



Plenary sitting

B8-0991/2016

13.9.2016

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Somalia
(2016/2881(RSP))

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on behalf of the ECR Group

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**European Parliament resolution on Somalia
(2016/2881(RSP))**

The European Parliament,

- having regard to its previous resolutions on the situation in Somalia,
- having regard to the statement by the EEAS spokesperson on the explosion in the Somalia of 30 August 2016,
- having regard to the UN Security Council Resolution 2297 (2016) on Somalia of 07 July 2016,
- having regard to the UN Security Council Resolution 2289 (2016) on Somalia of 27 May 2016,
- having regard to the UN Security Council Resolution 2275 (2016) on Somalia of 24 March 2016,
- having regard to the Council of the EU conclusions on Somalia of 18 July 2016,
- having regard to the press release of the UN Office of the High Commissioner for Human Rights, 10 July 2015,
- having regard to the United Nations General Assembly's Universal Declaration of Human Rights of 10 December 1948,
- having regard to the International Covenant on Civil and Political Rights of 1966,
- having regard to the African Charter on Human and Peoples' Rights which was adopted on 27 June 1981 and entered into force on 21 October 1986,
- having regard to the UN Convention on the Rights of the Child, which was adopted on 20 November 1989 and entered into force on 2 September 1990,
- having regard to the latest Universal Periodic Review on Somalia before the UN Human Rights Council,
- having regard to the Cotonou Agreement,
- having regard to the UN the International Covenant on Civil and Political Rights,
- having regard to the African Union Charter of Human and Peoples' Rights,
- Somalia's Provisional Federal Constitution adopted in August 2012

- having regard to Rule 135 of its Rules of Procedure.
- A. whereas in September 2012, Somalia established an internationally recognized, Federal Government and drafted a provisional constitution which established a 275-member House of the People (HOP), as the lower house of the Somali legislature with members to be directly elected to four year terms;
- B. whereas direct elections could not be held in 2012, Somali traditional elders appointed provisional members to the HOP using the 4.5 quota system which then elected Hassan Sheikh Mohamud as a president to a four-year term, while the election of members of the upper house of the Somali Parliament was postponed;
- C. whereas ongoing political infighting and political maneuvering along with the logistical difficulty of carrying out a direct election (carrying out a census, creating voter districts and voter registration, crafting political parties legislation and setting up an independent electoral commission) led to the postponement of initially planned one-person-one vote elections in 2016;
- D. whereas the NLF, after a series of meetings in 2015 and 2016, in August endorsed a timetable for the 2016 National Electoral Process according to which a new, lower and upper house of federal parliament will be decided between 24 September and 10 October using the existing 4.5 quota system of seat allocation and where 14,025 citizens will vote for the lower house which will choose a president on 30 October 2016;
- E. whereas the forthcoming electoral process in Somalia is a milestone for the Somali people, it will have long-lasting implications for the security, stability and development of Somalia, and the wider region;
- F. whereas Fighting persists in many parts of south-central Somalia, including military operation against Al-Shabaab as well as intra and inter-clan fighting, resulting in civilian deaths, injuries, destruction of property and large scale new displacement of civilians while restrictions on access to humanitarian assistance is worsening the human rights and humanitarian crises;
- G. Whereas Somalia has suffered more than 360 attacks by al-Shabaab in the last 10 years, in the last four years 18 MPs and a government minister have been killed, several deadly terrorist attacks by al-Shabaab in the lead up to the 2016 elections have killed hundreds of civilians;
- H. whereas Somalia remains one of the countries with the largest and most protracted displaced communities worldwide with 1.1 million internally displaced, an estimated 400,000 living in Mogadishu alone, and almost 1 million refugees in the Horn of Africa region; whereas in July alone, UNHCR reported that forced evictions and insecurity due to the ongoing military offensive resulted in almost 28,000 new displacements;
- I. whereas there are 420,000 Somali refugees in camps in Kenya, with 209,000 in Dadaab camp, the governments of Somali, Kenya and the United Nation High

Commissioner for Refugees (UNHCR) have agreed to facilitate the voluntary return of refugees to Somalia to areas that are free from al-Shabaab control;

