aid distribution system has prevented humanitarian aid from helping Somali citizens. A confidential audit of the Somali government estimated that, in 2009 and 2010, corrupt government officials stole approximately ninety-six percent of direct bilateral assistance.¹⁵⁴ Additionally, a 2010 report produced by the U.N. Security Council Monitoring Group exposed massive corruption in Somalia's aid distribution systems.¹⁵⁵ It alleged that corrupt local contractors, transporters, and distributors worked in the aid distribution system and stole supplies intended for the Somali citizens.¹⁵⁶ The report indicated that "[a] handful of Somali contractors for aid agencies have formed a cartel and [become] important power brokers—some of whom channel their profits, or the aid itself, directly to armed opposition groups."¹⁵⁷ These aid distribution workers divert approximately fifty percent of the aid, with each contractor in the supply chain taking their portion of the "grease" money.¹⁵⁸ Once they have taken their share, the corrupt contractors flip the aid and sell it to the Somali citizens for whom the aid was initially intended.¹⁵⁹ Somali

149. *Id.*

150. *Id.* at 11.

151. *Id.* at 15–16.

152. *Id.* at 4.

153. *Id.* at 10.

154. *Id.* at 2.

155. Michael Lucivero, *Massive Corruption Alleged in Somali Aid*, FOREIGN POL'Y BLOGS (Mar. 18, 2010), <http://foreignpolicyblogs.com/2010/03/18/massive-corruption-alleged-in-somali-aid>.

156. Abdurrahman Warsameh, *Somalia Notebook: Humanitarian Aid Routinely Diverted*, GLOBAL INTEGRITY, <http://www.globalintegrity.org/report/Somalia/2010/notebook> (last visited Sept. 8, 2013).

157. Lucivero, *supra* note 155.

158. Warsameh, *supra* note 156.

159. *Id.*

citizens unable to pay for the supplies have continued to suffer; meanwhile, corrupt contractors profit from those few that can.

D. Successful Efforts to Combat Corruption in Liberia and Rwanda

Other African countries also struggle with corruption. African countries make up many of the most corrupt countries on Transparency International's CPI.¹⁶⁰ A few African countries, however, have achieved some measure of success in their efforts to combat corruption. This Section will assess the anticorruption programs implemented in Liberia and Rwanda, two countries that have shown improvement in eliminating corruption.

1. Liberia's Anticorruption Program: an Economic Governance Approach

Much like Somalia, a civil war led to Liberia's problems with corruption. From 1989 until 1993, a civil war raged in Liberia that resulted in the collapse of its government and economic infrastructure.¹⁶¹ In Liberia, corruption typically occurs through bribery, extortion, nepotism, and general dishonesty.¹⁶² According to a 2004 European Commission report, corruption has produced a substantial amount of Liberia's approximately \$2.9 billion in debt.¹⁶³ Many believed that then-President Charles Taylor pocketed most of the country's tax revenue for himself and his cohorts.¹⁶⁴ As corruption became more prevalent, the U.N. Security Council responded. They imposed sanctions on Liberia's timber and diamonds industries, placed an arms embargo on the country, and instituted a travel ban on anyone considered a threat to Liberia's peace process.¹⁶⁵

In September 2005, Liberia's transitional government took steps to counteract the spread of corruption in Liberia. International donors, who had previously supported Liberia's recovery, reached an agreement

160. See TRANSPARENCY INT'L, *supra* note 10 (ranking Sudan 177th, Iraq 175th, Burundi and Equatorial Guinea 172nd, and Libya, the Democratic Republic of the Congo, Chad, and Angola 168th of 182 countries on its Corruption Perceptions Index, where the higher the rank, the more corrupt the country is perceived to be).

161. See Monica A. Clark, *Combating Corruption in Liberia: Assessing the Impact of the Governance and Economic Management Assistance Program (GEMAP)*, J. DEV. & SOC. TRANSFORMATION, Nov. 2008, at 25, 26.

162. See John O. Kollie, *2009 Assessment: Reporter's Notebook: Liberia*, GLOBAL INTEGRITY, <http://report.globalintegrity.org/Liberia/2009/notebook> (last visited Sept. 8, 2013).

163. See Clark, *supra* note 161, at 26.

164. *Id.*

165. *Id.*

with the transitional government, the Governance and Economic Management Assistance Program (GEMAP).¹⁶⁶ The GEMAP represented a new approach to anticorruption.¹⁶⁷ It set out to improve six main areas of the Liberian government: (1) financial management and accountability, (2) budgeting and expenditure management, (3) procurement practices and granting of concessions, (4) effective corruption control processes, (5) support of key institutions, and (6) capacity building.¹⁶⁸

Liberia's commitment to successfully combat corruption has made the GEMAP an effective policy. In 2005, Liberia elected Ellen Johnson Sirleaf as President.¹⁶⁹ After her election, President Sirleaf promised to take a strong stance against corruption and fully supported the implementation of the GEMAP.¹⁷⁰ She immediately followed up on her promise by dismissing nearly seventeen thousand government employees in an effort to remove all the corrupt officials from the previous administration.¹⁷¹

The GEMAP structure includes three elements: the Steering Committee, the placement of expert advisors within ministries, and conducting audits of past procedures.¹⁷² Each element plays a pivotal role in the success of the GEMAP. First, the Steering Committee monitors the implementation of the GEMAP.¹⁷³ President Sirleaf chairs the Committee.¹⁷⁴ Second, expert advisors supervising Liberia's ministries have played a vital role in ferreting out corruption.¹⁷⁵ The ministries include the Central Bank and five state-owned enterprises.¹⁷⁶ The experts serve as cosignatories for any fund allocations by the institution, meaning the expert serves as a gatekeeper for all fund disbursements.¹⁷⁷ This process restricts the ability of employees within

166. Nicholas Jahr, *Corruption and Reconstruction in Liberia*, DISSENT, Summer 2006, at 24, 24.

167. *Id.*

168. Clark, *supra* note 161, at 27.

169. *Id.* at 26.

