Resolution 2036 (2012)

Adopted by the Security Council at its 6718th meeting, on
22 February 2012

The Security Council,

Recalling all previous resolutions on the situation in Somalia, in particular
resolution 2010 (2011), as well as other relevant Presidential Statements and
resolutions on protection of civilians in armed conflict, women and peace and
security, and children and armed conflict,

Reaffirming its respect for the sovereignty, territorial integrity, political
independence and unity of Somalia, and reiterating its commitment to a
comprehensive and lasting settlement of the situation in Somalia,

Reiterating its full support for the Djibouti Peace Process and the Transitional
Federal Charter which provide the framework for reaching a lasting political
solution in Somalia, reiterating its support for the Kampala Accord and the
Roadmap to End the Transition (the “Roadmap”), and stressing the need for
reconciliation, dialogue and broad-based, inclusive and representative Somali
institutions,

Stressing the primary responsibility of the Transitional Federal Institutions to
implement the Roadmap, welcoming the progress to date, including the commitment
shown by the Garowe Principles, but expressing concern that many of the deadlines
for the completion of the tasks in the Roadmap have been missed which may delay
the full implementation of the Roadmap,

Urging the Transitional Federal Institutions and all Roadmap signatories to
redouble their efforts to fully implement the Roadmap with the support of United
Nations Political Office for Somalia (UNPOS) and the international community, and
noting that future support to the Transitional Federal Institutions for the remainder
of the transitional period, would be contingent upon progress in completing the
tasks in the Roadmap,

Stressing the need for the Transitional Federal Government, with the support
of the African Union Mission to Somalia (AMISOM), and as a matter of urgency, to
build an enhanced level of security in areas secured by AMISOM and the Somali
security forces, and to build sustainable administrative structures in these areas,
Noting that the transitional period in Somalia will end on 20 August 2012, 
emphasising that any further extension of the transitional period would be untenable 
and calling upon Somali parties to agree inclusive and representative post- 
transitional arrangements, in line with the Djibouti Agreement,

Stressing the need for further efforts to fight corruption, promote transparency 
and increase mutual accountability in Somalia, and in this regard welcoming 
initiatives aimed at the more transparent and accountable management of Somali 
assets and internal and external financial resources to maximise public revenues for 
the benefit of the Somali people,

Stressing the need for a comprehensive strategy in Somalia to address the 
political, economic, humanitarian and security problems in Somalia and the problem 
of piracy, including hostage taking, off the coast of Somalia through the 
collaborative efforts of all stakeholders, reiterating their full support to the 
Secretary-General and his Special Representative, Augustine P. Mahiga in this 
regard, and for their work with the African Union and international and regional 
partners,

Recognising that peace and stability in Somalia depend on reconciliation and 
effective governance across the whole of Somalia and urging all Somali parties to 
renounce violence and to work together to build peace and stability,

Welcoming the London Conference on Somalia, to be held on 23 February 
2012, where coordinated international action to address the political, security, 
justice, stability, and piracy problems in Somalia, as well as humanitarian issues, 
will be further enhanced, and welcoming the upcoming Istanbul Conference on 
Somalia,

Expressing grave concern at the dire humanitarian situation in Somalia, and its 
impact on the people of Somalia, in particular on women and children, and calling 
on all parties to ensure full and unhindered access for the timely delivery of 
humanitarian aid to persons in need of assistance across Somalia, consistent with 
humanitarian, human rights and refugee law,

Reiterating its condemnation of all attacks on the Transitional Federal 
Government, the African Union Mission in Somalia (AMISOM), United Nations 
personnel and facilities, and the civilian population by armed opposition groups, and 
foreign fighters, particularly Al Shabaab, and stressing that Somali armed 
opposition groups and foreign fighters, particularly Al Shabaab, constitute a terrorist 
threat to Somalia, and the international community,

Noting the announcement that Al Shabaab has joined Al Qaeda, stressing that 
there should be no place for terrorism or violent extremism in Somalia and 
reiterating its call upon all opposition groups to lay down their arms,

