



TEXTS ADOPTED

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Situation in Somalia

European Parliament resolution of 25 November 2021 on the situation in Somalia (2021/2981(RSP))

The European Parliament,

- having regard to its previous resolutions on Somalia,
 - 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 African Union Convention for the Protection and Assistance of Internally Displaced Persons (IDPs) in Africa,
 - having regard to the UN Convention on the Rights of the Child of 1989,
 - having regard to the EU-Somalia National Indicative Programme for the Federal Republic of Somalia 2014-2020,
 - having regard to the African Union Mission in Somalia's (AMISOM) statement of 8 November 2017 announcing its intention to initiate a phased withdrawal of troops from Somalia starting in December 2017, with the intention of a full withdrawal by 2020,
 - having regard to the statement by the High Representative Josep Borrell of 18 September 2021 on the political situation in Somalia,
 - having regard to UN Security Council Resolution 2568 of 12 March 2021 on the situation in Somalia,
 - having regard to Rules 144(5) and 132(4) of its Rules of Procedure,
- A. whereas the humanitarian situation in Somalia is continuing to deteriorate, with multiple crises, including political instability, terrorist activities, food insecurity, drought, the climate crisis and COVID 19, threatening stability, human well-being and livelihoods, and causing large-scale displacement across the country and the region;

- B. whereas international aid agencies have warned that Somalia is on the verge of a humanitarian catastrophe with an estimated 5,9 million people in need of humanitarian assistance and over 2,7 million facing emergency levels of food insecurity across the country, including more than 800 000 children under the age of five at risk of acute malnutrition; whereas 2 million people are facing severe water shortages; whereas the UN has stated that Somalia is facing the worst funding shortage in six years; whereas humanitarian partners estimate that 7,7 million Somalis will require humanitarian assistance in 2022, and some 1,2 million children under the age of five are likely to be acutely malnourished in 2022 if treatment is not provided immediately;
- C. whereas Somalia has been unable to respond to the COVID 19 pandemic owing to the absence of a functioning health care system, a lack of ventilators, pharmaceutical supplies and personnel; whereas Somalia, like many African countries, has been unable to vaccinate its population due to a lack of vaccine availability, with approximately only 3 % of its population fully vaccinated;
- D. whereas the education sector has been hugely affected by the COVID-19 pandemic, with many children, including those living in IDP sites in particular, unable to continue their formal education as a result of circumstances such as their parents losing their livelihoods and effective sources of income;
- E. whereas insurgent groups remain the biggest source of insecurity in the country, carrying out indiscriminate attacks on Somalis, and being involved in kidnappings and the forcible recruitment of children for armed conflict; whereas approximately 1 000 civilians have been killed or injured in armed conflict so far in 2021, with Al-Shabaab responsible for most of the civilian casualties; whereas militants have stepped up their attacks and targeted assassinations of government officials in an attempt to disrupt the 2021 electoral process;
- F. whereas vulnerable groups are still the main targets of abuses and violence, including women, children, elderly people, IDPs, LGBTQ and other 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;
- G. whereas according to the UN Secretary-General's 2021 report on Children and armed conflict, grave abuses against children in Somalia continued, with at least 1 087 children killed and maimed in 2020; whereas Al-Shabaab is the main recruiter of children, while Al-Shabaab, government security forces, regional security forces and clan militias combined recruited 1 716 children last year;
- H. whereas in August 2020, the Parliament in Mogadishu tabled a new Sexual Intercourse Related Crimes Bill permitting child marriage by defining a child on the basis of physical maturity rather than age, and including weak procedural protections for survivors; whereas the new Sexual Intercourse Related Crimes Bill violates international and regional human rights obligations;
- I. 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 the authorities at regional and federal level; whereas the authorities rarely investigate cases of killings or attacks on journalists or prosecute perpetrators;