170. *Id.*

171. *Id.*

172. *Id.* at 27.

173. *Id.* at 28.

174. *Id.*

175. *Id.* at 29.

176. Jahr, *supra* note 166, at 24.

177. See Governance and Economic Management Assistance Program 2-3, Liber.-Int'l Contact Grp. for Liber., Sept. 9, 2005 [hereinafter GEMAP], available at http://siteresources.worldbank.org/LIBERIAEXTN/Resources/GEMAP_Final.pdf.

the institution to misallocate funds for impermissible expenditures.¹⁷⁸ The expert advisors provide the Steering Committee with updates on ministry activity.¹⁷⁹ Additionally, in an effort to promote sustainability, the expert advisors train members of the ministries in modes of monitoring corruption.¹⁸⁰ Lastly, the auditing process ensures transparency and accountability in government.¹⁸¹

In addition, under the GEMAP, the government must place all revenue from the state-owned enterprises into escrow accounts.¹⁸² This keeps government funds out of the reach of potentially corrupt government officials.¹⁸³ Liberia implemented this policy in an attempt to counteract a history of government officials using state-owned enterprises as their personal slush funds.¹⁸⁴ In the years since the implementation of the GEMAP, Liberia has shown growth in gross domestic product and government revenue.¹⁸⁵ The GEMAP procedures have helped Liberia's government maintain a more accurate national budget by allocating money in accordance with the law.¹⁸⁶ Moreover, donor confidence has increased, and the United Nations has lifted its sanctions on Liberia.¹⁸⁷

Although the GEMAP cannot account for all of these successes, it has played an integral role in combating corruption and stabilizing Liberia.¹⁸⁸ In 2007, Transparency International ranked Liberia as the 150th most corrupt country, receiving a score of 2.1 out of 10.¹⁸⁹ In 2011, Liberia improved to 91st with a score of 3.2.¹⁹⁰ These statistics demonstrate that Liberia has made progress in its war on corruption.

178. Cf. Clark, *supra* note 161, at 29 (explaining that the cosignator system assures that decisions cannot be made without the approval of international advisors).

179. *Id.* at 28.

180. *Id.*

181. *Id.*

182. Jahr, *supra* note 166, at 24.

183. *Id.*

184. *See id.* at 24, 25.

185. *See id.* at 29.

186. *See Success Stories*, GEMAP, http://www.gemap-liberia.org/success_stories.html (last visited Sept. 8, 2013) (referring to tighter controls and money-saving within institutions).

187. Clark, *supra* note 161, at 27, 29, 30.

188. *Id.* at 28.

189. *Corruption Perceptions Index 2007*, TRANSPARENCY INT'L, http://archive.transparency.org/policy_research/surveys_indices/cpi/2007 (last visited Sept. 8, 2013) (scoring ranges from 1 (highly corrupt) to 10 (highly clean)).

190. TRANSPARENCY INT'L, *supra* note 10.

2. Rwanda's Anticorruption Program: an Institution-Building Approach

Rwanda's approach to combating corruption has focused on establishing domestic institutions that will identify and prosecute corruption.¹⁹¹ Rwanda's efforts have included establishing several governmental agencies aimed at combating corruption.¹⁹² One example is the National Tender Board (NTB).¹⁹³ Formed in 1997, the NTB was the first anticorruption agency established in Rwanda.¹⁹⁴ The NTB seeks to "organise and manage the public procurement process and to implement the general public procurement policy on behalf of the government."¹⁹⁵ The NTB governs procurement regulations and serves as the procurement agency for most government purchases.¹⁹⁶ The Investment Climate Statement produced by the U.S. Department of State credits the increased number of foreign companies participating in Rwanda's procurement process to the NTB's efforts to promote transparency in the procurement process.¹⁹⁷

Rwanda also established the Anti-Corruption Unit of the Rwanda Revenue Authority (RRA).¹⁹⁸ Formed in 1998, the Anti-Corruption Unit of the RRA enforces a Code of Conduct that instills a culture of anticorruption and integrity in the Rwandan government.¹⁹⁹ In addition, Rwanda formed the Auditor General's Office (OAG), established in 1999, which monitors government agencies' adherence to fiscal regulations.²⁰⁰ This office has made strides in improving transparency in the government's finances.²⁰¹ In addition, Rwanda established the Ombudsman's Office in 2004.²⁰² This office, which monitors

191. MARIE CHÊNE, U4 EXPERT ANSWER: OVERVIEW OF CORRUPTION IN RWANDA 5 (2008), available at <http://www.u4.no/publications/overview-of-corruption-in-rwanda/>.

192. *Id.*

193. *Id.*

194. *Id.*

195. *Id.*

196. *Id.*

197. *Id.*

198. *Id.*

199. *See id.*

200. The Auditor General's Office (OAG) aims to "promot[e] a responsible, honest and productive Governmental administration, so as to produce positive results for all the Rwandan people." *About OAG: Vision*, OAG, <http://www.oag.gov.rw/spip.php?article2> (last visited Sept. 8, 2013). The OAG produces annual reports, which assess the accounts of public entities and are available to the public through the OAG's website. *Reports to Parliament*, OAG, <http://www.oag.gov.rw/spip.php?article46> (last visited Sept. 8, 2013). The reports list the government institutions responsible for misallocated or unaccounted for funds. *See* CHÊNE, *supra* note 191, at 5.

