



# Security Council

Seventieth year

## 7541<sup>st</sup> meeting

Friday, 23 October 2015, 10 a.m.

New York

*Provisional*


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*President:* Mr. Oyarzun Marchesi . . . . . (Spain)

*Members:*

Angola . . . . .	Mr. Lucas
Chad . . . . .	Mr. Gombo
Chile . . . . .	Mr. Barros Melet
China . . . . .	Mr. Zhao Yong
France . . . . .	Mr. Lamek
Jordan . . . . .	Mr. Hmoud
Lithuania . . . . .	Ms. Murmokaitė
Malaysia . . . . .	Mr. Merican
New Zealand . . . . .	Mr. Van Bohemen
Nigeria . . . . .	Mrs. Ogwu
Russian Federation . . . . .	Mr. Iliichev
United Kingdom of Great Britain and Northern Ireland . .	Mr. Rycroft
United States of America . . . . .	Mr. Pressman
Venezuela (Bolivarian Republic of) . . . . .	Mr. Ramírez Carreño

## Agenda

### The situation in Somalia

Letters dated 9 October 2015 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council (S/2015/801) (S/2015/802)

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*The meeting was called to order at 10.05 a.m.*

### Adoption of the agenda

*The agenda was adopted.*

### The situation in Somalia

**Letters dated 9 October 2015 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council (S/2015/801) (S/2015/802)**

**The President** (*spoke in Spanish*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of Eritrea and Somalia to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2015/810, which contains the text of a draft resolution submitted by Lithuania, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

I wish to draw the attention of Council members to documents S/2015/801 and S/2015/802, which contain letters dated 9 October 2015 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council.

The Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

*A vote was taken by show of hands.*

#### *In favour:*

Angola, Chad, Chile, China, France, Jordan, Lithuania, Malaysia, New Zealand, Nigeria, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland and United States of America

#### *Abstaining:*

Venezuela (Bolivarian Republic of)

**The President** (*spoke in Spanish*): There were 14 votes in favour and one abstaining. The draft resolution has been adopted as resolution 2244 (2015).

I now give the floor to those members of the Council who wish to make a statement after the vote.

**Mr. Ramírez Carreño** (Bolivarian Republic of Venezuela) (*spoke in Spanish*): Venezuela abstained in the voting on resolution 2244 (2015) because we feel that the negotiating process that led to its adoption was not broad enough to take into account the various points of view held by delegations. Our request to extend the consultations in order to produce a consensus text was disregarded, and the text was drafted in a silent procedure despite our reservations. Venezuela tried to create a space conducive to understanding so that the varied points of view might be reflected in a balanced text that reflected the political and security dynamic prevailing in the Horn of Africa.

After silence was broken on the draft resolution so as to pursue dialogue and achieve a consensus text, we were surprised when negotiations were reopened among a small group of countries, without the participation of Venezuela and the majority of the non-permanent members of the Security Council. This recurring practice affects the working methods of this organ, in particular the transparency and inclusiveness that should prevail at all stages of negotiation in order to guarantee the participation of all its members and, ultimately, the unity of the Security Council.

My country demands respect in the Security Council — respect from the penholders for the opinions and points of views of every country, whether permanent or elected Council members. Speaking not only in my capacity as Chair of the Committee established pursuant to resolutions 751 (1992) and 1907 (2009) but also in my national capacity, we have reasonable concerns that there is bad interpretation and a self-attributed expansion to the Committee when it comes to what is set out in the resolutions that established the Somalia/Eritrea Sanctions Committee.

Venezuela assumed the chairmanship of this Committee with a belief in the need to move forward constructively with all Member States to improve the relations between the Committee and affected countries, with a view to arriving at the ultimate goal of finding a political solution to the conflict. That should be the purpose of the sanctions instrument, which cannot be used for hidden purposes to punish countries and impact peoples. Sanctions committees make sense only insofar as they contribute to a political solution to conflicts. Their purpose is not to maintain or manage conflicts indefinitely, but to help to end them.

It is clear — and the fourteenth preambular paragraph and paragraph 26 of the resolution, among others, reflect this — that some permanent members perceive this sanctions regime as an end in itself, and under that premise seek to continue to indefinitely expand the mandate and scope of the resolution to new areas, distorting any political goal that the sanctions may have had at the time of their initial establishment.

Venezuela is committed to the peaceful settlement of disputes throughout the world, in line with Article 2 of the Charter of the United Nations. Our position is based on the importance of respecting the sovereignty and territorial integrity of States, their Governments and their peoples, as well as confidence in their ability to resolve their own problems without tutelage or interference, but by choosing political and peaceful means for resolving conflicts.