- J. whereas ahead of the electoral process, the Federal Government of Somalia's security forces and regional authorities, in particular in Puntland, as well as Al-Shabaab, have escalated attacks on journalists through intimidation, harassment and arbitrary arrests; whereas an independent media is an essential component of a fair electoral process; whereas numerous journalists have been unlawfully killed in the course of 2021, including veteran journalist Abdiaziz Mohamud Guled, Director of Radio Mogadishu, who was murdered by Al-Shabaab in Mogadishu on 20 November 2021;
- K. whereas an estimated 2,9 million Somalis are internally displaced; whereas from August to October 2021 55 000 people were forced to flee their homes, with 80 % of them taking flight as a result of conflict and 20 % due to climate-related events; whereas there are several refugee camps in Kenya and they have been welcoming Somali refugees and asylum seekers since the time of the civil war in Somalia in 1991, including the Kakuma and Dadaab camps with around 520 000 registered refugees and asylum seekers; whereas living conditions in the camps are unsafe, with women, children and LGBTQ people in particular facing recurrent abuse and violence; whereas on 29 April 2021, the UN High Commissioner for Refugees (UNHCR) and the Kenyan Government agreed on a roadmap postponing the closure of the Dadaab and Kakuma camps to 30 June 2022;
- L. whereas Somalia remains one of the most dangerous African countries for trade unionists, who are systematically subjected to violence and intimidation; whereas Somali workers are incessantly denied their fundamental human and labour rights, and their occupational health and safety is regularly endangered and poorly paid, including by foreign contractors;
- M. whereas the electoral process was originally due to be completed in October 2021 with presidential elections; whereas, however, the electoral process has been continuously held up, following delays from the Federal Member States in holding elections of the members of both houses of the Federal Parliament of Somalia, which would in turn elect the President of Somalia; whereas the longer the election process is delayed, the more resources will be diverted away from important national priorities, such as responding to the humanitarian emergencies;
- N. whereas clan delegates are set to appoint a total of 275 MPs to the Lower House, while Somalia's five state legislatures have already elected all 54 senators to the Upper House; whereas the authorities have committed to completing the Lower House elections by 24 December 2021; whereas credibly completing the electoral processes will be crucial to ensuring Somalia's security and long-term development;
- O. whereas 26 % of those elected to the Upper House are women, representing a positive development in Somalia's path to gender equality; whereas further efforts must be made to meet the agreed 30 % quota for the Lower House and to achieve the full inclusion of women in Somalia's political, social and economic decision making;
- P. whereas foreign interference in the internal political processes and organisation of the elections has hindered their timely conclusion; whereas on 15 November 2021, the UN Security Council adopted resolution 2607 (2021), which renews the arms embargo on Somalia;
- Q. whereas the UN mandate of AMISOM will expire on 31 December 2021; whereas the Federal Government of Somalia and the African Union (AU) have been unable to agree

on a reconfiguration of an AU-led mission, as provided for by UN Security Council resolution 2568 (2021); whereas the EU, through various instruments, has been the main financial contributor to AMISOM and AU activities in Somalia since 2007;

- R. whereas in December 2020, the Council prolonged the mandates of its three Common Security and Defence Policy (CSDP) missions and operations in Somalia, the EU Capacity Building Mission (EUCAP) Somalia, the EU Training Mission (EUTM) Somalia and Operation EUNAVFOR ATALANTA, until 31 December 2022;
- S. whereas on 5 November 2021, Somalia declared AU envoy Simon Mulongo *persona non grata* and ordered him to leave the country within seven days, accusing him of engaging in activities that were incompatible with AMISOM's mandate;
- T. whereas the EU committed EUR 286 million to Somalia under the National Indicative Programme in the period 2014-2020, focusing on supporting the rule of law, security, food security and education; whereas in 2021, the EU allocated EUR 45,3 million in funding for humanitarian projects in Somalia, including EUR 2,8 million in support of the national COVID-19 vaccination roll-out, whereas the EU and its Member States together provide over 35 % of all humanitarian aid in Somalia;
1. Expresses its grave concern at the deteriorating humanitarian crisis in Somalia; condemns all violations and abuses of human rights and indiscriminate attacks directed against civilians, humanitarian workers, journalists, election officials and AMISOM by terrorist groups, notably Al-Shabaab; calls on all parties involved in the various conflicts in Somalia to immediately put an end to abuses of human rights, and to take concrete steps to bring those responsible to justice in fair trials; strongly calls for a cessation of hostilities and, whenever possible, the pursuit of comprehensive dialogue to address political differences;
 2. Recalls that lasting stability and peace in Somalia can only be achieved through social inclusion and good governance based on the principles of democracy and the rule of law; calls, therefore, on Somalia's leaders to step up efforts towards the completion of the country's electoral process and finish holding inclusive and credible elections for the Lower House before the end of 2021, so that the presidential elections can then be held as soon as possible; underlines that the electoral process must proceed peacefully, in line with the previously agreed timetable of 27 May 2021; calls further on Somalia's leaders to show restraint and refrain from any actions that could escalate political tensions or violence, in order to establish stability and deny Al-Shabaab the opportunity to gain political influence; calls for full respect for fundamental rights during the campaign and electoral periods, including the right to peaceful assembly, and freedom of movement, association, and expression; condemns all excessive use of force by government forces against the political opposition or against protesters; cautions against any further initiatives leading to an extension of prior mandates without broad support from Somali stakeholders and opposes any parallel processes or partial elections;
 3. Calls for the EU, its Member States and international partners to urgently increase humanitarian assistance in line with requirements and provide additional assistance to the COVID-19 response, in particular through vaccine sharing and the provision of essential medical supplies and pharmaceutical products; underlines that the international community must help in doing whatever it takes to get the COVID-19 pandemic under

control in Somalia and the region, including through greater distribution of vaccines and boosting vaccine manufacturing capacity;