201. CHÊNE, *supra* note 191, at 5.

202. *Id.* at 6.

regulatory compliance in governmental agencies, has assisted in improving corruption detection within Rwanda.²⁰³ The Ombudsman's Office targets all levels of corruption by exposing cases of fraud, malpractice, and general corruption by everyone from high-ranking government officials to lower-level civil servants.²⁰⁴

The Rwandan government, led by the efforts of President Paul Kagame, Chief Prosecutor Martin Ngoga, and Ombudsman Tito Rutaremara, has taken a strong stance against corruption.²⁰⁵ In 2008 and 2009 alone, Rwandan authorities investigated 968 people on suspicion of corruption.²⁰⁶ Many of these investigations resulted in prosecution and imprisonment.²⁰⁷ High-ranking officials that come under investigation typically resign and some eventually face prosecution.²⁰⁸ The political will to fight corruption, coupled with effective anticorruption institutions, has led to substantial improvements in Rwanda. In 2007, Rwanda ranked 111th with a score of 2.8 on Transparency International's CPI.²⁰⁹ In 2011, Rwanda improved to 49th with a score of 5.0.²¹⁰

III. ANALYSIS

Liberia and Rwanda have attacked corruption in very different ways. Although both countries have established effective anticorruption programs, neither approach, individually, presents the best solution for combating corruption in Somalia. Somalia will have difficulty implementing Rwanda's approach because Somalia lacks an infrastructure capable of supporting such an undertaking. In addition, Rwanda's approach focuses on identifying corruption after it happens rather than preventing it in the first instance. On the other hand, Liberia's approach does not emphasize the importance of establishing institutions to investigate and prosecute corruption. As such, this Note proposes that Somalia adopt a mix of both approaches to eliminate corruption effectively.

203. *Id.*

204. *Id.* at 6.

205. Boris Bachorz, *Rwanda Gets Tough on Corruption*, TELEGRAPH (Dec. 7, 2009, 2:54 PM), <http://www.telegraph.co.uk/expat/expatnews/6752425/Rwanda-gets-tough-on-corruption.html>.

206. *Id.*

207. See *2010 Investment Climate Statement*, U.S. DEP'T OF STATE, (Mar. 2010), <http://state.gov/e/eb/rls/othr/ics/2010/138135.htm>.

208. *Id.*

209. *Corruption Perceptions Index 2007*, *supra* note 189.

210. See TRANSPARENCY INT'L, *supra* note 10.

This Part will address how Somalia can best combat its corruption problems by adopting an approach that combines aspects of the anticorruption programs in Liberia and Rwanda. First, it will argue that Somalia, with the assistance of international supporters, should adopt the Somalia Economic Governance Program. This approach, modeled after Liberia's GEMAP, would focus on economic reform initiatives. Second, this Part will argue that Somalia should also establish an Auditor General's Office and an Ombudsman's Office. These institutions, modeled after their Rwandan counterparts, would have a twofold duty of identifying and investigating acts of corruption, as well as educating government officials and the public about corruption. Lastly, this Part will assess why Somalia should adopt both approaches to combat corruption effectively.

A. Implementing Economic Reform Policy in Somalia: The Somalia Economic Governance Program

Somalia should implement the Somalia Economic Governance Program (SEGP). This program, modeled after Liberia's GEMAP, would focus on eliminating corruption in Somalia through reforming the government's economic structure. This Section will focus on describing how the SEGP would incorporate international supporters and the methods the SEGP would use to combat corruption.

1. Involving International Supporters in the Implementation of the SEGP

The National Transitional Government of Liberia, in conjunction with international partners, formed the GEMAP to combat corruption in Liberia.²¹¹ The international actors involved in the formation of the GEMAP included the United Nations, the European Union, the Economic Community of West African States, the African Union, the United States, the International Monetary Fund, and the World Bank.²¹² Somalia's SEGP would similarly include international actors. Currently, Somalia does not have an infrastructure capable of establishing and maintaining an anticorruption program on its own.²¹³ As such, Somalia would require the assistance of the international community to implement an economic reform plan like the SEGP effectively.

To find international actors interested in supporting the SEGP,

211. GEMAP, *supra* note 177, at 2.

212. *See id.* at 1.

213. *See supra* Part II.A.

Somalia should look to the donors who have contributed monetary aid to the country. These donors would likely have concerns about Somalia's economic governance, as they have a financial stake in the country. Some of the largest contributing parties include the United States, the International Monetary Fund, the World Bank, the African Development Bank,²¹⁴ the European Commission,²¹⁵ Norway, Netherlands, Sweden, Germany, Finland, Switzerland, the United Kingdom, and Japan.²¹⁶ In addition, the SEGP should involve the African Union. The African Union took an active role in fighting corruption in Africa when it established the African Union Convention on Preventing and Combating Corruption (A.U. Corruption Convention).²¹⁷ Somalia is a member of the African Union²¹⁸ and a signatory of the A.U. Corruption Convention, but Somalia has not ratified the Convention.²¹⁹ One responsibility of the international supporters of the SEGP would include monitoring the implementation of the SEGP. These international actors, through monitoring SEGP's implementation, would hold Somalia accountable for properly carrying out the goals of the SEGP. Involving groups that have an understanding of how to regulate corruption in the implementation of the SEGP would help ensure the program's success.

2. The SEGP: A Four-Component Anticorruption Program

The GEMAP involved six interlocking components that combined to establish a robust economic governance structure in Liberia.²²⁰ Instead of six components, the SEGP would focus on four: financial management and accountability, effective processes to control corruption, capacity building, and donor coordination. This Section will

214. See NORRIS & BRUTON, *supra* note 1, at 15–17.

215. See *ECHO Factsheet: Somalia*, EUR. CMTY. HUMANITARIAN OFF., http://ec.europa.eu/echo/files/aid/countries/factsheets/somalia_en.pdf (last visited Sept. 8, 2013).

