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OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 15 February 2016
To: Delegations

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Subject: Somalia
- Council Conclusions (15 February 2016)

Delegations will find in the annex the Council conclusions on Somalia, as adopted by the Council at its 3447th meeting held on 15 February 2016.

Council Conclusions on Somalia

1. The Somali Compact launched at the Brussels New Deal Conference for Somalia in September 2013 has provided an essential framework for the reconstruction of Somalia. It has allowed for coordinated support to Somali authorities for the promotion of an inclusive political process, security, the rule of law and socio-economic development. It is the keystone of Somalia's partnership with the international community. The EU highlights the importance of renewing the Compact beyond 2016, whilst preserving its essential elements. The EU reaffirms its commitment to support the development and stability of Somalia.
2. The EU will continue to work closely with the Somali authorities, the United Nations (UN), the African Union (AU) and the Intergovernmental Authority on Development (IGAD) as well as other key actors, in the immediate region and beyond, and looks forward to the forthcoming Ministerial High Level Partnership Forum (HLPF) on Somalia in Istanbul to assess next steps in its partnership with Somalia. This meeting should focus on finalising the political process, securing Somalia and restoring state authority and public services in the territories recovered from al-Shabaab.
3. Somalia has entered a crucial year to consolidate political progress, notably on the formation of interim regional administrations, and to succeed in the electoral process by August 2016. Further genuine progress depends on Somali-led inclusive and accountable political processes, which should ensure participation of all, including women and persons belonging to minorities. The EU welcomes the progress of the state formation process and calls for the swift finalisation of an interim regional administration in Hiraan and Middle Shabelle, and for the definition of the status of Benadir. Reconciliation, inclusivity and capacity-building at the local level are crucial to prevent frictions, and to ensure the long term security and sustainability of a federal Somalia. The EU urges the Federal Government of Somalia (FGS) to revitalise the constitutional review process, with a view to adopting a Constitution that is widely consulted and supports cooperation and coordination among the various Regional Administrations.

4. The recent decision on the model for the electoral process represents an important step forward. The EU looks forward to its swift implementation and constructive engagement from all stakeholders, including the Parliament, in order to comply with constitutional deadlines. The EU welcomes the 30 percent quota for women in both houses of parliament and expects all Somali leaders to adhere to the commitment. To ensure the respect of electoral process deadlines, an implementation plan should be presented by the Somali authorities at the next HLPF; extension of the mandate of the Parliament would not be acceptable. This year's electoral process should mark a significant improvement in comparison with the 2012 process and should be more legitimate and inclusive. It should also be a step towards holding one-person-one-vote elections in 2020, planning for which needs to start now. The EU is ready to support the process, but highlights the need for the Somali political leadership and all stakeholders to honour their commitments.

5. Security and stabilisation of the country still remain a key priority and a prerequisite for sustainable state-building and development. The EU strongly condemns all terrorist attacks by al-Shabaab, including the recent large-scale attacks on the AU Mission to Somalia (AMISOM) and pays tribute to the sacrifices made by AMISOM, the Somali National Army (SNA) troops, as well as by Somali civilians. The EU recognises the significant territorial gains and overall progress, made by the SNA and AMISOM since its launch in restoring peace and security in Somalia and in the fight against al-Shabaab, but underlines that the overall security situation remains volatile.

The EU, through its African Peace Facility (APF), has been a crucial supporter of AMISOM since 2007 in its efforts to fulfil its mandate to defeat al-Shabaab. The mission's operational effectiveness needs to be revitalised and enhanced. In this context, the EU recalls the results of the joint AU–UN benchmarking exercise and its recommendations, endorsed in UN Security Council Resolution 2232 (2015). It underlines the importance to resume offensive operations against al-Shabaab in a well coordinated manner, in full compliance with qualitative improvements requested by UNSC and with applicable international law.

Enhanced operational effectiveness should be achieved notably by strengthening Command and Control structures, by closer cooperation, under the leadership of the AU, among Troop Contributing Countries as well as by further coordination with the SNA and Somali Police Forces (SPF). The EU encourages further review of their campaign planning.

AMISOM forces must observe international human rights and humanitarian law and ensure the protection of civilians. In this context, the EU welcomes the creation of the Civilian Casualty Tracking, Analysis, and Response Cell within AMISOM and looks forward to the publication of its first progress report. Military advances should be aligned with stabilisation support efforts by Somali authorities to establish or improve governance structures in the recovered areas and by the provision of basic services, including security. The participation of women in roles as peacemakers and in governance structures should be increased.