In conclusion, I should like to appeal to members of the Committee. Our chairmanship has coincided with the important task of reviewing the Committee's working methods. I believe that the goals and functioning of sanctions committees should be subject to a thorough review on the part of the Council.

**Mr. Iliichev** (Russian Federation) (*spoke in Russian*): The Russian Federation voted in favour of the United Kingdom's resolution 2244 (2015), on Somalia and Eritrea, as for us and other members of the Security Council the imperative is to swiftly achieve peace and stability in the countries of the Horn of Africa. However, we continue to have concerns about the intrusive nature of a number of provisions of the resolution that effectively undermine the principle of State sovereignty.

I should also point out that, as was the case last year, certain provisions of this resolution are based on conclusions in the final report of the Monitoring Group Committee pursuant to resolutions 751 (1992) and 1907 (2009) that have not been substantiated by facts. Let me reiterate that experts should not go beyond the purview of their mandate during the preparation of their documents. They must be guided solely by verified facts, and not build their conclusions on the basis of conjectures and unfounded accusations.

We are forced to reiterate that the use of sanctions is an exceptional and rarely effective method. Resolving conflicts must take place exclusively through political and diplomatic means, on the basis of mutual respect

and multifaceted dialogue among all the States in the region.

**Mr. Van Bohemen** (New Zealand): We welcome the adoption of resolution 2244 (2015). We particularly welcome the fact that it includes a specific provision to reinforce Somalia's ability to exercise sovereignty over its natural resources. Disputes between illegal fishing vessels, local fishermen and armed groups concerning the illegal exploitation of Somalia's natural resources run the risk of becoming a driver of conflict.

Somalia's concern about its ability to control access to its resources is not unique. The governance and exploitation of natural resources and the challenge posed by illegal, unreported and unregulated fishing was also identified by many Member States during the open debate (see S/PV.7499) held in July on peace and security issues facing small island developing States.

On Eritrea, New Zealand recognizes that there are important issues to address with regard to the scope and focus of the sanctions regime in the light of the last two reports (S/2015/802 and S/2014/727) of the Monitoring Group. We hope that an improved relationship, including on access between the Government of Eritrea and the Monitoring Group, may enable the Council to take clear decisions in future to determine if the original purpose for which the sanctions were imposed continues to apply.

**Mr. Zhao Yong** (China) (*spoke in Chinese*): China voted in favour of resolution 2244 (2015), which the Security Council just adopted. Since the beginning of this year, the Federal Government of Somalia, with the vigorous support of the international community, has been dedicated to the implementation of Vision 2016, actively safeguarded State security, promoted economic development and improved the people's living standards, which China greatly appreciates. We hope that resolution 2244 (2015) can be fully and accurately implemented, and that it will play a genuinely constructive role in promoting the peaceful reconstruction of Somalia and safeguarding regional peace and stability.

The final report (S/2015/802) of the Monitoring Group under the Somalia and Eritrea Sanctions Committee indicated that no evidence had been found showing Eritrean Government support for Al-Shabaab. In view of changes in the situation, the Security Council should make corresponding adjustments to the relevant

sanctions measures so as to create conditions for the eventual lifting of the sanctions.

China has always supported Africa in resolving African issues in an African way and has encouraged the relevant countries of the region to appropriately resolve their differences through dialogue and consultation and to jointly work for regional peace, stability and development.

**Mr. Rycroft** (United Kingdom): The United Kingdom welcomes today's adoption of resolution 2244 (2015) and the 14 positive votes it received.

The Monitoring Group has a key role to play in keeping the Security Council informed about sanctions issues in a region that is so important to our collective work. At the heart of the Group's ability to do its work is the willingness of Governments to cooperate. Unfortunately, today's resolution reflects two very different approaches to that cooperation. On the one hand, cooperation between the Monitoring Group and the Government of Eritrea is on the wrong trajectory. The Group has not been able to visit Eritrea since February 2011, in spite of successive Security Council resolutions that make clear the importance of the Group being able to discharge its mandate fully by visiting Eritrea. Today's resolution could not be clearer on what Eritrea needs to do: deepen engagement with the Group and facilitate the Group's regular entry into Eritrea. Eritrea is the master of its own destiny and it is at a crossroads, that is, either admit the Group to Eritrea and show the Council that it has nothing to hide and then engage in a serious discussion on the appropriateness of sanctions, or choose continued isolation. The United Kingdom very much hopes that it will choose the first course of action.