- J. whereas the African Union Mission in Somalia (AMISOM) was created by the African Union's Peace and Security Council on 19 January 2007 with an initial six-month mandate which continues to be extended, it will continue to support the Somali Federal Government as it prepares the country for the 2016 election; AMISOM comprises forces from Uganda, Burundi, Kenya, Ethiopia and Djibouti;
 - K. whereas despite significant gains made by the combined efforts of the Somali army and AMISOM which led to the liberation of some key towns from Al-Shabaab, this extremist armed opposition group maintains control over large parts of territory, and many key transport routes;
 - L. whereas Al-Shabaab continues to carry out targeted attacks on civilians and civilian infrastructure, in the capital, Mogadishu, and other towns under government or allied authority, and increased high-profile attacks on AMISOM facilities resulting in numerous casualties; the last being on August 30 when Al-Shabaab attacked Somalia's capital killing 22 people in a heavily secured area close to the presidential palace;
 - M. whereas the security situation remained volatile in government-controlled towns; Government forces failed to protect civilians, including journalists, clan elders, clerics and lawmakers and other officials from targeted killings by Al-Shabaab as well as by unknown gunmen, primarily in Mogadishu, Baidoa, the capital of the Bay region, and Beletweyn, the capital of Hiraaan;
 - N. whereas freedom of expression continues to be severely restricted, according to the UN, between August 2012 and June 2016, a total of 30 journalists were killed in Somalia, mostly by al-Shabaab; journalists are threatened, arbitrary detained, and denied due process and fair trial guarantees, and media outlets closed down by regional and federal level authorities, on June 5 2016, a gunmen killed a radio producer Sagal Salad Osman at state-run Radio Mogadishu;
 - O. whereas children continued to be killed, arbitrary detained, and recruited into the armed forces, despite Somalia having ratified the Convention on the Rights of the Child in January 2015 and endorsing the Safe Schools Declaration in November, committing itself to taking concrete steps to protect students and educational institution;
 - P. whereas the EU has supported the AMISOM mission since its launch through a specific instrument – Africa Peace Facility, mostly by providing funds for stipends of the troops, which by the end of 2015 the EU amounted to over €1 billion;
1. Underlines its respect for the sovereignty, political independence and unity of Somalia;
 2. Strongly condemns all recent Al Shabaab attacks in Somalia, including the recent large-scale attacks on the AU Mission to Somalia (AMISOM), and expresses serious concern at the ongoing threat posed by Al Shabaab, underlines its concern that Al Shabaab continues to hold territory and extort revenue in Somalia;

3. Expresses outrage at the loss of civilian life in Al Shabaab attacks, offers its condolences to the bereaved and pays tribute to the bravery and sacrifices made by the African Union Mission in Somalia (AMISOM) and the Somali Security Forces personnel in the fight against Al Shabaab;
4. Expresses grave concern at the continued abuses of human rights and violations of international humanitarian law in Somalia, calls on all Somali and international parties to the conflict in Somalia, both within and outside AMISOM, to comply with international human rights and humanitarian law;
5. Underlines the importance of respect for international humanitarian law and the protection of civilians, especially children and women;
6. Calls on the Somali government to end recruitment and use of children in security forces as soldiers and as informants, including use of captured or deserting child soldiers;
7. Stresses that free and independent media are essential in order to guarantee an informed, active and engaged population, particularly in an electoral period, and calls on the Somali federal and regional authorities to stop suppressing the free flow of information, including intimidating, arbitrarily arresting journalists and closing down media outlets; calls on the Somalia government to review the penal code, the new media law and other legislation, and revise them as necessary to bring them into line with Somalia's international obligations regarding the right to freedom of expression and the media;
8. Stresses that the EU should measure its financial support according to the country's human rights record and the degree to which the Somali Government promotes reforms towards democratisation, that the EU, as the biggest contributor to AMISOM monitors programmes and policies effectively to ensure that EU assistance to AMISOM is not contributing to serious abuses of international humanitarian or human rights law; calls on the EU to prioritize assistance to bolster the investigations and prosecutions capacity within AMISOM forces in Somalia;
9. Recalls the adoption of the Horn of Africa Regional Action Plan 2015-2020 in October 2015 and notes that trans-regional threats such as trafficking in human beings and drugs, smuggling of migrants, illegal trade in charcoal, illegal fishing and proliferation of small arms and light weapons require increased attention, especially where such illegal activities form a source of income for al-Shabaab and other spoilers;
10. Stresses that only a credible and accountable electoral process will ensure the necessary legitimacy for the elected leadership, that the elections must go ahead as agreed on schedule without further delay, the electoral process must mark a clear change in scope from the one that took place in 2012 and be more inclusive and transparent leading to conducting free elections in 2020 based on the principle one-person-one-vote;

11. Welcomes the establishment of the Federal Indirect Electoral Implementation Team in order to carry out a credible and transparent election process without political interference and the role of Somalia's armed forces and the troops of AMISOM in ensuring the highest possible degree of security;
12. Stresses the importance of the promotion of greater female representation in the political process and urges regional and federal Somali leaders to increase the representation of women in Lower and Upper Houses of Parliament;
13. Is strongly concerned about the economic and social situation of the country's population, in particular children and women, refugees and displaced persons; reiterates its support for all humanitarian organisations operating on the ground and in neighbouring host countries, calls on the Somali government to follow through with the commitments made during the country's Universal Periodic Review to end forced evictions of internally displaced people including in the country's capital, Mogadishu;
14. Instructs its President to forward this resolution to the Council, the Commission, the Member States, the Government of Somalia, the Secretaries General of the UN and the African Union