



# SECURITY COUNCIL REPORT UPDATE REPORT



8 December 2010 No. 3

## SOMALIA

### Expected Council Action

It is expected that the Council will consider in December the renewal of the authorisation of AMISOM, the AU Mission in Somalia. The current authorisation does not expire until 31 January 2011, but it seems possible that the Council will move the renewal forward. Uganda, which as AMISOM's main troop contributor has a significant stake in the mission, will be leaving the Council at the end of the year and many Council colleagues wish to recognise its strong contribution to the Council. In October, the AU also made a strong appeal to the Council not only to increase AMISOM's authorised troop level but to support an expansion of the mission's funding from UN assessed contributions.

At the time of writing, it was expected that the UK, as the lead country on Somalia, would shortly circulate a draft resolution. There seems to be widespread support among Council members for an increase in AMISOM's authorised strength from 8,000 to 12,000 troops. It is unclear, however, whether or to what extent the draft would also respond to the request for additional funding from assessed contributions.

### Key Recent Developments

On 21 October, the AU Commissioner for Peace and Security Ramtane Lamamra presented to the Council the requests adopted by the AU Peace and Security Council on 15 October for an increase in AMISOM's UN authorised troop strength from 8,000 to 20,000; an expansion of the mission's funding from UN assessed contributions; and imposition of a naval blockade and a no-fly zone over Somalia.

In a meeting on 9 November, Under-Secretary-General for Political Affairs B. Lynn Pascoe briefed the Council on the Secretary-General's latest report on piracy off the coast of Somalia. Pascoe said the strong international naval presence there had had some effect, but that much more was needed to attack piracy's root causes. He suggested stronger action to deter piracy attacks, including through prosecution and imprisonment, enhanced efforts to establish security and the rule of law in Somalia and more focus on economic development and creation of alternative livelihoods. The meeting also featured a briefing by the Executive Director of the UN Office on Drugs and Crime (UNODC), Yury Fedotov, on its counter-piracy programme to assist countries in the region.

On 23 November, the Council adopted resolution 1950, renewing for another 12 months the anti-piracy provisions of resolution 1897. The resolution contains new language stressing the need for a comprehensive response to address piracy and its underlying causes by the international community and calling on states to criminalise piracy under their domestic laws and to prevent financing of piracy. On the issue of prosecution, the Council reaffirmed its interest "in the

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continued consideration of all seven options for prosecuting suspected pirates” presented by the Secretary-General last July and taking into account the activities of the Secretary-General’s Special Adviser on Legal Issues Related to Piracy off the coast of Somalia “with a view to taking further steps to ensure that pirates are held accountable”.

On 29 November, the chair of the Eritrea/Somalia Sanctions Committee, Mexican Ambassador Claude Heller, briefed Council members in informal consultations on the work of the Committee. (On 22 November, the Committee was briefed by Under-Secretary-General for Humanitarian Affairs Valerie Amos on the latest report of the UN Humanitarian Coordinator for Somalia on the humanitarian access situation in the country.) In a press statement after the meeting, the Council reaffirmed that the humanitarian exemption established by resolution 1916 in regards to the assets freeze provision of the Somalia sanctions regime remained necessary. The Humanitarian Coordinator’s report concluded that it was still too early to tell whether resolution 1916 had had an impact on humanitarian funding and also noted that humanitarian organisations did not consider that it had had any “significant impact” on their operations.

In informal consultations on 30 November, Council members discussed UN support for AMISOM. They were briefed by the Secretary-General’s Special Representative for Somalia, Augustine Mahiga (by videolink from Nairobi) and by Under-Secretary-General for Field Support Susana Malcorra. Mahiga provided an update on recent political developments, in particular the Somali parliament’s approval of a new cabinet. He also said that strengthening AMISOM must be a priority for the international community. Malcorra emphasised the need for more reliable support for AMISOM and called for increased UN funding for the operation.

In informal comments to the press following the consultations, the Council’s November president, UK Ambassador Mark Lyall Grant, said members had reaffirmed their full support for the Djibouti peace process and the Transitional Federal Government and had stressed that the government must remain united and finish all remaining transitional tasks, in particular the constitution-making process. He also said Council members had discussed the AU proposal for strengthening AMISOM and had stressed the need for the international community to mobilise resources.

On 23 November, the Intergovernmental Authority on Development (IGAD) expressed “deep concern” that the Council had yet to respond to the AU Peace and Security Council’s request for endorsement of an increase in AMISOM’s strength from 8,000 to 20,000 troops, authorisation of an enhanced support package for the mission from UN assessed contributions, imposition of a naval blockade and a no-fly zone over Somalia and effective implementation of sanctions.

In Somalia there were some positive developments on the political front. On 31 October the Somali parliament approved the appointment of Mohamed Abdullahi Farmajo as prime minister. (The post had been vacant since the previous prime minister resigned on 21 September.) On 27 November, the parliament also approved the cabinet proposed by Farmajo. The new cabinet—which has been reduced significantly in size from 37 to 18 ministers—includes only two ministers from the previous government.