Commending the contribution of AMISOM to lasting peace and stability in 
Somalia and efforts to bring stability and security to Mogadishu, expressing its 
appreciation for the continued commitment of troops and equipment to AMISOM by 
the Governments of Burundi and Uganda, and for the newly deployed troops from 
the Government of Djibouti and recognizing the significant sacrifices made by 
AMISOM forces,

Welcoming the willingness of the Government of Kenya for Kenyan forces to 
be incorporated into AMISOM and so to contribute to the implementation of
AMISOM’s mandate as set out in paragraph 9 of resolution 1772 (2007) and this resolution, stressing the importance of the prompt deployment of new AMISOM forces to reach its mandated level, and calling on other African Union Member States to consider contributing troops and provide support to AMISOM,

Welcoming the work of the joint African Union and United Nations Technical Assessment Mission on AMISOM, noting the agreement by the African Union Peace and Security Council on a AMISOM Strategic Concept of 5 January 2012, and welcoming the Secretary-General’s Special Report on Somalia (S/2012/74),

Recalling its authorisation in paragraph 1 of resolution 2010 (2011) that the Member States of the African Union maintain the deployment of AMISOM until 31 October 2012, and that AMISOM is authorised to take all necessary measures to carry out its existing mandate as set out in paragraph 9 of resolution 1772 (2007),

Recalling paragraph 5 of resolution 2010 (2011) and noting its intention to review the force level of AMISOM when the mission reaches its mandated level of 12,000,

Expressing concern that charcoal exports from Somalia are a significant revenue source for Al Shabaab and also exacerbate the humanitarian crisis,

Recalling its resolutions 1950 (2010), 1976 (2011), and 2020 (2011) expressing its grave concern at the threat posed by piracy and armed robbery off the coast of Somalia, recognising that the ongoing instability in Somalia contributes to the problem of piracy and armed robbery at sea off the coast of Somalia, stressing the need for a comprehensive response to tackle piracy, and hostage taking, and its underlying causes by the international community and the Transitional Federal Institutions and welcoming the efforts of the Contact Group for Piracy off the Coast of Somalia, States and international and regional organisations,

Stressing the need to investigate, prosecute, and to imprison when duly convicted pirates and those who illicitly finance, plan, organise, or unlawfully profit from pirate attacks,

Welcoming the relocation of the Secretary-General’s Special Representative to Somalia and an UNPOS office to Mogadishu and encouraging the United Nations to take further steps to achieve a more permanent and full relocation to Somalia, in particular Mogadishu, consistent with the security conditions, as outlined in the Secretary-General’s reports (S/2010/447) and (S/2009/210),

Determining that the situation in Somalia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides that in addition to the tasks set out in paragraph 9 of resolution 1772 (2007) AMISOM shall include establishing a presence in the four sectors set out in the AMISOM strategic Concept of 5 January, and AMISOM shall be authorised to take all necessary measures as appropriate in those sectors in coordination with the Somali security forces to reduce the threat posed by Al Shabaab and other armed opposition groups in order to establish conditions for effective and legitimate governance across Somalia, further decides that AMISOM shall act in compliance with applicable international humanitarian and human rights
law, in performance of this mandate and in full respect of the sovereignty, territorial integrity, political independence and unity of Somalia;

2. Requests the African Union to increase AMISOM’s force strength from 12,000 to a maximum of 17,731 uniformed personnel, comprised of troops and personnel of formed police units;

3. Reiterates that regional organisations have the responsibility to secure human, financial, logistical and other resources for the work of their organisations, including through contributions by their members and support from partners, welcomes the valuable financial support provided by the African Union’s partners to AMISOM, including through bilateral support programmes and the African Peace Facility of the European Union, and calls upon all partners, in particular new donors, to support AMISOM through the provision of equipment, technical assistance, funding for troop stipends, and uncaveated funding to AMISOM to the United Nations Trust Fund for AMISOM;