On the other hand, in Somalia the Monitoring Group has built a strong relationship with the Government. We applaud the Group and the Government for their constructive engagement throughout the course of the Group's mandate. We are pleased to see the Group spending more time in Somalia. The United Kingdom commends the progress that the Government of Somalia has made in managing its weapons. There are still some worrying reports of weapons being diverted for Government stocks, but the trajectory is the right one.

On public financial management, again there is progress. But much more needs to be done. Proper management of public finances in the run-up to next year's elections is key to ensuring trust between the

Government and its people. The United Kingdom will continue to be at the forefront of efforts to support the Somali Government to strengthen its management of public resources.

The United Kingdom is a strong supporter of the Monitoring Group. We look forward to its reporting over the coming year. We hope that the Government of Eritrea will choose cooperation over isolation.

**Mr. Pressman** (United States of America): The United States strongly supports today's resolution 2244 (2015), which targets many of the most serious causes of instability and insecurity in Somalia and mandates the United Nations Monitoring Group on Somalia and Eritrea to continue its important work. The resolution reflects the Security Council's understanding that the international response to the situation in the Horn of Africa must be comprehensive in order to be effective.

As was highlighted during the Secretary-General's high-level meeting on Somalia during the general debate of the General Assembly at its seventieth session, Somalia's trajectory has turned from State failure towards State-building. That is why the United States strongly supported language in this resolution that underscores the importance of stronger and more transparent legal frameworks and of ensuring regional administrations' participation as Somalia continues to make strides in its State-building process this year.

The United States continues to support the Security Council's commitment to eliminating all sources of funding for Al-Shabaab, including by reauthorizing the maritime interdiction of Somali charcoal exports in order to enforce the Council's ban on such exports. Somalia is clearly a country blessed with rich natural resources, but without stronger legal frameworks and resource-sharing agreements, those potential sources of wealth for all Somalis risk becoming drivers of conflict. We therefore welcome the resolution's attention to those ongoing challenges to governance, and the importance that the Federal Government of Somalia has placed on addressing such issues expeditiously.

The Federal Government of Somalia has sought greater international recognition and support for Somalia's challenges related to the extensive illegal fishing occurring in waters where it has jurisdiction. In recognition of that, today the Security Council acknowledges its concerns about the matter and encourages the Federal Government of Somalia,

with the support of the international community, to undertake efforts to better address this practice.

By supporting full implementation of the measures reflected in today's resolution, Member States will help to promote the long-term peace and stability of the wider region. Additionally, and importantly, we call on all countries to cooperate with the Monitoring Group on Somalia and Eritrea so that this vital body can carry out its mandate effectively. We also call on Eritrea to respond to the Monitoring Group's requests for information and permit the Group to travel to Eritrea. Eritrea's refusal to engage constructively with the Monitoring Group must change before we can take seriously Eritrean calls for these sanctions to be lifted.

Somalis are laying the foundation for a more stable, representative and inclusive Government. The international community and the Security Council must remain engaged in order to ensure that Somalia and the region realize a more peaceful future, and we thank Council members for joining with us in sending that strong message today.

**The President** (*spoke in Spanish*): I now give the floor to the representative of Somalia.

**Mr. Duale** (Somalia): I would like to congratulate you, Mr. President, on your assumption of the presidency of the Security Council for the month of October. I am very grateful for this opportunity to brief the Council today.

I would like to briefly address a few key points. First, the Federal Government of Somalia has worked tirelessly during the past year to reduce major threats to peace, security and stability in Somalia, and has also demonstrated its commitment to complying with the relevant Security Council resolutions, as a number of members of the Council have mentioned today.

I would like to draw the Council's attention to the stark differences between the Somalia of the past — beginning in 1992, when the Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea was established — and the Somalia of 2015. Indeed, the Committee and its mandate were established first when Somalia was in the middle of civil unrest and subsequently, when the mandate was expanded in 2009, during the administration of the nascent Transitional Federal Government, a period when the country lacked federal and regional institutions and financial oversight mechanisms.

In contrast, Somalia today has functioning institutions, including a board of directors for the Central Bank of Somalia, parliamentary oversight committees in the Somali Parliament, and the Office of the Accountant General and the independent Office of the Auditor General, as well as capacity support from the Financial Governance Committee, whose members are drawn from international financial institutions that include the World Bank, the International Monetary Fund and the African Development Bank. The Financial Governance Committee's role is to assist the Federal Government in enhancing its capacities in public finance management and to support the Central Bank of Somalia in its efforts to recover and manage assets, conduct procurement activities, review potential contracts and concessions and establish federal revenue and budget procedures, as well as enhancing the effectiveness of the Central Bank's governance.