There were reports of rising civilian casualties from the fighting between insurgents and government forces in Mogadishu. On 23 November, two people died and nine others were injured when AMISOM forces fired into a crowd near the airport. AMISOM admitted that its troops had fired on civilians and apologised. It also arrested the six soldiers involved in the incident and launched an inquiry.

On 1 December, the 2011 humanitarian appeal for Somalia, amounting to approximately \$530 million, was launched in Nairobi by Mahiga and Mark Bowden, the UN Humanitarian and Resident Coordinator for Somalia. António Guterres, the UN High Commissioner for Refugees, also spoke at the launch. Guterres noted that 27 percent of the Somali population was in need of humanitarian assistance and an estimated 1.5 million were internally displaced. He said the suffering of the Somali population was unique in the world, condemned all violations of human rights in the country and called for the crisis in Somalia to be recognised as a humanitarian priority that should be urgently addressed.

#### **Human Rights-Related Developments**

On 8 November, the Special Representative of the Secretary-General for Children and Armed Conflict Radhika Coomaraswamy briefed the media about her trip to Somalia and Kenya earlier in the month. She said there was a “rapid increase” in child recruitment and gender-based violence in Somalia. The Somali government had agreed, however, to set up a focal point under the prime minister to work with the UN to develop an action plan to identify and delist child soldiers, provide access to UN monitors and develop a reintegration programme for released children. Coomaraswamy also said that AMISOM was developing a child protection capacity to investigate reports of children being killed by indiscriminate shelling. The Secretary-General issued his third report on children and armed conflict in Somalia on 9 November. The Council’s Working Group on Children and Armed Conflict is expected to consider the report early next year.

#### **Key Issues**

The immediate issue for the Council is whether to authorise an increase in AMISOM’s troop strength and, if it decides to do so, up to what level. A related issue is whether an increase will be sufficient to have a positive impact on the military situation.

A second and key issue is whether to expand the scope of funding for AMISOM from UN assessed contributions or just maintain the existing logistical support package. (This includes equipment and services and the cost to UN assessed contributions from the peacekeeping budget for 2010 -2011 is expected to be approximately \$185 million for the current troop levels.) The AU has requested an expansion of AMISOM funding from UN assessed contributions to include both reimbursement of expenses for contingent owned equipment as well as payment of troop allowances at UN rates. These expenses are currently supposed to be covered either by the UN trust fund in support of AMISOM or by bilateral support. An increase in troop numbers as well as expansion of the scope of funding could be expected to add at least another \$100 million to the cost from UN assessed contributions.

A related issue is whether voluntary contributions can realistically be relied upon as a major source of funding for AMISOM as experience so far seems to be mixed. (One problem is that many donors have national caveats or earmarked grants that prevent funding in critical areas, in particular as regards reimbursement of lethal equipment.) Uganda and Burundi have, as troop contributing countries, been unhappy with the current reimbursement levels. Uganda in particular, has repeatedly argued that AMISOM troops should receive the same kind of support as UN peacekeepers.

A further issue is whether countries will be willing to contribute troops to AMISOM if there is no change in the existing funding arrangements. Lack of funding seems to have been a key factor behind the slow deployment of the mission so far.

A final issue is the continuing reports of violations of international humanitarian law by all sides during the fighting in Somalia, and whether, if the UN agrees to stand fully behind the AMISOM

forces financially, whether some agreements about appropriate responses by AMISOM troop contributors should be part of the package.

### **Underlying Issue**

The key underlying issue is the now stark difference between the African countries who seem determined to deal with the root causes of the Somali problem by use of force on land—but lack the resources—and the wider international community which seems to lack a clear sense of strategy for Somalia and prefers, as the lowest common denominator position, to muddle along and spending much more collectively in the process on naval flotillas against pirates than the likely cost of the assessed contributions to support the AU request.

### **Options**

Options for the Council include:

- early action in December, authorising an increase in AMISOM's troop strength from 8,000 to 12,000 or 20,000 without addressing the funding arrangements for the mission and perhaps calling for enhanced voluntary contributions through the UN trust fund and direct bilateral support;
- authorising an increase in troop strength without any immediate change in funding arrangements, but signalling an intention to address the issue of how to ensure reliable long term funding for the mission.
- deciding to expand the scope of funding for the mission from UN assessed contributions to the same level as that of a UN peacekeeping operation (as requested by the AU); or
- deciding to expand funding for the mission from UN assessed contributions to include only some of the elements requested by the AU such as either self-sustainment, troop allowances or reimbursement of non-lethal contingent owned equipment;
- imposing a naval blockade and no-fly zone over Somalia, and
- addressing the need for some wider understandings about international humanitarian law in the conduct of hostilities and welcoming the inquiry launched by AMISOM.

### **Council Dynamics**

There seems to be wide agreement among Council members for lifting AMISOM's authorised troop strength to 12,000. There is recognition, however, that enhanced military capacity must also be part of a comprehensive strategy involving a political process.