216. See *Somalia: Humanitarian Response: Donors*, GLOBAL HUMANITARIAN ASSISTANCE, <http://www.globalhumanitarianassistance.org/countryprofile/somalia> (last visited Sept. 8, 2013).

217. African Union Convention on Preventing and Combating Corruption, July 11, 2003, 43 I.L.M. 5 (2004) [hereinafter AU Corruption Convention], available at http://www.africa-union.org/Official_documents/Treaties_%20Conventions_%20Protocols/Convention%20on%20Combating%20Corruption.pdf.

218. *Member States*, AFR. UNION, http://www.au.int/en/member_states/countryprofiles (last visited Sept. 8, 2013).

219. *List of Countries Which Have Signed, Ratified/Acceded to the African Union Convention on Preventing and Combating Corruption*, AFR. UNION (June 8, 2010), <http://www.africa-union.org/root/au/Documents/Treaties/List/African%20Convention%20on%20Combating%20Corruption.pdf>.

220. GEMAP, *supra* note 177, at 2–5.

address each of these factors in turn.

a. Financial Management and Accountability

Liberia, like Somalia, has suffered from mismanagement of government funds.²²¹ As of 2003, Liberia was approximately \$2.9 billion in debt, the president and the members of his regime were stealing tax revenue, and the U.N. Security Council had imposed sanctions on Liberia's timber and diamond industries.²²² To improve management of government funds, the GEMAP installed experts with binding cosignatory authority into some of Liberia's government institutions.²²³ To prevent the misuse of government funds, the SEGP would also place advisors in the Somali government to monitor the distribution of government funds. The SEGP's Economic Plan Coordination Board²²⁴ would select the advisors from a pool of people chosen from the countries that supported ratifying the SEGP. Choosing an advisor from within one of the organizations that supports the SEGP would guarantee the presence of non-Somalis within Somali institutions to monitor their compliance with the SEGP. Furthermore, as representatives of donor countries, these international advisors would have a particular interest in monitoring the allocation of government funds.

Much like the experts in the GEMAP, the SEGP would also give its advisors cosignatory authority over the use of government funds. SEGP would require government officials who wish to use government funds to present the advisor with their proposition in writing. If the advisor suspects that the fund disbursement is illegitimate, the SEGP would require that the advisor veto the disbursement by refusing to sign off on it. In the event that an advisor learns that a government official has allocated funds without receiving the advisor's approval, the SEGP would require that the advisor first speak with the government official personally. If the advisor finds that, if notified, she would have approved of the disbursement, then the advisor would issue a warning to the official. After receiving three warnings, the advisor would place the official on temporary suspension. If, however, the advisor determines that she would not have permitted the disbursement, the SEGP would require the advisor to report the government official to Somalia's

221. Clark, *supra* note 161, at 26.

222. *Id.*

223. GEMAP, *supra* note 177, at 2–3.

224. See *infra* Part III.A.3 (describing the composition of the Economic Plan Coordination Board).

Anticorruption Agency.

The reporting aspect would impose a sanction for a violation of the cosignatory requirement, which would give the government official an incentive to stay within the bounds of the program. Having the advisors would help Somalia by eliminating government officials' open access to government funds. Requiring advisor approval and imposing sanctions for violations would encourage government officials only to use government funds for legitimate purposes.

b. Establishing Effective Processes to Control Corruption

In Somalia, high-level public officials have gotten away with blatant acts of corruption for years.²²⁵ To combat this practice, Somalia must not only establish preventative measures to forestall corruption, it must also institute systems with the power to detect, prosecute, and punish corruption. For this reason, the SEGP's anticorruption policy would also provide for the creation of an Anticorruption Agency and an initiative to prepare Somalia's courts for corruption prosecutions. To correct the mistakes of the past, Somalia's Anticorruption Agency must deal swift justice, impose harsh sentences, and make no exceptions for high-level government officials.

First, the SEGP would require Somalia to establish an effective Anticorruption Agency. The Agency's responsibilities would include identifying, investigating, and prosecuting instances of corruption. The groups involved in ratifying the SEGP would participate in the selection of the agency's members. Having these groups involved would ensure that the Somali government only selects individuals that are committed to combating corruption. Furthermore, the SEGP would require the countries that supported its creation to send an expert in anti-corruption law to advise Somalia's Anticorruption Agency on how to investigate and prosecute corruption. This would ensure that the Anticorruption Agency functions properly under the tutelage of knowledgeable legal experts from countries with effective anticorruption regimes. The SEGP would require the Anticorruption Agency to rely on Somalia's existing anticorruption laws for its corruption prosecutions.²²⁶

The SEGP would also incorporate a system for advising the local

225. See *supra* Parts II.B.1 (emphasizing how members of the national assembly used their public positions for private gain), II.B.2 (noting how Siad Barre stole government funds for himself and the members of his regime).

226. Cf. *Somalia—Scorecard: Anti-Corruption Law*, *supra* note 33 (describing Somalia's existing anticorruption laws that include laws criminalizing attempted corruption, extortion, offering a bribe, receiving a bribe, bribing a foreign official, using public resources for private gain, using confidential state information for private gain, money laundering, and conspiracy).

courts on how to adjudicate claims of corruption. To combat corruption effectively in Somalia, the program must have a court system capable of properly adjudicating corruption cases. When Somalia's government collapsed in 2001,²²⁷ any semblance of a judiciary collapsed with it. As a result, Somalia does not currently have a functioning nationwide judiciary system.²²⁸ Some individual regions, however, have established local courts.²²⁹ Ultimately, Somalia will have to go through the long and arduous process of rebuilding its national court system; however, the SEGP does not have that goal in mind. Instead, the SEGP would rely on the currently existing local courts to carry out its corruption prosecutions. The groups that supported the creation of the SEGP would also provide experts in anticorruption law to advise the local courts on how to adjudicate corruption cases.

c. Capacity Building

This Note proposes that Somalia adopt the SEGP only as a short-term plan because supporters of the SEGP, who have contributed extensively to Somalia in the past, will only support the SEGP for so long. As such, in the end, Somalia must work toward capacity building by establishing an internal and self-reliant anticorruption system. To ensure that Somalia actively works toward that goal, the SEGP would incorporate periodic reassessments and a termination date. The founders of the GEMAP, who also saw the utility of capacity building in Liberia, incorporated a three-year termination period and annual reassessments.²³⁰ Although Liberia had extensive problems with corruption, the widespread and entrenched nature of corruption in Somalia will take longer to address. As such, the SEGP would incorporate annual reassessments and impose an initial five-year termination period.