4. Calls on the Somali authorities to cease all arbitrary arrests and to release all persons who are being subjected to unlawful and unjustifiable detention, to combat acts of harassment and intimidation of civilians by security forces, politicians and local authorities, and to ensure that those responsible are held accountable; insists that the authorities stop executions ordered by military courts, adopt a moratorium and abolish the death penalty; urges the Government of Somalia to strengthen the rule of law and establish an independent and impartial judicial system, and ensure reparations for the victims of extrajudicial and excessive violence; 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;
5. Is very concerned about the number of refugees and IDPs in Somalia and their well-being; calls for the EU and international partners to engage with the Federal Government of Somalia to deliver protection, assistance and lasting solutions in line with international obligations; welcomes the Federal Government of Somalia's ratification of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, and calls on the Commission to assist Somalia in developing national legal frameworks and ensuring the safety of IDPs and refugees, with particular attention to the most vulnerable such as women, children, and persons belonging to minority groups, who are most at risk of violence, abuse and violations;
6. Is very concerned about the social and economic damage caused by climate change, including extreme weather events and the locust plague; welcomes Somalia's commitments at the 2021 UN Climate Change Conference (COP26) to a Just Transition based on social dialogue and the prioritisation of renewable energy in order to cover Somalia's energy needs; calls for urgent action and the proper implementation of action plans to prevent or mitigate climate related disasters, such as the Food and Agriculture Organization (FAO) Desert Locust Crisis Action Plan;
7. Deplores the attacks by terrorist groups on humanitarian workers, the destruction of infrastructure and the diversion of aid; recalls that under international law unhindered access for the timely delivery of humanitarian assistance to persons in need across Somalia must be guaranteed;
8. Recalls its strong support for all human rights and environmental defenders in Somalia and their work; calls on the EU delegation and Member States' representations in the country to step up their support for civil society in their engagement with the Somali authorities, to use all available instruments to increase their support for human rights and environmental defenders' work, and, where appropriate, to facilitate the issuing of emergency visas, and provide temporary refuge in Member States;
9. Recognises the role AMISOM has played in contributing to the establishment of greater security in the face of the threat posed by Al-Shabaab and insurgent groups; expresses support for the Somalia Transition Plan (STP) regarding AMISOM operations, and calls for its timely implementation; calls on the key Somali security stakeholders to reach agreement on the strategic objectives, size and composition of a future AMISOM designed to support the security transition in Somalia, in order to progress in the implementation of the STP; calls for the national security architecture to be strengthened

in order to protect the population; calls on the Federal Government of Somalia, AMISOM and allied forces to ensure that their military campaigns against Al-Shabaab are carried out in strict adherence to international humanitarian law and international human rights law;

10. Underlines that the Somali authorities should have primary responsibility for ensuring security in their country, but are not yet in a position to do so in the fight against Al-Shabaab and insurgent groups; recalls the importance, in line with UN Security Council Resolution 2568 (2021), of urgently developing a plan of what a reconfigured AU presence would look like post-2021; recalls, in this context, the prime responsibility of the UN, the AU and the Federal Government of Somalia in developing such a plan, supported by international partners;
11. Urges all foreign actors not to jeopardise the ongoing efforts in state and peace building, while promoting stability and, at the same time, preserving the unity of the country; reminds all parties of the continued arms embargo adopted by the UN Security Council on Somalia;
12. Welcomes the increased representation of women in the parliamentary elections, noting that greater representation is still needed; stresses the important role women play in conflict resolution and peacebuilding; calls for the full, equal and meaningful participation and involvement of women at all levels in accordance with the Somali Women's Charter;
13. Condemns the ongoing sexual and gender-based violence against women and girls in Somalia, and calls for continued and concerted national efforts to tackle sexual and gender-based violence, including the effective transposition into domestic legislation and application of International Labour Organization (ILO) Convention 190 on violence and harassment in the world of work, which Somalia has ratified, the ratification of the Convention on the Elimination of All Forms of Discrimination against Women and the enactment of progressive legislation against female genital mutilation both at State and Federal levels; urges the Government of Somalia to take concrete measures to prevent sexual violence against women and children;
14. Calls on the Somali 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;
15. Deplores the recent attacks on journalists and media personnel who have a legitimate role to play in state building and the electoral process, and who should be able to conduct their work without fear or intimidation; calls on the Somali authorities to conduct and conclude investigations into the killings of all journalists during 2021, including that of Jamal Farah Adan, and to bring those responsible to justice;
16. Urges the Federal Government of Somalia and its Federal Member States to declare, without delay, a moratorium on the arrest and imprisonment of journalists while performing their journalistic duties, as proposed by Reporters Without Borders and the National Union of Somali Journalists, and to put an end to the continued use of Somalia's old and outdated criminal code to punish journalists and curtail media freedom and freedom of expression;

17. Calls on the Federal Government of Somalia, its Federal Member States and the international community to ensure that foreign or multinational companies operating in Somalia fully respect, uphold and apply international human rights treaties and other legal instruments, including Somalia's provisional constitution and laws, as well as the UN Guiding Principles on Business and Human Rights and the core ILO conventions; underscores the need to target Al-Shabaab's finances and to prevent illicit revenue generation, including from raw materials;
18. 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.