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*Plenary sitting*

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**B8-0325/2018**

3.7.2018

## **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  
(2018/2784(RSP))

**Elena Valenciano, Victor Boștinăru, Josef Weidenholzer, Pier Antonio Panzeri**  
on behalf of the S&D Group

**B8-0325/2018**

**European Parliament resolution on Somalia  
(2018/2784(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Somalia, in particular (2016/2881(RSP),
- having regard to the Statement by the Spokesperson of the European External Action Service on the attack in Somalia from 30 October 2017 as well as all previous statements of the Spokesperson,
- having regard to the Council Conclusions on Somalia of 3 April 2017;
- having regard to the joint EU-Africa Strategy,
- having regard to the Cotonou Agreement,
- having regard to the Universal Declaration of Human Rights,
- having regard to the United Nations Human Rights Office Report “Protection of Civilians: Building the Foundation for Peace, Security and Human Rights in Somalia” of December 2017,
- having regard to the EU’s National Indicative Programme for Somalia for 2014-2020,
- having regard to the United Nations Security Council Resolution 2415 (2018) extending the mandate of the African Union Mission in Somalia,
- having regard to the United Nations Security Council Resolution 2408 (2018) on Somalia as well as all its previous resolutions,
- having regard to the United Nations Human Rights Council Resolution (36/27) of 29 September 2017 on Assistance to Somalia in the field of human rights,
- Having regard to the joint statement by four UN human rights experts on 4 May 2016 in which they raised alarm at growing persecution of trade unionists in Somalia,
- Having regard to the conclusions and recommendations specified in the 380<sup>th</sup> Report of the ILO Committee on Freedom of Association as approved by the ILO governing body for case 3113, document number GB.328/INS/14 of November 2016,
- having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

- A. whereas there have been numerous terrorist attacks on Somali soil perpetrated by al-Shabaab; whereas on 14 October 2017 Somalia experienced its worst terrorist attack in which at least 512 people are officially recorded to have died and 357 to have been injured; whereas al-Shabaab and other terrorist groups affiliated with Islamic State have continued to perpetrate terrorist attacks against the internationally recognised Somali government and against civilians;
- B. whereas according to the report of the UN Human Rights Office and the UN Assistance Mission to Somalia (UNSOM), covering the period from 1 January 2016 to 14 October 2017, there have been 2078 civilian deaths and 2507 injuries in Somalia; whereas the majority are attributed to al-Shabaab militants; whereas a significant proportion of those deaths have been caused by clan militias, State actors, including the army and the police and even the African Union Mission to Somalia;
- C. whereas Somalia has experienced two decades of civil war; whereas since 2012, when a new internationally backed government was installed, the country has made significant progress towards peace and stability; whereas al-Shabaab insurgents and other extremist militants still represent a serious challenge and through their actions perpetuate the climate of insecurity in Somalia;
- D. whereas Somalia held its first free elections since the Internationally backed government was installed, on 8 February 2017; whereas the electoral system represented an advance in participation but displayed only limited electoral features; whereas the government committed to switching to a unweighted electoral system based on universal suffrage for the elections in 2020/1;
- E. whereas the mandate of the African Union Mission to Somalia was extended until 31 July 2018; whereas it has been reduced by 2000 personnel to 20,626; whereas AMISOM personnel have been accused of human rights abuses, sexual violence and misconduct during their service;
- F. whereas freedom of expression, which is a fundamental pillar of any functioning democracy, continues to be severely limited in Somalia; whereas journalists, human rights defenders, civil society activists and political leaders continue to face threats on a daily basis; whereas intimidation, arrests, detention without due process and even killings continue to be used by al-Shabaab; whereas the authorities rarely investigate those cases; Whereas Somalia has, according to the International Federation of Journalists (IFJ), emerged in eight consecutive years as the most deadly country for journalists and other media practitioners to operate and exercise their fundamental right to freedom of expression in Africa;
- G. Whereas the rights to free association and unionisation are vital for the development of any functioning democracy; whereas the government of Somalia does not effectively allow the

formation and existence of independent unions; whereas trade union and workers' rights activists in Somalia face intimidation, reprisals and harassment on a daily basis; whereas stigmatisation and smear campaigns against unionists are commonplace in Somalia;

- H. Whereas the ILO has adjudicated a freedom of association violation complaint against Somali government; whereas the ILO directed the government to “recognize the leadership of the NUSOJ and the FESTU under Mr Omar Faruk Osman without delay” ;
- I. Whereas UN human rights experts publicly stated that “Somalia is not fulfilling its international human rights obligations and the situation for trade unions keeps on worsening despite specific recommendations made by the International Labour Organization’s Governing Body, urging the Somali Government to refrain from any further interference in the unions registered in Somalia, with particular reference to the NUSOJ and FESTU”;
- J. Whereas human rights abuses are widespread in Somalia; whereas those responsible for them are mostly non-State actors - al-Shabaab militants and clan militias - but also State actors; whereas there have been extrajudicial executions, sexual and gender-based violence, arbitrary arrests and detentions and abductions; whereas according to the UN Human Rights Office the National Intelligence and Security Agency (NISA) of Somalia routinely violates international human rights law; whereas it often operates in an extra-judicial manner and has too broad powers;
- K. Whereas Somalia is susceptible to political and security instability due to the Gulf Crisis after the Somali government refused to take sides, and particularly tensions between Somalia and the United Arab Emirates (UAE) ratcheted up after the Somali government decided not to join group of countries led by Saudi Arabia and UAE against Qatar, and consequently UAE is in response instigating political and security divisions within Somalia;
- L. whereas children are some of the greatest victims of the conflict in Somalia; whereas there have been numerous cases of child abductions and recruitment by terrorist groups; whereas they have been treated as enemies by the Somali security forces and there have been frequent cases of killings, maiming, arrests and detention;
- M. Whereas the protracted conflict has also resulted in widespread sexual and gender-based violence against women, men, boys, and girls, with women and girls particularly affected;
- N. Whereas a significant number of the civilian casualties recorded were caused by clan militia; whereas the main trigger of clan conflicts are disputes over land and resources, compounded by an ongoing cycle of retaliation; whereas these conflicts have been exacerbated by the scarcity of resources and by droughts; whereas those conflicts are exploited by anti-government elements to further destabilize areas;
- O. Whereas food insecurity continues to be represent a grave problem for the Somali state and population; whereas according to the Directorate-General for European Civil Protection and Humanitarian Aid Operations about half of Somalia’s 12 million inhabitants are food insecure and in need of humanitarian assistance. An estimated 1.2 million children are expected to be acutely malnourished, including 232 000 who will suffer life-threatening