During the annual reassessments, Somalia would undergo a thorough audit by an external auditor chosen by the Economic Plan Coordination Board.²³¹ This audit would also take into account Transparency International's CPI for that year. After five years, based on the results of the audits and Somalia's improvement in the CPI, the Economic Plan

227. Menkhaus, *supra* note 24, at 74.

228. See *Somalia: Government*, CIA WORLD FACTBOOK, <https://www.cia.gov/library/publications/the-world-factbook/geos/so.html> (last visited Sept. 8, 2013).

229. *Somalia: Constitution, Government & Legislation*, JURIST, <http://jurist.law.pitt.edu/world/somalia.htm> (last visited Sept. 8, 2013).

230. GEMAP, *supra* note 177, at 6.

231. See *infra* Part III.A.3.

Coordination Board would determine whether to extend the SEGP's mandate. If the results of the audits and the CPI warrant an extension, the external auditor would conduct reassessments every six months thereafter to determine the continued necessity of the SEGP. A six-month reassessment period would encourage Somalia to work quickly toward resolving any remaining problems to effect the termination of the SEGP. Ultimately, the SEGP would have a mandatory termination date of eight years from its initiation, thereby giving Somalia a three-year cushion for continued reassessment if it chooses to exercise the first extension. After the termination of the SEGP, Somalia would have the responsibility of orchestrating the SEGP if it wishes to continue using aspects of the SEGP.

The termination date and mandatory reassessments would impart a sense of urgency on Somalia to embrace the goals of the SEGP and to adopt policies directed at preparing Somalia to combat corruption after the termination of the SEGP. Given that the SEGP would terminate after a maximum of eight years, government officials would need to adopt state-sponsored approaches to combating corruption. The SEGP would already require Somalia to establish its Anticorruption Agency. The Anticorruption Agency's attorneys and investigators must become knowledgeable in the process of investigating and prosecuting corruption by learning from the experts provided by the SEGP's international sponsors. Somalia, however, must do more than establish its Anticorruption Agency. Somalia must also work towards forming a stable nationwide judiciary capable of handling the quantity and sophistication of the corruption cases. Its current system of disconnected local courts, although sufficient in the short run, will ultimately need updating to handle the flow of corruption cases effectively. Working on these aspects will help strengthen Somalia's criminal justice system and, in turn, help prepare it to continue the war on corruption in the post-SEGP era.

d. Donor Coordination

Since the government collapse in 1991, the international community has contributed approximately \$55 billion in humanitarian aid to Somalia.²³² Despite these aid contributions, the citizens of Somalia still suffer from poverty and starvation.²³³ Somali citizens have seen de minimus benefits from humanitarian aid because corrupt contractors

232. NORRIS & BRUTON, *supra* note 1, at 4.

233. *Id.* at 10.

have stolen a great deal of the aid and used it for their personal gain.²³⁴ To combat this problem, the SEGP would require Somalia to establish an office responsible for managing humanitarian aid. The GEMAP gave the Rimco Support Office in Liberia the power to “collect, collate and disseminate information on aid flows into the country.”²³⁵ Similarly, the SEGP would establish the Somalia Aid Management Office (SAMO). SAMO’s responsibilities would include monitoring monetary aid contributions by keeping all contributions in an escrow account and orchestrating the aid distribution process. In addition, for humanitarian aid in the form of supplies, SAMO duties would include selecting reputable contractors that receive and deliver the supplies. By ensuring transparency and efficiency in the process of delivering humanitarian aid, SAMO would vastly reduce the level of corruption in the humanitarian aid delivery system.

3. Monitoring the SEGP: Forming the Economic Plan Coordination Board

The GEMAP’s international supporters played an integral part in implementing the GEMAP. The Economic Governance Steering Committee (EGSC) guided the implementation of the GEMAP.²³⁶ The GEMAP’s international supporters had seats on the EGSC.²³⁷ The EGSC members played a vital role in monitoring the implementation of the GEMAP.²³⁸ Furthermore, the EGSC members, recognizing that the GEMAP had an expiration date, synchronized the GEMAP’s implementation with Liberia’s capacity-building efforts to ensure a prompt termination of the GEMAP.²³⁹ Similarly, establishing an economic program in Somalia would require the active assistance of all the SEGP supporters.

The importance of integrating the SEGP’s international supporters into the day-to-day operations of the SEGP cannot be overstated. The collapse of the government left Somalia with a weak infrastructure and without a recognized leader.²⁴⁰ Absent a central authority capable of monitoring the implementation of the SEGP on its own, the international supporters of the program would have to play an active

234. See Warsameh, *supra* note 156.

235. GEMAP, *supra* note 177, at 5.

236. *See id.*

237. *Id.*

238. *See id.* at 16.

