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 144 of the Rules of Procedure

on the situation in Somalia
(2021/2981(RSP))

Jan-Christoph Oetjen, Petras Aušrevičius, Olivier Chastel, Andreas Glück, Bernard Guetta, Irena Joveva, Ilhan Kyuchyuk, Karen Melchior, Frédérique Ries, Michal Šimečka, Nicolae Ștefănuță, Ramona Strugariu, Dragoș Tudorache, Hilde Vautmans

on behalf of the Renew Group
B9-0570/2021

European Parliament resolution on the situation in Somalia
(2021/2981(RSP))

The European Parliament,

- having regard to its previous resolutions on Somalia,
- having regard to the statement by Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy Joseph Borrell on “the current political situation in Somalia” on 23 March 2021, 13 April 2021 and 18 September 2021,
- having regard to the statement by special representative of the UN Secretary General James Swan to the Security Council on the situation in Somalia, 17 November 2021,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the African Charter on Human and Peoples’ Rights,
- having regard to the Cotonou Agreement,
- having regard to the resolution of 11 March 2021 of the Joint Parliamentary Assembly of the African, Caribbean and Pacific Group of States (ACP) and the EU on democracy and the respect for constitutions in EU and ACP countries,
- having regard to Rule 144 of its Rules of Procedure,

A. Whereas Al Shabaab remains the largest perpetrator of violence in Somalia, responsible for almost two thirds of civilian causalities through continued killings such as through the use of improvised explosive devices; whereas in 2021, the United Nations Assistance Mission in Somalia (UNSM) has documented 964 civilians killed or injured as a result of armed conflict;

B. whereas political tensions continue to drive conflict and violence in Somalia; whereas the civilian population of Somalia is often a direct or indirect target of clashes between regional militias and government forces, leading to mass casualties, displacement and severe damage to public facilities and private homes;

C. whereas in October 2021 intense fighting between Ahlu Sunna Wal Jama and Galmudug security forces supported by federal armed forces took place in the town of Guriel, which resulted in significant casualties; whereas on the 5th of November 2021, Somali’s minister of Foreign Affairs Mohamed Abdirisak declared persona non grata the African Union Envoy Simon Molungo, after accusing the AU mission in Somalia (AMISOM) of being involved in military clashes between militias in the central town of Guriel;
D. whereas vulnerable groups are still the main targets of abuses and violence, including women, children, elderly people internally displaced persons and minorities; whereas sexual and gender-based violence, as well as conflict-related violence, still occur on a large scale with impunity, particularly in conflict areas;

E. whereas some 2.9 million people are estimated to be internally displaced throughout the country due to violent extremism, extreme weather conditions and conflict; whereas many refugees live in unsafe settlements, where women and children in particular face recurrent abuse and violence;

F. whereas freedom of expression continues to be severely restricted, with journalists and human rights defenders being threatened, arbitrarily detained and denied due process and fair trial guarantees; whereas media outlets have been closed down by regional and federal level authorities; whereas the authorities rarely investigate cases of killings or attacks on journalists or prosecute perpetrators;

G. whereas Somalia is faced by challenges in consolidating the country’s emerging federal system although its government is not in a position to establish its authority in most parts of the country; whereas Parliamentary elections were due to start in December 2020 and Presidential elections in February 2021; whereas, after a first signing of an Electoral Agreement on 17 September 2020, political instability led to an electoral standstill, leading to the reaffirmation of the Electoral Agreement on 27 May 2021; whereas the election timeline is still extremely delayed and the political instability is impeding progress on justice and security sector reform;

H. whereas the humanitarian situation in Somalia remains dire, compounded by conflict, displacement and disease outbreaks; whereas humanitarian partners estimate that 7.7 million Somalis will require humanitarian assistance in 2022; whereas some 1.2 million children under the age of five are likely to be acutely malnourished in 2022 without immediate treatment;

I. Whereas in 2021, the EU allocated €45.3 million in funding for humanitarian projects in Somalia, including €2.8 million in support of the national COVID-19 vaccination rollout, whereas the EU and its Member States together provide over 35% of all humanitarian aid in Somalia;

J. Whereas in December the Council prolonged the mandates of its two Common Security and Defence Policy (CSDP) missions in Somalia - EUCAP Somalia and EUTM Somalia- and Operation ATALANTA until 31 December 2022;

