

**Federica Mogherini**

EU High Representative for Foreign Affairs and Security Policy  
Vice President of the European Commission  
European Commission  
Rue de la Loi 200  
1049 Brussels

**AMNESTY  
INTERNATIONAL**



**European Institutions Office**

Brussels, 18 November 2014

Our Ref: B1637

Dear High Representative Mogherini,

### **EU MUST KEEP FOCUS ON HUMAN RIGHTS FOR SOMALIA'S FUTURE**

Ahead of the forthcoming Ministerial High Level Partnership Forum in Copenhagen, Denmark on 19-20 November, Amnesty International is calling on the European Union (EU), Denmark (as the host of the conference), and all other EU member states to ensure that human rights remain the focus of all discussions on delivering Somalia's New Deal Compact.

Amnesty International has urged the EU and its member states to make full use of the New Deal discussions to ensure that human rights and accountability remain at the centre of their engagement with Somalia.<sup>i</sup> In 2013, Somalia had the highest level of conflict events in Africa.<sup>ii</sup> Today, armed clashes are taking place outside of Mogadishu and in rural areas of south central Somalia, and fragile security gains in Mogadishu are short-lived. And despite the ongoing lack of a civilian casualty tracking system, it is widely documented that military operations are resulting in civilian casualties, with civilians killed and wounded in crossfire during armed clashes, and through IEDs as well as grenade and suicide attacks.<sup>iii</sup>

The joint Somali National Armed Forces (SNAF) and the African Union Mission in Somalia (AMISOM) offensives took place throughout the year with the intention of further flushing out al-Shabaab operatives.<sup>iv</sup> Amnesty International has heard reports of increases in violations of international humanitarian law, and human rights abuses by all parties to the conflict as a result of the offensive.

The partial lifting of the arms embargo on Somalia in 2013 appears to have contributed to abuses against civilians, with reports that arms have been diverted for end use by parallel armed groups who are not part of Somalia's armed forces, including al-Shabaab.<sup>v</sup>

Rape and other forms of sexual violence are continuing unabated. Conditions in settlements of internally displaced persons (IDPs) remain extremely poor where such incidents are pervasive, including allegations of rape by members of government security forces and AMISOM. Amnesty International is continuing to document rape and other forms of sexual violence against women and girls on key transport routes in Somalia. Perpetrators operate in a situation of ongoing lawlessness, allowing state and non-state actors to behave with impunity.

Recent European Council Conclusions<sup>vi</sup> point to ongoing human rights and humanitarian law violations in Somalia "including extrajudicial killings, violence against women and children, recruitment and use of children, attacks against journalists and arbitrary detention". They state that "the fight against impunity for these crimes is essential." To address these urgent human rights concerns, the EU and its member states must use this Forum to ensure that clear human rights benchmarks are established for concrete action and outcomes under the August 2013 human rights roadmap, and under the international human rights commitments adopted by the Somali government.

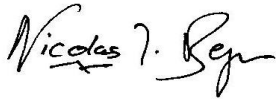
In line with commitments to place human rights at the centre of all external action, the EU and its member states must:

- Mainstream human rights and accountability at the Forum in Copenhagen, including the need for access to justice and independent, and impartial and effective investigations into human rights violations

- Take every measure to achieve accountability for the use of EU and member states' funding in Somalia and ensure that this funding does not contribute to human rights violations.
- Acknowledge that accountability will also mean a clear EU and member state commitment to support Somalia's government to prevent, respond to and ensure justice for human rights violations
- Ensure in the same spirit that all stakeholders, including refugees and internally displaced persons, are included in decision-making processes in and on Somalia, in particular with regards to human rights commitments and action
- Strive to establish an intensive, long-term engagement with the Somali government on human rights, matching this with the ambition to accord the highest possible protection to Somali refugees within the EU and its own member states

Stabilisation in Somalia remains inseparable from human rights and accountability, and will depend on sustained engagement from the EU, Denmark, and all other EU member states. We welcome your explicit, action-oriented debate on human rights in Somalia at the Forum in Copenhagen, and stand ready to provide any further information you may require.

Yours sincerely,

A handwritten signature in black ink, reading "Nicolas J. Beger". The signature is written in a cursive style with a large, stylized 'N' and 'B'.

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

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<sup>i</sup> Full recommendations are to be found at: “The New Deal One Year on: EU must prioritise human rights in Somalia and region,” 16 September 2014.

[http://www.amnesty.eu/content/assets/Letters2014/B1610\\_New\\_Deal\\_for\\_Somalia\\_One\\_Year\\_On\\_16092014.pdf](http://www.amnesty.eu/content/assets/Letters2014/B1610_New_Deal_for_Somalia_One_Year_On_16092014.pdf); see also “The EU must foreground human rights at the New Deal for Somalia Conference,” 13 September 2013.

[http://www.amnesty.eu/content/assets/Letters2013/B1478\\_Letter\\_Ashton\\_New\\_Deal\\_conference\\_September\\_2013.pdf](http://www.amnesty.eu/content/assets/Letters2013/B1478_Letter_Ashton_New_Deal_conference_September_2013.pdf)

<sup>ii</sup> Armed Conflict Location and Event Data Project (ACLED), Conflict Trends (No. 29), Real-time analysis of African Political Violence, January 2014, p 11, can be accessed at <http://www.acleddata.com/wp-content/uploads/2014/01/ACLED-Conflict-Trends-Report-No-22-January-2014.pdf>

<sup>iii</sup> United Nations High Commission for Refugees (UNHCR), International Protection Considerations with Regard to People fleeing Southern and Central Somalia, 17 January 2014, p 4. <http://www.refworld.org/docid/52d7fc5f4.html>

<sup>iv</sup> International Crisis Group (ICG), “Somalia: Al-Shabaab – It Will Be a Long War,” 26 June 2014.

<http://www.crisisgroup.org/-/media/Files/africa/horn-of-africa/somalia/b099-somalia-al-shabaab-it-will-be-a-long-war>

<sup>v</sup> UN Security Council Committee pursuant to Resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, Note by the Chair, S/AC.29/2014/NOTE.15, 6 February 2014. <http://somalianewsroom.com/2014/02/19/full-text-un-somaliaeritrea-monitoring-group-memo-on-arms-diversion/>

<sup>vi</sup> “Council Conclusions on Somalia,” 20 October 2014.

[http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/EN/foraff/145191.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/145191.pdf)