239. *See id.*

240. *See generally* Coyne, *supra* note 131, at 351 (describing the state of Somalia’s institutions).

role in monitoring its progress. To facilitate their involvement, the SEGP would establish the Economic Plan Coordination Board (EPCB). Each of the SEGP's international supporters would have a seat on the EPCB, with the sitting President of Somalia's interim government holding the position of EPCB chairperson. Having international supporters of the SEGP on the board would ensure that knowledgeable officials, with a stake in eliminating corruption in Somalia, would have control over the implementation of the SEGP.

The EPCB would act as the oversight board for the SEGP. The EPCB would monitor the progress of the SEGP, conduct the intermittent audits provided for in the SEGP, and generally ensure the program functions properly. For instance, if an advisor refuses to cosign a disbursement of funds, the government officials seeking the disbursement may appeal to a review board to arbitrate the dispute. This system would encourage the government officials to seek review of an advisor's decision rather than circumventing the advisor and opening themselves up to sanctions. The EPCB would appoint neutral and detached arbitrators to the review board. In addition, the EPCB would periodically review the board's arbitrations for consistency and correctness, and acquire any funds or technical assistance needed for the implementation of the SEGP. In the end, the EPCB would ensure accountability and transparency of the SEGP.

B. Implementing an Institution-Building Approach in Somalia: The Creation of an Auditor General's Office and an Ombudsman's Office

Since the 1994 genocide, Rwanda has gone through a difficult reconstruction period, which has necessitated rebuilding its entire government infrastructure.²⁴¹ Rwandan officials included the establishment of an anticorruption program in their reconstruction plans. Rwanda's anticorruption initiatives have focused on "strengthening the [country's] legal and institutional framework against corruption."²⁴² This approach emphasizes identifying, investigating, reporting, and prosecuting instances of corruption.²⁴³ Rwanda formed and maintained these institutions largely without international involvement.²⁴⁴

Somalia, like Rwanda, has also suffered through a long and painful rebuilding process.²⁴⁵ Somalia cannot solely focus on preventative

241. CHÈNE, *supra* note 191, at 4.

242. *Id.* at 5.

243. *Id.*

244. *See id.*

245. *See* Menkhaus, *supra* note 24, at 74.

measures to stave off future corruption, it must also incorporate a system of institutions designed to ferret out people engaged in corruption. As such, Somalia's anticorruption program should also include aspects of Rwanda's institution-building approach. As it stands, Somalia's Transitional Federal Government has attained a semblance of stability and legitimacy.²⁴⁶ This represents the best time for the Transitional Federal Government to spearhead the establishment of anticorruption institutions. This show of commitment by the government to combating corruption will improve the average Somali citizen's opinion of the Transitional Federal Government and increase her respect for the country in the international community. Specifically, Somalia should establish an Auditor General's Office and Ombudsman's Office.

1. Establishing an Auditor General's Office in Somalia

Rwanda's OAG has made progress in increasing transparency in the government's finances.²⁴⁷ The OAG makes the Annual Reports of its audits available to the public on the OAG's website.²⁴⁸ The OAG reports have led to many criminal investigations and prosecutions.²⁴⁹ The success of Rwanda's auditing program achieved recognition on an international scale in 2009.²⁵⁰ That year, the Association of Chartered Certified Accountants (ACCA) awarded Rwanda's sitting Auditor General, Evelyn Kamagaju Rutagwenda, with the 2009 ACCA Global Achievement Award.²⁵¹ The ACCA gave her the award to recognize her contributions to the accounting and finance profession in Africa and Rwanda. After receiving the award, Ms. Rutagwenda stated, "The only way for [Rwanda] to develop and to be competitive, was to develop a professional group of accountants that would help to improve on the

246. See Stephanie Hanson & Eben Kaplan, *Somalia's Transitional Government*, COUNCIL ON FOREIGN REL. (May 12, 2008), <http://www.cfr.org/somalia/somalias-transitional-government/p12475> (noting the Transitional Federal Government, while not the epitome of stability, has maintained control of Somalia since 2004, a period of eight years).

247. CHÉNE, *supra* note 191, at 5.

248. See *Reports to Parliament*, *supra* note 200.

249. See *2010 Investment Climate Statement*, *supra* note 207; *2009 Assessment: Rwanda: Integrity Indicators Scorecard*, GLOBAL INTEGRITY, <http://report.globalintegrity.org/Rwanda/2009/scorecard/72/59C> (last visited Sept. 8, 2013) ("[A]ccording to the Prosecutor General Martin Ngoga . . . In practice, 'this office acts on the findings of the auditor general's reports and recommendations; arrests and further investigates and prosecutes the alleged culprits.'").

250. See Philip Ngunjiri, *Rwanda's Auditor General Wins Global Accounts Award*, EAST AFR. (Feb. 14, 2009, 11:11 AM), <http://www.theeastafrican.co.ke/business/-/2560/530218/-/62vk9dz/-/index.html>.

251. *Id.*

investment climate and assure investors that the country was ready for business with the world.”²⁵²

Currently, Somalia does not have an OAG.²⁵³ The charter for Somalia’s Transitional Federal Government, however, provides for the creation of an OAG.²⁵⁴ Furthermore, the African Development Bank Group (ADBG), of which Somalia is a member,²⁵⁵ supports the creation of an OAG to advance sustainable economic development.²⁵⁶ Somalia, like Rwanda, would benefit from having an OAG to monitor public accounts and promote transparency in government finances. As Rwanda’s Auditor General noted, a developing country must have “a professional group of accountants that [will] help to improve on the investment climate and assure investors that the country [is] ready for business.”²⁵⁷ The ADBG describes the responsibilities of the OAG as conducting internal audits of the government, as well as directing and supervising anticorruption and fraud investigations.²⁵⁸ The OAG in Somalia would play a similar role.

