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Plenary sitting

27.4.2015

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MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 123(2) of the Rules of Procedure

on the killing of students in Kenya by Islamic terror group Al-Shabaab (2015/2661(RSP))

Maria Heubuch, Heidi Hautala, Judith Sargentini, Michèle Rivasi, Ernest Urtasun, Barbara Lochbihler, Tamás Meszerics, Jordi Sebastià, Davor Škrlec, Bart Staes
on behalf of the Verts/ALE Group

European Parliament resolution on the killing of students in Kenya by Islamic terror group Al-Shabaab (2015/2661(RSP))

The European Parliament,

- having regard to the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini, of 3 April 2015 on the terrorist attacks on Kenya's Garissa University College,
- having regard to the statement of the United Nations General Assembly of 2 April 2015,
- having regard to the statement of the African Union of 2 April 2015,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the International Covenant on Civil and Political Rights of 1966,
- having regard to the African Charter on Human and People's Rights of 1981,
- having regard to the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion and Belief of 1981,
- having regard to the second revision of the Cotonou Agreement of 11 May 2010,
- having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas Al-Shabaab's attack of 2 April 2015 on Kenya's Garissa University College, which is believed to have been planned by Kenyan Mohamed Kuno, killed 147 students;
- B. whereas this massacre was Kenya's deadliest attack since 1998, when Al-Qaida bombed the United States Embassy in Nairobi, killing more than 200 people;
- C. whereas terrorist group Al-Shabaab, which emerged from the Islamic Courts Union (ICU) in 2007, has been most active in Somalia;
- D. whereas Somalia has known internal instability for the last two decades, since the overthrow of the Siad Barre regime in 1991; whereas the civil war has caused the loss of lives of countless civilians, while the safety of the population remains a matter of grave concern; and whereas the situation in Somalia has been further complicated by acts of piracy and armed robbery against ships;
- E. whereas the terrorist group Al-Shabaab aims to create a fundamentalist Islamic state in Somalia; whereas it once held sway over Mogadishu and major parts of the Somali countryside;

- F. whereas a sustained African Union peace keeping mission, the African Union Mission in Somalia (AMISOM), has in recent years weakened Al-Shabaab considerably, but whereas much of the Somali countryside remains under the sway of Al-Qaida-aligned Shabaab militants;
- G. whereas Kenya has been militarily engaged in the struggle against Al-Shabbab in Somalia for several years and hosts large numbers of Somali refugees;
- H. whereas since Kenya stepped up its military involvement in Somalia in 2011 to shield the country from violence by Al-Shabaab, attacks have multiplied, ranging from the September 2013 attack on Nairobi's Westgate shopping mall to village massacres and targeted killings of police and religious figures;
- I. whereas Al-Shabaab has killed more than 400 people on Kenyan territory over the last two years, including 67 people during a siege of Nairobi's Westgate shopping mall in 2013;
- J. whereas Al-Shabaab claims that the Garissa University attack was an act of revenge for Kenya's military involvement and atrocities committed in Somalia and for atrocities committed in Kenya against its own Muslim citizens and refugees; and whereas Al-Shabaab has warned that more attacks will follow unless Kenya withdraws its troops from Somalia;
- K. whereas since 2014, the Kenyan Government has stepped up its security measures to respond to the threat of Al-Shabaab, having instigated police swoops in majority-Somali neighbourhoods, tightened administrative controls of refugee populations, passed new security laws and given wide leeway to the Anti-Terrorism Policing Unit;
- L. whereas in response to the Garissa University massacre, Kenya carried out airstrikes in Somalia, targeting two Al-Shabaab camps in the Gedo region along the Kenyan-Somali border;
- M. whereas Kenya had started building a 700-km wall along the entire length of the border with Somalia to keep out members of Al-Shabaab;
- N. whereas Al-Shabaab has benefited from several different sources of income over the years, including revenue from other terrorist groups, state sponsors, the Somali diaspora, piracy, kidnapping, extortion of local businesses, illicit charcoal trading, sugar contraband, etc.;
- O. whereas Kenya has suspended a series of bank accounts suspected of helping finance terrorism within days of the university massacre; whereas Somali families are losing their only formal, transparent and regulated channel through which to send and receive money, but while aid agencies working in Somalia also risk losing their only means of transferring money to sustain their daily humanitarian and development operations;
- P. whereas Kenya threatened to close the Dadaab refugee camps and send home more than 360 000 Somali refugees within 90 days amid security fears in the wake of this month's Garissa University; but whereas Kenya's Foreign Minister Amina Mohamed has

backtracked on the plan stating that there was no timeline for closing Dadaab and that sending the refugees home would 'depend on available resources'; whereas she proposed holding a pledging conference at which Kenya would request international donors to provide funds for relocation;