6. Security and stabilisation can only become sustainable if supported by an effective SNA and an integrated civilian stabilisation effort, including SPF, followed by a quick deployment of a civil administration. Therefore, the EU regrets the limited progress in the development of an overall National Security Architecture that is essential for a sustainable security sector. It urges the Somali authorities to prioritise the fight against al-Shabaab and to focus on speedy, coordinated and sustainable integration of regional forces as well as renewed commitment to, and implementation of, the President's pledge for significant reforms of the security sector, with a particular focus on financial management systems. The FGS has an obligation to pay its security forces and progress should be accelerated to implement a realistic security sector budget, as well as to increase transparency, accountability and civilian oversight. Poor financial accountability and absence of payroll reform risk undermining current achievements. The swift implementation of the Guulwade (Victory) Plan will be essential to AMISOM's eventual exit strategy. As the mandate and model for the SPF are emerging, the Heegan (Readiness) Plan needs to be finalised, supported at political level and operationalized.

Essential conditions for balanced development and peace dividends across the country can be created on this basis. The EU reiterates its strong and urgent call on the AU and Somali authorities to invite other partners, especially from the immediate region, to contribute substantially to sustainable and predictable funding both for AMISOM and for the Somali security forces.

7. The EU welcomes the effective contribution of the CSDP missions and operation in Somalia and the Horn of Africa. Following a comprehensive review of this engagement, the Council confirms its intention to extend the mandates of the three CSDP missions and operation until December 2018, with a view to further enhancing the EU's Comprehensive Approach in Somalia and the Horn of Africa, in particular the security-development nexus. In this regard, the EU reiterates its resolve to implement as soon as possible its initiative for Capacity Building in support of Security and Development (CBSD).

In particular, the EU considers it indispensable to build up the capacities of Somali defence institutions, including by the provision of equipment to train and maintain needed capabilities. The military CSDP Training Mission in Somalia (EUTM Somalia) will therefore continue to provide strategic advice to the Ministry of Defence and the General Staff as well as provide direct training support to the Somali National Army. The EU furthermore recognises that the dramatic reduction in pirate activity in the Western Indian Ocean is a major achievement and commends the significant contribution of counter-piracy operations such as EUNAVFOR Operation ATALANTA to this end. However, criminal networks ashore still exist and the threat of resurgence of piracy therefore remains. Hence, it welcomes the continued focus of Operation ATALANTA on countering piracy off the coast of Somalia, albeit with a downscaled force posture, while retaining the capacity to scale up should piracy resurge. The EU calls on the Federal Government of Somalia to further increase its contribution to counter-piracy and maritime security. It also welcomes the important role of EUCAP Nestor, in cooperation with other actors, including EU's Maritime Security Programme and the Critical Maritime Routes Programme, to reinforce civilian maritime security capacities in Somalia, including by contributing to a pertinent rule of law framework in Somalia. Moving forward the mission will be renamed and refocused.

8. The EU 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. The EU is concerned about the possible spill over effects of the conflict in Yemen as well as the importance of ongoing regional rivalries on efforts towards the stabilisation of Somalia and calls on all partners to ensure that their interventions are conducive to the country's successful transition.
9. The EU is alarmed by continued serious violations of international humanitarian law and violations and abuses of human rights, including violence against women and children and attacks against journalists. It is essential to bring those responsible to justice. The EU encourages the Federal Government to take concrete measures to implement fully its Human Rights Roadmap adopted in August 2013 and to increase efforts in implementing its action plans on children and armed conflict, as well as to apply a moratorium on the death penalty. The EU also encourages the Somali authorities to enact the necessary legislation to operationalize its Human Rights Commission.
10. The EU urges the FGS to continue the implementation of financial governance reforms in order to improve transparency and accountability of the government's finances with a view to increasing public and donor confidence. Efforts to strengthen the public financial management systems are an important building block towards debt relief. The forthcoming National Development Plan should enable Somali ownership, capacity development, and support implementation at the decentralised level.

11. In the context of the Valletta Action Plan and the Khartoum Process, the EU looks forward to working with the FGS on promoting and facilitating the voluntary return and reintegration of refugees and internally displaced persons, subject to the situation on the ground, as well as the return of Somalis who do not have legal basis to stay in the EU. During the October 2015 Brussels Conference, the EU renewed its commitment to provide assistance to support the 2013 Tripartite Agreement on Voluntary Repatriation of Somali Refugees from Kenya between the Governments of Kenya and Somalia, and UNHCR through the Emergency Trust Fund for Stability and Addressing the Root Causes of Irregular Migration and Displaced Persons in Africa.

12. The EU is concerned about the persistently high levels of humanitarian needs in Somalia currently exacerbated by El Niño. The EU remains committed to the provision of principled humanitarian assistance based on needs, provided in a neutral, impartial and independent manner and notes that a total of 166 M€ of EU and member states humanitarian assistance has been made available since 2015. The EU recognises the necessity of finding durable solutions to address the root causes of the persistent humanitarian needs. The EU also recognises the continued need to strengthen the resilience of vulnerable populations and enhance emergency preparedness.