Historically, Somalia has a problem with government officials misallocating and embezzling public funds.²⁵⁹ By conducting periodic audits of government finances, the OAG would be able to detect suspicious uses of government funds and trace the misallocations to the government officials who perpetrated them. The OAG would issue public reports of the audits, which would promote fiscal accountability and increase transparency in government budgeting. In addition, when an audit uncovers a misuse of government funds, the OAG would have the duty of proposing methods to improve accountability and compliance within the government agency where the misallocation occurred. This educational component would encourage better

252. *Id.*

253. Abdilatif Maalim, *TFG Will Fall Short, Says UNOPS*, SOM. REP. (Mar. 14, 2011), <http://www.somaliareport.com/index.php/post/264>.

254. See THE TRANSITIONAL FEDERAL CHARTER OF THE SOMALI REPUBLIC Feb. 2004, art. 12 (Som.), available at <http://www.so.undp.org/docs/Transitional%20Federal%20charter-feb%202004-English.pdf>.

255. *Countries*, AFR. DEV. BANK GROUP, <http://www.afdb.org/en/countries/> (last visited Sept. 8, 2013).

256. *Auditor General’s Office*, AFR. DEV. BANK GROUP, <http://www.afdb.org/en/about-us/structure/auditor-generals-office/> (last visited Sept. 8, 2013).

257. Ngunjiri, *supra* note 250.

258. *Auditor General’s Office*, *supra* note 256.

259. See *supra* Parts II.B.1 (emphasizing how members of the national assembly used their public positions for private gain), II.B.2 (noting how Siad Barre stole government funds for himself and the members of his regime), II.B.4.b (explaining how warlords in Somalia steal humanitarian aid and resell it to the Somali citizens it was initially intended for).

management and monitoring practices within agencies, thereby preventing future corruption at a micro level.

The anticorruption and fraud investigation components of the OAG's responsibilities would also play an important role in Somalia. Somalia's penal code criminalizes corrupt activities.²⁶⁰ The OAG would investigate people suspected of violating those statutes. Furthermore, the OAG would field, screen, and investigate whistleblower complaints regarding acts of corruption and fraud. When legitimate cases of corruption develop, the auditor would report the parties responsible to Somalia's Anticorruption Agency for prosecution. Part of Rwanda's success at combating corruption must be attributed to the fact that Rwanda's program targeted everyone from the political elite to lower-level civil servants.²⁶¹ Similarly, Somalia's OAG would target both high-ranking government officials and lower-level civil servants to ferret out corruption at all levels of government. This method would prove useful to combat high-level officials' misuse of their positions for personal gain and low-level government contractors' embezzlement of aid supplies. The prevalence of corruption at all levels of Somali society necessitates a program that attacks corruption in all facets of government.

2. Establishing an Ombudsman's Office in Somalia

Rwanda's Ombudsman's Office monitors compliance with regulation in all governmental sectors and encourages governmental transparency.²⁶² The office monitors compliance by exposing cases of fraud, malpractice, and corruption, and by investigating corruption at all levels of government.²⁶³ The Ombudsman's Office encourages transparency by publishing its inspection, investigation, and annual reports on the Office's website.²⁶⁴ The Ombudsman's Office has also addressed the problem of corruption by educating and training government officials and the public at large to eliminate weaknesses in government agencies that allowed corruption to occur in the past.²⁶⁵

260. See *Somalia—Scorecard: Anti-Corruption Law*, *supra* note 33.

261. See CHÈNE, *supra* note 191, at 4.

262. *Id.* at 6.

263. *Id.*

264. See generally *Annual Reports*, REPUBLIC RWANDA OFF. OMBUDSMAN, <http://www.ombudsman.gov.rw/?Annual-Reports> (last visited Sept. 8, 2013) (listing various reports).

265. DAN BARNES, OFFICE OF THE OMBUDSMAN OF RWANDA: THE EFFECTIVENESS OF ANTI-CORRUPTION AGENCIES 5 (2010), <http://www.acauthorities.org/aca/sites/default/files/casestudy/Office%20of%20the%20Ombudsm>

Overall, the Ombudsman's Office has helped Rwanda make strides in its effort to combat corruption.²⁶⁶ The Ombudsman's Office has made progress in building institutional capacity and created a vital link between the citizens of Rwanda and the government.²⁶⁷

Presently, Somalia does not have an Ombudsman's Office.²⁶⁸ In accordance with Rwanda's institution-building, anticorruption program, Somalia should establish an Ombudsman's Office. Whereas the OAG would serve an investigatory role, the Ombudsman's Office in Somalia would serve an advisory role.

Somalia's Ombudsman's Office would have the responsibility of educating government institutions on methods to strengthen and improve their internal policies for preventing, identifying, and sanctioning corruption. It would accomplish this objective by assessing the institutions' policies and pointing out the weaknesses or flaws in their approaches. Specifically, if an institution's policies either run contrary to the laws governing corrupt activities or permit employees to engage in arguably questionable practices, then the Ombudsman's Office would have a duty to notify the institution of those problems and propose workable solutions for the institution. If an institution lacks an anticorruption policy altogether, which most probably do, then the Ombudsman's Office would assist the institution in establishing an anticorruption policy. Having institutions implement formal regulations would help with corruption prevention efforts in Somalia.

The Ombudsman's Office would also have the responsibility of educating the citizens of Somalia about corruption. Corruption in Somalia has invaded not only the public sector, but the private sector as well.²⁶⁹ Humanitarian aid in the form of supplies furnishes one such example.²⁷⁰ Local contractors hired by the government steal the aid as they unload, then the transport companies reroute the aid to the local merchants who resell it to the very citizens for whom the aid was initially intended.²⁷¹ Somalia's citizens have become desensitized to corruption, but the Ombudsman's Office would reeducate them on recognizing acts of corruption. Furthermore, the Ombudsman's Office

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266. *See id.* at 14.