Progress has also been achieved on the legislative side. Today, there are four legislative instruments pending before the Somali Parliament of particular relevance to public finance management reform: an audit bill, a public finance management bill, a public procurement, concession and disposal bill and a bill to combat money-laundering and counter-terrorist financing. These institutional and legislative actions demonstrate that the Federal Government is rapidly improving its capacities and now has a proper mechanism in place for overseeing its financial governance.

The Federal Government has also made tremendous progress in establishing and implementing a framework for State-building in Somalia. To that end, it has established new interim regional administrations, a national independent electoral commission and national consultative forum, and has begun an extensive constitutional review process. Three years ago, when the Government was established, it created a vision for 2016 that identified three fundamental elements stipulated by the Provisional Constitution: constitutional review and implementation, completion of the federal system and democratization. The Government is also committed to a peaceful transition of political power in 2016.

Three years later, we are turning that vision into reality. The process of reviewing and revising the Constitution has started. Over the past three years, in accordance with our Constitution, we have supported the formation of three interim regional administrations, and the formation of the last, for the Hiran and Middle Shabelle regions, will proceed soon. That is the last

item remaining for the completion of the federalization map of Somalia. I am also happy to inform the Council that an agreement on resource-sharing between the regions and the central Government has been reached and signed.

Regarding democratization, earlier this week, on 19 October, we began the process of constructing the third strand of statehood, our national consultative forum, which is aimed at facilitating the process of building a State, a task that must be citizen-led. It cannot be exclusive in origin, implementation or outcomes. It must be accessible, representative and inclusive. The voice of the people who may have struggled to be heard in the past must be strengthened, and it is being strengthened. The National Consultation Forum is also intended to facilitate the interest of all the people of Somalia in reaching a common destination, strengthening legitimacy through peaceful and democratic means.

With respect to the security sector, we would like to draw the Council's attention to the fact that on 9 September, the President of Somalia, His Excellency Hassan Sheikh Mohamud, announced sweeping security sector reforms, committing the Government to building a more integrated and accountable security sector. We are currently in the process of carrying out a comprehensive review of the security sector in order to address structural imbalances and inefficiencies. That pending review would include a national threat assessment in order to rationalize and streamline the roles, missions and resource allocations across the security sector.

The Somali Government is committed to undertaking a comprehensive biometric registration process and a security sector financial governance review, with the support of our international partners, in order to establish a foundation on which we can build a transparent and sustainable security sector. Moreover, the Somali Government has made significant gains in liberating nearly 80 per cent of Somalia from Al-Shabaab and, more recently in beginning the process of national troop integration.

Somalia has also made significant progress in the past year in complying with the weapons and ammunition management notification, reporting and control requirements. By way of example, just over the past six months the Somali Government has marked over 4,500 weapons, established a weapons and ammunition technical working group, and agreed

upon the terms of reference for the joint verification team. Furthermore, officials of the Somali Government have held consultative meetings, to initiate the design of a road map to develop a comprehensive national framework governing the full life-cycle of weapons and ammunition. That clearly demonstrates the significant improvements made by the Somali Government in complying with arms notification requirements.

The Somali Government has also been receptive to the Security Council's resolutions and welcomes the reports of the Monitoring Group on Somalia and Eritrea, (S/2015/801 and S/2015/802). The Government of Somalia recognizes that it needs to work with the Monitoring Group, and we reiterate that we do not necessarily agree with all of the findings of the Monitoring Group. However, we will work with the Monitoring Group, and during the next mandate we shall seek to strengthen this relationship further. Once again, we would be pleased to welcome the Monitoring Group to Mogadishu again on a more frequent basis.

Finally, I wish to highlight and underline my Government's appreciation and thanks for the support given by international partners and community. We express our particular appreciation and thanks to the African Union and the countries that contribute troops to the African Union Mission in Somalia.

**The President** (*spoke in Spanish*): I now give the floor to the representative of Eritrea.

**Mr. Tesfay** (Eritrea): I would like to thank you, Mr. President, and the members of the Security Council for giving my delegation the opportunity to participate in a meeting on an agenda item that directly affects my country. I wish to extend my sincere thanks to the Chairman of the Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea and those representatives of different countries who, in defending the principles of impartiality and objectivity and the procedures of the Security Council, have played a constructive role in ensuring that resolution 2244 (2015) would reflect the reality in Eritrea, the Horn of Africa and the Red Sea region.