4. Decides to expand the logistical support package for AMISOM, referred to in paragraphs 10 and 11 of resolution 2010 (2011), and as described in the Secretary-General’s letters (S/2009/60 and S/2011/591) to the President of the Security Council, from a maximum of 12,000 uniformed personnel to a maximum of 17,731 uniformed personnel, until 31 October 2012, ensuring the accountability and transparency of expenditure of United Nations funds as set out in paragraph 4 of resolution 1910 (2010);

5. Recalls its request to the Secretary-General in paragraphs 10 and 12 of resolution 1863 (2009) related to transparency and proper accountability for resources provided to AMISOM, and requests that equal attention to resource transparency, accountability, and internal controls be applied to the additional UN support measures authorised to be provided to AMISOM and its troop contributing countries in this resolution and the annex of this resolution;

6. Decides on an exceptional basis and owing to the unique character of the mission, to expand the logistical support package for AMISOM to include the reimbursement of contingent owned equipment including force enablers and multipliers as described in paragraphs 28 through 36 and 43 of the Secretary-General’s Special Report on Somalia (S/2012/74) and as set out in the annex to this resolution;

7. Stresses the importance of stabilising areas secured by AMISOM and the Somali security forces, calls upon all Somali stakeholders, with the support of the UN, the African Union and the international community, to promote reconciliation, law and order, the delivery of basic services and strengthen governance at district, regional, state and federal levels, including by supporting the delivery of Stabilisation Plans developed by Intergovernmental Authority on Development (IGAD) and the Transitional Federal Government;

8. Requests the Secretary-General to continue to provide technical and expert advice to the African Union in the planning, deployment and management of AMISOM, through the United Nations Office to the African Union, including on the implementation of the AMISOM Strategic Concept and the AMISOM Concept of Operations;
9. **Reiterates** its request to the United Nations to work with the African Union to develop a guard force of an appropriate size, within AMISOM’s mandated troop levels, to provide security, escort and protection services to personnel from the international community, including the United Nations, as appropriate and without further delay;

10. **Welcomes** the intention of new troop contributing countries to contribute to AMISOM and **stresses** that all new troops shall be integrated fully into the AMISOM command and control structures, and shall operate in accordance with AMISOM’s mandate as set out in paragraph 9 of resolution 1772 (2007) and this resolution;

11. **Stresses** that coordinated action by all contributors is critical for the peace, security and stability of Somalia and the region, and calls on other African Union Member States to consider contributing troops to AMISOM in order to help create the conditions when Somalia can be responsible for its own security;

12. **Recognizes** the importance of strengthening the capacity of regional and sub-regional organizations in conflict prevention, crisis management and post-conflict stabilization, and **calls upon** the African Union and donors to continue to work together to further enhance the effectiveness of African peacekeeping;

13. **Recalls** paragraph 13 of resolution 2010 (2011);

14. **Emphasises** that the development of the Somali security forces is vital to ensure Somalia’s long term security and stability, **requests** AMISOM to continue to expand its efforts to help develop the capacity and effectiveness of the Somali security forces, **urges** Member States, regional, and international organizations to work with in coordination with AMISOM to provide coordinated assistance, training and support and **welcomes** in this regard the training of Somalia security forces through the bilateral support programmes of Member States and the European Union Training Mission for Somalia (EUTM);

15. **Notes** the important role an effective police presence can play in the stabilisation of Mogadishu, **stresses** the need to continue to develop an effective Somali police force and **welcomes** the desire of the African Union to develop an operational police component within AMISOM;

16. **Demands** that all parties and armed groups take appropriate steps to ensure the safety and security of humanitarian personnel and supplies, and further **demands** that all parties ensure full and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across Somalia, consistent with humanitarian, human rights and refugee law;