- Q. whereas Somalia's Islamist Al-Shabaab militants are recruiting heavily in north-east Kenya; and whereas Al-Shabaab's recruitment of fighters in Kenya's own backyard marks a change of tactic for Al-Qaeda's affiliate in East Africa;
 - R. whereas social injustices, frustration and a sense of political marginalisation among Kenya's many minority ethnic and religious groups have been exploited by Al-Shabaab, including in its recruitment campaign;
 - S. whereas respect for fundamental rights is an essential element for successful counter-terrorism policies;
1. Strongly condemns the horrific attack on Garissa University in north-east Kenya on 2 April 2015 by the Somalia-based Islamist group Al-Shabaab, which killed 147 young people and injured many more;
 2. Expresses its deep condolences to the families who have lost their loved ones and its sympathy to all the injured victims; calls on the Kenyan authorities to bring the perpetrators, organisers, financiers and sponsors of these reprehensible acts of terrorism to justice;
 3. Strongly condemns all persecution and violations of the rights to life and physical integrity of individuals and communities based on religious, ethnic, national, racial or other grounds;
 4. Reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security, and that any acts of terrorism are criminal and unjustifiable regardless of their motivation, wherever and whenever and by whomsoever committed;
 5. Expresses its solidarity with the people and Government of Kenya in preventing and countering terrorism and violent extremism, in accordance with their obligations under international law, in particular international human rights law, international humanitarian law and refugee law;
 6. Urges, in particular, the government to refrain from using the terrorist attacks as a pretext for cracking down on civil liberties; calls on the Kenyan authorities to base their strategy for combating terrorism on the rule of law and respect for fundamental rights; insists on the need for democratic and judicial oversight of counter-terrorism policies;
 7. Reminds the European External Action Service and the Member States of their commitment, under the EU Action Plan on Human Rights and Democracy adopted in June 2012, to ensuring that human rights are raised in all forms of counter-terrorism dialogues with third countries;

8. Insists on a comprehensive approach towards anti-radicalisation and counter-terrorism which focuses on strengthening social cohesion and crime prevention; calls on the Kenyan authorities to step up their efforts in reducing poverty, offering employment prospects, especially for youth people, and empowering and respecting the individual, so as to cut down at their roots grievances and frustrations that could potentially be exploited by violent extremists;
9. Welcomes the African Union's determination to step up its efforts to prevent and combat terrorism and violent extremism, within the framework of the relevant continental and international instruments;
10. Notes, however, with concern that while the African Union Mission in Somalia (AMISOM) has undoubtedly gained significant ground against Al-Shabaab's mujahideen, the Islamic organisation remains, despite its defeats, a potent and dangerous force;
11. Notes that Al-Shabaab has shown flexibility and responsiveness in reinventing itself by exploiting historical injustices, economic and social grievance and political marginalisation amongst Kenya's disadvantaged Muslim populations in its north-eastern and coastal provinces;
12. Calls on the Kenyan authorities to address the root causes of radicalisation and extremism; deems that security can only be achieved if divisions within Kenya's political and civil societies and regional imbalances in development are properly addressed; in light of this, calls on the Government of Kenya to end discrimination of Kenya's Somalis and Muslims, to fight corruption, to implement security and police reform and to promote interreligious and intercultural dialogue as a means of finding far-reaching and long-lasting solutions for addressing violence;
13. Calls on Kenya, in a context in which Somalia's long-running state collapse and conflict spillovers have affected Kenya's peace and stability, to enhance its cooperation with its regional neighbours to build peace and security in the region; urges the EU to pursue its diplomatic and long-term development cooperation in the region and on the continent to this end;
14. Welcomes the fact that Kenya has hosted refugees and protected them from violence and persecution in neighbouring Somalia for more than two decades; recognises that the current regional security situation and the seriousness of the threats Kenya is facing makes it essential to protect refugees and Kenyans alike against possible intrusion by Al-Shabaab terrorists from across the border; urges, however, the government to fulfil its obligation to ensure the security of its citizens and other people living in Kenya, including refugees;
15. Points out, in particular, that while Somalia's UN-backed government has reclaimed control of most towns in recent years, much of the countryside remains under the sway of Al-Qaida-aligned Shabaab insurgents, thereby making it unsafe for Somali refugees to return; recalls, furthermore, that according to international law, refugee returns must be voluntary and not forced; urges the Kenyan Government, accordingly, not to shut down the Dadaab refugee camps – a decision that would have extreme humanitarian

implications and would breach Kenya's international obligations regarding international law;

16. Recalls that Somalia is one of the most impoverished countries in the world; notes, however, with concern that in the wake of the Garissa attack, the government has suspended the money transfer systems on which poor, rural and refugee communities depend in the absence of development or employment opportunities in the region;
17. Fears that halting remittances will hurt struggling families and relief operations in Somalia; urges, therefore, Kenya's authorities to let Somali remittances resume, as the money provides a lifeline to millions of people in a country rebuilding itself despite an insurgency by Islamist militants and despite widespread hunger and recurring drought;
18. Instructs its President to forward this resolution to the Council and the Commission, the High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Government of Kenya, the institutions of the African Union, the United Nations Secretary-General, the United Nations General Assembly, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the PAN-African Parliament (PAP).