As regards the funding question, African members are strongly pushing the AU position of expanding the scope of support for AMISOM from assessed contributions as requested by the AU. China seems supportive of this approach. Japan, Austria, Mexico, Brazil, Turkey and Lebanon also seem open to at least some increase in funding. France, the UK and the US, however, appear to have reservations against expanding the use of assessed contributions. In part they argue that the UN should not fund a mission over which it has limited control. However, that precedent has already been addressed, first in Darfur and secondly in the limited support already given to AMISOM. And there are options which could be explored to include enhanced controls and oversight in any package. The underlying problems seem to relate to the wider strategy and perhaps also the short term domestic financial implications. (France and the UK in particular are already uncomfortable with their high level of contributions to UN peacekeeping.)

The main focus of the P3 seems to be on mechanisms to mobilise increased voluntary funding. However, some willingness to explore different options for a more limited increase in funding for AMISOM may be emerging, including expanding the current UN support package to cover troop self-sustainment and which would amount to approximately \$70 million from assessed contributions for a troop level of 12,000.

There appears to be little support at this stage for the comprehensive AU strategy involving a naval blockade and no-fly zone over Somalia.

The UK is the lead country on Somalia in the Council.

## UN Documents

### Selected Security Council Resolutions

- S/RES/1950 (23 November 2010) renewed for a period of 12 months the antipiracy measures of resolution 1897.
- S/RES/1918 (27 April 2010) requested a report on options to ensure prosecution and imprisonment of persons responsible for piracy off the coast of Somalia.
- S/RES/1916 (19 March 2010) extended the mandate of the Monitoring Group for another 12 months with the addition of three new members, decided that the assets freeze provisions of resolution 1844 would not apply to funds “necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia” and requested the UN humanitarian aid coordinator for Somalia to report to the Council every 120 days.
- S/RES/1910 (28 January 2010) renewed authorisation of AMISOM until 31 January 2011.
- S/RES/1897 (30 November 2009) renewed for 12 months the anti-piracy measures of resolutions 1846 and 1851.
- S/RES/1844 (20 November 2008) imposed targeted sanctions relating to the situation in Somalia.

### Selected Presidential Statement

- S/PRST/2010/21 (22 October 2010) was a statement on UN support for AU peacekeeping operations authorised by the UN.
- S/PRST/2010/16 (25 August 2010) was on piracy off the coast of Somalia.

### Latest Secretary-General's Reports

- S/2010/577 (9 November 2010) was a report on children and armed conflict in Somalia.
- S/2010/556 (27 October 2010) was a report on piracy off the coast of Somalia.
- S/2010/514 (14 October 2010) was a progress report on support to AU peacekeeping operations authorised by the UN.
- S/2010/447 (9 September 2010) was the latest regular report on Somalia.
- S/2010/394 (26 July 2010) provided options for addressing Somali piracy.

### Selected Meeting Records

- S/PV.6417 (9 November 2010) was a meeting on piracy.
- S/PV.6408 (21 October 2010) was the communiqué from a private meeting with the AU Commissioner for Peace and Security and others.
- S/PV.6407 (21 October 2010) was the meeting with the AU Commissioner for Peace and Security.
- S/PV.6386 (16 September 2010) was the most recent briefing by the Secretary-General's Special Representative for Somalia.
- S/PV.6374 (25 August 2010) was a debate on Somali piracy.

### Selected Letters

- S/2010/580 (23 November 2010) was from the chair of the Sanctions Committee transmitting the most recent 120-day report of the Humanitarian Coordinator for Somalia on the implementation of paragraphs 4 and 5 of resolution 1916 and on impediments to the delivery of humanitarian assistance in Somalia.

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| <ul style="list-style-type: none"> <li>• S/2010/452 (26 August 2010) and S/2010/451 (25 August 2010) was on the appointment of Jack Lang as the Secretary-General's Special Adviser on legal issues related to piracy off the coast of Somalia.</li> </ul>                   |
| <b>Selected Council Press Statements</b>   |
| <ul style="list-style-type: none"> <li>• SC/10097 (29 November 2010) was on the most recent review of paragraph 5 of resolution 1916.</li> <li>• SC/10065 (21 October 2010) took note of the 15 October decisions on Somalia of the AU Peace and Security Council</li> </ul> |
| <b>Other UN Documents</b>  |
| <ul style="list-style-type: none"> <li>• A/RES/64/287 (24 June 2010) was the General Assembly resolution on financing of UN support to AMISOM for the period from 1 July 2010 to 30 June 2011.</li> </ul>  |

## Other Relevant Facts

### Special Representative of the Secretary-General

Augustine Mahiga (Tanzania)

### Chairman of the Somalia Sanctions Committee

Claude Heller (Mexico)

### AMISOM

*Maximum authorised strength:* 8,000 troops plus maritime and air components

*Strength as of December 2010:* about 7,100 Ugandan and Burundian troops

*Duration:* February 2007 to present: AU mandate expires on 17 January 2011 and Council authorisation expires on 31 January 2011

## Useful Additional Source

*Communiqué* of the 245th meeting of the AU Peace and Security Council, 15 October 2010

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