17. **Recalling** its resolutions 1674 (2006), 1738 (2006) and 1894 (2009) on the protection of civilians in armed conflict, **welcomes** the progress made by AMISOM in reducing civilian casualties during its operations, **urges** AMISOM to continue to undertake enhanced efforts in this regard, **commends** AMISOM’s commitment to establish a Civilian Casualty Tracking, Analysis and Response Cell (CCTARC), as referenced in the Secretary-General’s Report on Somalia (S/2011/759) of 9 December 2011, and **calls on** international donors and partners to further support the establishment of a CCTARC;
18. Welcomes the endorsement by AMISOM of the 2011 indirect fire policy and encourages AMISOM to adapt and implement this policy for all new troops and assets;

19. Recalls the Council’s decision in resolution 1844 (2008) and welcomes the determination by the international community, including the African Union, to take measures against both internal and external actors engaged in actions aimed at undermining the peace and reconciliation process in Somalia, including the Roadmap, as well as the efforts of AMISOM and the Somali security forces;

20. Underlines its intention to keep the situation on the ground under review and to take into account in its future decisions progress by AMISOM in meeting the following objectives:

(a) Consolidation of security and stability throughout south central Somalia, including key towns, by the Somali security forces and AMISOM, on the basis of clear military objectives integrated into a political strategy;

(b) Effective regional coordination and cooperation on security issues by AMISOM;

(c) Assistance in the development of effective Somali security forces, with integrated units under a clear command and control structure and in coordination with the international community;

21. Requests the African Union to keep the Security Council regularly informed, through the Secretary-General, on the implementation of AMISOM’s mandate, including on the implementation of paragraphs 1 and 2 in this resolution and on the new command and control structure and integration of forces under this structure and report to the Council, through the provision of written reports, no later than 30 days after the adoption of this resolution and every 60 days thereafter;

22. Decides that Somali authorities shall take the necessary measures to prevent the export of charcoal from Somalia and that all Member States shall take the necessary measures to prevent the direct or indirect import of charcoal from Somalia, whether or not such charcoal originated in Somalia; further decides that all Member States shall report to the Security Council Committee established pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea (“the Committee”) within 120 days of the adoption of this resolution on the steps they have taken towards effective implementation of this paragraph; and requests the Monitoring Group re-established pursuant to resolution 2002 (2011) to assess the impact of the charcoal ban in its Final Report;

23. Decides that the mandate of the Committee shall apply to the measures in paragraph 22 above; decides that the Monitoring Group’s mandate shall likewise be expanded; and considers that such commerce may pose a threat to the peace, security, or stability of Somalia, and therefore that the Committee may designate individuals and entities engaged in such commerce as subject to the targeted measures established by resolution 1844 (2008);

24. Decides to remain actively seized of the matter.
Annex

In accordance with paragraph 6 of this resolution, on an exceptional basis and due to the unique character of AMISOM, the UN logistical support package for AMISOM shall be extended for a maximum of 17,731 uniformed personnel and 20 AMISOM civilian personnel based in AMISOM headquarters until 31 October 2012, in line with the recommendation in paragraphs 29 and 43 of the Secretary-General’s Special Report on Somalia (S/2012/74), which includes the provision of explosive threat management capacity, level II medical facilities and the reimbursement of contingent owned equipment (COE).

Eligible COE will include standard enablers and multipliers within the land component, and an aviation component of up to a maximum of 9 utility helicopters and 3 attack helicopters.

COE reimbursement should conform to UN rates and practices, including the direct transfer of funds to troop contributing countries (TCCs) as appropriate, and periodic reviews to ensure full operational capability. Letters of Assist (LOAs) should be negotiated with TCCs for equipment not covered under the UN COE framework including the aviation specified above.

As noted in paragraph 29 of the Secretary-General’s Special Report on Somalia (S/2012/74), only equipment deployed by the TCCs and considered owned by TCCs should be reimbursed. Equipment gifted or donated to TCCs, AMISOM, the African Union or where the ownership still remains with the donor are not eligible for reimbursement.