The two justifications for the imposition of the unjust sanctions against Eritrea were crystal clear. They were Eritrea's alleged support to Al-Shabaab in Somalia and the Djibouti-Eritrean conflict, in the context of their implications to regional and international peace and security. They were nothing more and nothing less than that.

The Monitoring Group on Somalia and Eritrea has concluded that it has found “no evidence that Eritrea was supporting al-Shabaab” in Somalia (*S/2015/802*, p. 3). With regard to the disputes between Eritrea and Djibouti, the Presidents of the two countries have entrusted the State of Qatar to mediate their disputes. Therefore, since the two justifications for the imposition of the unjust sanctions against Eritrea are non-existent, the correct, logical and legal action should have been for the Security Council to immediately and unconditionally lift the unjust sanctions against Eritrea and terminate the mandate of the Monitoring Group’s connection with Eritrea. Any other pretext is unacceptable. It is a political agenda.

Unfortunately, because of the misguided geopolitical agenda of the United States Administration in the Horn of Africa and the Red Sea region, the Security Council has sadly decided to maintain the unjust sanctions against the people and the Government of Eritrea for another year. Sanctions, as everyone knows, affect the poor, especially those who are the most vulnerable: women and children. Moreover, sanctions restrict Eritrea’s capacity and capability to maintain its security and defend its sovereignty and to effectively contribute to the implementation of Security Council resolutions calling on all of us to fight against global terrorism and extremism.

Concerning resolution 2244 (2015), which has just been adopted, it is a decision that defies logic and legality. The Ministry of Foreign Affairs of Eritrea has put out a statement, which I will share for the record. The title of the press release is, “Security Council action that undermines its own legal authority” and it reads as follows:

“In a resolution adopted today, the United Nations Security Council has sadly decided to maintain yet for another year the unwarranted sanctions that were originally imposed against Eritrea on the Christmas eve of December 2009 and its follow-up resolution that was adopted in December 2011.

“At the time, Eritrea was falsely accused of dispatching 2000 troops to Somalia in support of Al-Shabaab. The pattern of unsubstantiated allegations was repeated in 2011 when Eritrea was wrongly accused — just one month prior to the adoption of resolution 2023 (2011) — of sending three plane loads of arms to Al-Shabaab through the airport of Baidowa.

“All these allegations were patently false. But trumped up charges were vital for the architects of the sanctions resolutions against Eritrea who used their diplomatic clout to ram through the unjust measures against Eritrea in a largely pliant Security Council.

“Six years on, all Security Council members and the international community as a whole, are fully aware of the false testimonies that were concocted against Eritrea to serve some political ends.

“Indeed, the United Nations report this year — as it was also the case last year — states categorically that the ‘Monitoring Group’ has found no evidence of Eritrean support to Al-Shabaab.

“Under normal circumstances, the United Nations Security Council should drop its case against Eritrea and rescind the sanctions resolutions which were unjust in the first place. But these are not normal times. And, instead of redressing these injustices — and making due reparations to Eritrea — the United Nations Security Council, despite the reservations and objections of several of its members, has opted to dwell on its misguided course under the heavy-handed prodding of the United States and its usual allies. As it happens, the United Nations Security Council is invoking non-existent facts and potential ‘threats to regional peace and security’ in its dogged desire to harass Eritrea.

“There is one unfathomable fact that the United Nations Security Council cannot gloss over as it unfairly victimizes Eritrea. Ethiopia continues to occupy sovereign Eritrean territories, including the town of Badme, in flagrant violation of the Charter of the United Nations. Ethiopia’s acts also violate the Algiers Peace Agreement — guaranteed by the United Nations Security Council — and the final and binding arbitral decision. This must surely be an affront to the United Nations Security Council in as much as it wishes to hide it.

“The United Nations Security Council is mandated by Articles 39 to 41 of the United Nations Charter to take appropriate measures against Ethiopia. But the United Nations Security Council cannot contemplate this action as Ethiopia enjoys the full protection and tutelage of the United States. But in submitting to the United States political

wishes and preferences, the United Nations Security Council is compromising and undermining its own legal mandate and authority. Eritrea and the region will suffer the consequences of unwarranted United Nations action in the short-term. But in the

long term, the real casualty is international law, as well as the corrosion of the United Nations Security Council' legal authority in the maintenance of international peace and security.”

*The meeting rose at 10.40 a.m.*