severe acute malnutrition; whereas many parts of the country have not fully recovered from the 2011-2012 famine; whereas droughts exacerbate food insecurity problems in Somalia;

- P. Whereas international humanitarian actors are key to combating food insecurity and to providing humanitarian assistance; whereas they have made a major contribution to averting a humanitarian disaster in Somalia; whereas there have been attempts to divert humanitarian aid towards funding warfare.
1. Condemns terrorist all attacks against the Somali population, perpetrated both by al-Shabaab and by other extremist terrorist groups; asserts that there can be no legitimate reason for engaging in terrorist activity; calls for those responsible for terrorist attacks and for violations of human rights to be brought to justice in accordance with international human rights law; expresses its deepest sympathies with the victims of terrorist attacks in Somalia and with their families and deeply regrets the loss of lives;
  2. Underlines that the elimination of the root causes of terrorism such as insecurity, poverty, human rights violations, environmental derogation, impunity and lack of justice, as well as oppression would immensely contribute to the eradication of terrorist organisations and activity in Somalia; and asserts that underdevelopment and insecurity form a vicious cycle; therefore calls upon international actors, including EU development programmes, security sector reform, and capacity-building initiatives to ensure coherence between their development and security policies in Somalia;
  3. Encourages the government of Somalia to continue its peace-building and state-building efforts towards the development of strong institutions governed by the rule of law and able to provide basic public services and towards ensuring security, freedom of expression, and freedom of association; calls on the government of Somalia to ensure that an electoral system based unweighted universal suffrage is in place for the elections in 2020/1;
  4. Strongly condemns the grave violations of freedom of association and freedom of expression against Somalia's free and independent trade unions and in particular, the longstanding repression against the National Union of Somali Journalists (NUSOJ) and Federation of Somali Trade Unions (FESTU), and demands the end of ongoing investigations and closure of the case, by the Office of the Attorney General against Mr Omar Faruk Osman, Secretary General of NUSOJ for organising a World Press Freedom Day Commemoration without approval of the Ministry of Information.
  5. Calls upon the government of Somalia to step up its efforts towards cementing the rule of law in the whole of the country; argues that impunity is a major cause of the self-perpetuating cycle of violence and worsening human rights situation; believes that only the rule of law could eradicate impunity; calls upon the government and international actors to continue working towards the establishment of an independent judiciary, institution of independent & credible investigations of crimes committed against Somali

journalists, the eradication of corruption, and towards building accountable institutions, especially in the security sector;

6. deplores State and non-State actors' violations of the freedom of expression in Somalia; considers any intimidation, harassment, detention or killing of journalists and civil society activists as absolutely unacceptable; asserts that freedom of expression and thought is indispensable for the development of a strong and democratic society; calls on the Government of Somalia to ensure the right to freedom of expression is fully respected;
7. Denounces the political and security problems in Somalia generated by the direct and indirect support from the United Arab Emirates in its efforts to force the Somali government to sever ties with State of Qatar in the ongoing Gulf Crisis, and urges UAE to cease forthwith all acts of destabilisation in Somalia and respect Somalia's sovereignty and territorial integrity.
8. Denounces the Somali state's repression against trade unionists; calls on the State to put an end to any form of repression against unionists; insists that the government allow the formation of independent trade unions; firmly believes that trade unions are indispensable for guaranteeing of workers' rights in Somalia; asserts that independent trade unions could significantly contribute to the improvement of the security situation in Somalia;
9. Urges the Federal Government of Somalia to respect and uphold the international rule of law, and fully accept and implement the decisions of the International Labour Organisation (ILO) on case 3113;
10. Commends the work of the United Nations Mission in Somalia (UNISOM) in all aspects and on monitoring human rights in Somalia, in particular, as well as the United Nations Security Council's decision to extend its mandate until 31 March 2019;
11. Deplores the recruitment of child soldiers in Somalia as an abhorrent war crime; believes children are one of the most vulnerable groups in the conflict; calls upon the State to treat them as victims of terrorism and war rather than as perpetrators, and calls on the EU to assist the Somali government in its rehabilitation and reintegration efforts;
12. Welcomes the selection of the Commissioners to the newly-established Independent National Human Rights Commission of Somalia, and calls on Somali government to appoint the Commission without any further delay.
13. Hails Somali government for launching the review process of Somali provisional constitution following three-day national constitutional convention in May 2018 which will lead to permanent constitution of Somalia.
14. condemns gender-based and sexual violence against women, men, boys, and girls, with women and girls particularly affected, as a horrific war crime; calls upon the State to step up its efforts on protecting vulnerable groups of society;
15. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs

and Security Policy, the African Union, the President, the Prime Minister and the Parliament of Somalia, the Secretary-General of the United Nations, the United Nations Security Council, the United Nations Human Rights Council, and the ACP-EU Joint Parliamentary Assembly.