1. Strongly condemns all human rights violations and acts of violence, especially homicides and rape, and insists on the need to combat violence against women and girls; recalls that internally displaced persons, including those who are the most vulnerable such as women, children, persons with disabilities and persons belonging to minority groups, are most at risk of violence, abuse and violations;

2. Welcomes the endeavour of the Somali Security Forces and AMISOM forces in their combat against Al Shabaab; sets that to receive the trust of its people, the government must eliminate corruption and provide adequate services to its people; strongly calls on Somali authorities to continue to work closely with the AMISOM mission and the
African Union in combatting Al Shabaab and terrorism in Somalia; firmly insists that Somalian authorities must further step up their efforts to end the armed attacks on civilians, as well as the violations and abuses of human rights by all armed actors and bring those responsible to justice in fair trials; strongly calls for a cessation of hostilities and pursuit of dialogue to address political differences;

3. Notes Somalia’s progress on democratisation since the instatement of the 2012 government; expresses concern, however, on the situation of freedom of expression and the impartiality of rule of law in the country; urges the Somalian authorities to cease all arbitrary arrests and to release all persons who are subjected to unlawful and unjustifiable detentions, to combat acts of harassment and intimidation of civilians by security forces, politicians and local authorities and to ensure those responsible are held accountable; insists on the authorities to stop executions issued by military courts and to adopt a moratorium on death penalty executions; calls on the Government of Somalia to make progress in addressing violations against children, women and girls and promoting gender equality;

4. Condemns the attacks against and harassment of human rights defenders and journalists in the form of arbitrary arrest and prolonged detention; calls on the Somalian authorities to promote and ensure the respect for freedom of expression and opinion; calls upon the Somalian authorities to repeal the provisions of the 2020 amended media law which severely restricts freedom of the media and freedom of expression and does not comply with international standards on freedom of expression;

5. Urges the government of Somalia to strengthen its rule of law mechanism and to establish an independent and impartial judicial system; calls on Somalian authorities to combat impunity and to hold perpetrators of violations of human rights accountable and equally to ensure reparations for victims of extrajudicial and excessive violence;

6. Urges the Somali authorities to swiftly adopt the protection-of-civilians policy and the national counterterrorism bill and to ensure their full compliance with international human rights norms and standards;

7. Calls on the Somali federal government and its member states to work closely together to strengthen and to advance its federal democracy; Equally so, calls on the Somalian federal government and the federal member states to ensure the full protection of civilians and civic rights and to pass the necessary reforms for the protection of vulnerable parts of the population;

8. Recognizes the existing difficulties that limit the government's authority; Calls on the Somali government to ensure timely, inclusive and credible elections; calls for the full respect, therein, of fundamental rights during the campaign and electoral periods, including the right to peaceful assembly, and freedom of movement, association, and expression; condemns any excessive use of force by government forces against the political opposition or against protesters; encourages Somalian authorities to call upon Electoral Observation Missions in the event of, or fear of irregularities;

9. Recalls that Somalia’s political leaders signed the Electoral Agreement on 17 September 2020, reaffirmed through the 27 May Agreement; welcomes the Somalian authorities commitment in November 2021 to conclude the House of the People
elections by the end of December 2021; welcomes the recent completion of the elections for the 54 seats in the Upper House of the Federal Parliament and the beginning of the elections for the House of the People; stresses the importance to complete the achievement of national priorities beyond the elections, including reforming the constitution and justice sector, and advancing the development agenda and financial reforms;

10. Urges the Somali authorities and the State Election Implementation Teams to ensure that a minimum 30 per cent quota is reserved for women members of Parliament through a clear mechanism, as stipulated in the 17 September 2020 and 27 May 2021 Electoral agreements; stresses the importance of the full inclusion and representation of women in political life;

11. Condemns any and all, targeted attacks on and generalized violence against aid workers, and calls for unrestricted access for humanitarian aid organisations in conflict areas, by all parties to the conflict;

12. Calls on the Somali key security stakeholders to reach agreement on the strategic objectives, size and composition of a future African Union mission (AMISOM) designed to support the security transition in Somalia in order to progress in the Implementation of the Somalia Transition Plan;

13. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the European 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, and the ACP-EU Joint Parliamentary Assembly.