267. *Id.*

268. *Somalia—Scorecard: National Ombudsman*, GLOBAL INTEGRITY, <http://www.globalintegrity.org/report/Somalia/2010/scorecard> (last visited Sept. 8, 2013).

269. *See* Warsameh, *supra* note 156 (discussing how corruption in Somalia's public and private sectors is universally recognized).

270. *See id.*

271. *Id.*

will encourage citizens to report acts of corruption to the office, which will then forward all credible complaints to the prosecuting authorities. The Ombudsman's Office would publish a list of all the people convicted of acts of corruption, a technique reminiscent of the "accounting without shame" employed during the early 1970s in Somalia.²⁷² This program would succeed where that one failed because, this time, rather than a corrupt regime that only used it as a ploy to gain the favor of the public, an independent anticorruption agency would have the duty of running the program.²⁷³ Through citizen reporting and public shaming, the Ombudsman's Office would help to eliminate lower-level corruption that directly affects the Somali people.

C. Somalia's Hybrid Approach—Adopting Aspects of the Anti-Corruption Programs Implemented in Liberia and Rwanda

Parts III.A and III.B of this Note detailed the programs that Somalia should institute to help combat corruption. This Note modeled these anticorruption programs after the approaches used in Liberia and Rwanda. The SEGP, which analogized to Liberia's GEMAP, would focus on revamping Somalia's economic structure with the assistance of international supporters. The program would require that Somalia establish an OAG and an Ombudsman's Office, reminiscent of Rwanda's anticorruption program. These offices would emphasize domestic institution building. This Section argues that Somalia must adopt both approaches set forth Parts III.A and III.B because each approach lacks a key component necessary to combat corruption in Somalia that the other possesses.

Liberia's method, which Somalia can adopt by establishing the SEGP, has two key components: the involvement of international parties and a focus on economic reform. First, to combat corruption, Somalia will need the help of international supporters. Somalia has suffered from the longest instance of complete state failure in postcolonial history.²⁷⁴ As such, Somalia does not have a central government capable of implementing, monitoring, and maintaining the SEGP on its own. Having the international supporters sitting on the EPCB would play an instrumental role in ensuring the success of the

272. See Laitin, *supra* note 81.

273. Cf. Samatar, *supra* note 20, at 701 (noting that when Siad Barre ascended to power many Somali citizens believed he was committed to establishing a corruption-free government, but the survivalist and sectarian motives of Barre and other members of his regime resulted in continued government corruption).

274. Menkhaus, *supra* note 24, at 74.

SEGP.

Second, Somalia must incorporate economic reform initiatives, like those detailed in the SEGP, into its anticorruption system. Historically, Somalia's problems with corruption have centered on economic issues like misuse of public positions for personal gain and the misallocation of public funds.²⁷⁵ As such, Somalia must have an anticorruption program that addresses problems with the mismanagement of government funds and proposes solutions to prevent further corruption. Somalia requires both the international influence and the economic approach utilized by Liberia and implemented through the SEGP to combat corruption effectively.

Rwanda's approach, which Somalia can adopt by creating an OAG and an Ombudsman's Office, has one key component: sustainability through institution building. When Somalia's government collapsed in 1991, any existing government institutions collapsed with it. In most cases, the nonexistence of government institutions leaves the government officials free to engage in opportunistic behavior, such as mismanaging public funds, to the detriment of the state's citizens.²⁷⁶ As such, in order for Somalia to combat corruption effectively, it must focus on restoring order by rebuilding institutions. Once Somalia establishes the OAG and the Ombudsman's Office, it would have two institutions in place to monitor government officials' conduct and ensure their compliance with the law. Furthermore, the creation of these permanent institutions makes Somalia's anticorruption program sustainable for the future.

As the most corrupt country in the world, Somalia will present a monumental task for any anticorruption program. But the governments of Liberia and Rwanda, two countries that faced similar problems with massive corruption, have managed to diminish the levels of corruption in their countries. Although individually, neither country's approach will sufficiently counteract the problems faced by Somalia, when combined, they could work together to form a comprehensive and effective program to combat corruption in Somalia.

IV. CONCLUSION

Since its founding in 1960, Somalia has dealt with rampant corruption in both its public and private sectors. For years, corruption

275. See *supra* Parts II.B.1 (noting the misuse of government positions for private gain from 1960–1969), II.B.2 (noting the misuse of government positions for private gain by Siad Barre and the members of his regime), II.B.4.a (referencing the theft of humanitarian aid).

276. See Kimenyi et al., *supra* note 21, at 1341.

has gone unchecked, as Somalia has never had an authority in place to investigate corruption, an established agency to prosecute corruption, or a court able to adjudicate cases of corruption. This lack of an anticorruption program led Transparency International to rank Somalia as the most corrupt country in the world in 2011. This level of corruption has had a detrimental effect on the population of Somalia. It lives in a state of poverty and famine while local contractors steal its food supplies and government officials embezzle its monetary aid.

Similar to Somalia, Liberia and Rwanda have also suffered from problems with corruption, but these countries have shown noticeable improvement in recent years. This Note proposes that Somalia institute an anticorruption program modeled after the approaches used in Liberia and Rwanda. Somalia should adopt the Somalia Economic Governance Program (SEGP), modeled after Liberia's GEMAP. The SEGP would focus on four main factors: financial management and accountability, effective processes to control corruption, capacity building, and donor coordination. Somalia should also establish an Auditor General's Office and an Ombudsman's Office, fashioned after similar offices established in Rwanda. These institutions would focus on investigating and reporting instances of corruption, as well as educating government officials and the public about corruption. To combat corruption effectively, Somalia should adopt both approaches, as each includes elements necessary to achieve its anticorruption efforts that the other does not.