

Catherine Ashton
High Representative of the Union for Foreign Affairs
Vice President of the European Commission
13. September 2013

**AMNESTY
INTERNATIONAL**



European Institutions Office

Dear Baroness Ashton,

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EU MUST FOREGROUND HUMAN RIGHTS AT THE NEW DEAL FOR SOMALIA CONFERENCE

At the New Deal for Somalia Conference in Brussels on 16 September 2013, a strategy (Compact) outlining a new political, security and developmental architecture will be debated with the aim of framing the future relations between Somalia, its people and the international community. Any European Union endorsement of the Compact - as well as all other key measures such as the EU's recently announced financial support to the African Union Mission to Somalia (AMISOM) - must foreground human rights considerations and include robust accountability mechanisms. The EU must not turn a blind eye to human rights abuses and remains accountable for the use of EU funding in Somalia. It must urge the Somali authorities to hold the security forces to account for any human rights abuses. EU funding to the Somali government and AMISOM must be conditional on them setting up systems to monitor and investigate human rights violations.

Amnesty International recently returned from a mission to Somalia. In its report, [Somalia: No place for the displaced](#), the organisation highlights the situation for internally displaced people (IDPs) in the country. There are now over one million IDPs in Somalia, with an estimated 369,000 living in Mogadishu. In January 2013, the Somali government announced a plan to relocate hundreds of thousands of IDPs from Mogadishu to proposed camps outside of the city. This plan proved to be inherently flawed in terms of process, timeframe and in the choice of the location. Although it is now on hold, IDPs have been moved regardless, mainly through forced evictions. Thousands of IDPs are being forcibly evicted from central Mogadishu and pushed out to insecure areas on the city outskirts where the government has very little control, basic services are lacking and where people face risk of attack and sexual violence.

Somalia, as a state party to the International Covenant on Economic, Social and Cultural Rights (ICESCR) must respect important safeguards during IDP relocations. These include: genuine consultation with those due to be evicted on all possible alternatives, reasonable advance notice, the right to appeal and the provision of adequate alternative housing (including access to essential services such as water and sanitation). Somalia has also signed the African Union Convention for the Protection and Assistance of Internally Displaced Persons (the Kampala Convention), which came into force last December. This is the first instrument which sets out legally binding protection for people displaced within their own countries. It requires states to recognise the rights of IDPs to be protected against forcible return or resettlement where it puts the IDP at risk.

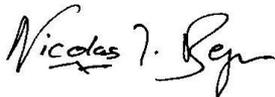
Amnesty International documented widespread evidence of rape and sexual violence in IDP settlements. In its recent briefing [Rape and Sexual Violence in Somalia: an ongoing epidemic](#), Amnesty International reports on allegations of rape by members of AMISOM and government security forces. Perpetrators operate in a situation of ongoing lawlessness, allowing different state and non-state actors to behave with impunity. Most rape survivors who spoke to Amnesty International had not reported their attacks, often because they feared stigmatisation, had little confidence in the ability or will of the authorities to either investigate or protect them from retaliation, or had no family support.

In line with the EU's commitment to advance respect for human rights as set out in the Strategic Framework for the Horn of Africa, we urge the EU to use its discussions with Somalia to:

- Foreground human rights and accountability in the New Deal conference discussions, the Compact and future exchanges.
- Ensure the Somali government fulfills its obligations to protect and respect the rights of all communities, especially more vulnerable sectors of society, such as IDPs.
- Establish clear and robust mechanisms to monitor and ensure accountability, both for use of EU funding and for conduct of national and international armed forces in Somalia.
- Make all funding to the Somali government and AMISOM contingent upon these mechanisms.
- Act to ensure that the Somali authorities and AMISOM conduct full, independent investigations into all allegations of sexual violence and other human rights violations, and that perpetrators (whether state, non-state or AMISOM) are held to account.
- Offer technical assistance and gender sensitisation to Somalia authorities in health, justice and policing to ensure appropriate responses to sexual violence and other human rights abuses.
- Urge the United Nations to enforce its Human Rights Due Diligence Policy to ensure greater accountability from recipients of UN technical support and funding in Somalia.

We thank you in advance and look forward to your response.

Yours sincerely,



Dr. Nicolas J. Beger
Director
Amnesty International European Institutions Office

Cc:

Herman Van Rompuy, President of the European Council
Jose Manuel Barroso, President of the European Commission
Andris Piebalgs, European Commissioner for Development
Nicholas Westcott, Managing Director for Africa, EEAS
Koen Vervaeke, Head of the Horn of Africa, East Africa & Indian Ocean Directorate, EEAS
Véronique Arnault, Head of the Human Rights and Democracy Directorate, EEAS
Michele Cervone d'Urso, European Union Special Envoy to Somalia
Brigadier General Gerald Aherne, Commander of the EU Training Mission Somalia
Olof Skoog, Chair of the Political and Security Committee
Fiona Lunny, Chair of the Council Working Group on Africa
Engelbert Theuermann, Chair of the Council Working Party on Human Rights
Alexander Rondos, European Union Special Representative for the Horn of Africa
Stavros Lambrinidis, European Union Special Representative for Human Rights
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