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PEACE AND SECURITY COUNCIL

245th MEETING

15 OCTOBER 2010

ADDIS ABABA, ETHIOPIA

PSC/MIN/1(CCXXXXV)

COMMUNIQUE

**COMMUNIQUE OF THE 245th MEETING OF THE
PEACE AND SECURITY COUNCIL**

The Peace and Security Council of the African Union (AU), at its 245th meeting held at ministerial level, on 15 October 2010, adopted the following decision on the situation in Somalia:

Council:

1. **Takes note** of the Report of the Chairperson of the Commission on the situation in Somalia [PSC/MIN/1(CCLXIII)], as well as the statements made by the representatives of the Transitional Federal Government (TFG) of Somalia, the United Nations, IGAD, Uganda and Burundi as Troop Contributing Countries (TCCs), the European Union and the United States ;
2. **Recalls** all its previous decisions and press statements on the situation in Somalia;
3. **Reiterates** its commitment to respect for the unity, territorial integrity and sovereignty of Somalia, and **reaffirms its full support** to the TFG. Council **reiterates further** the commitment of the AU to continue to provide political and diplomatic support to the TFG, work towards enhancing security to create a more conducive environment for the Transitional Federal Institutions (TFIs) to discharge their obligations, assist the TFG in the effective re-establishment of governmental institutions, including security and police forces and public institutions, and facilitate humanitarian action, while providing, within its means, assistance to needy Somalis;
4. **Welcomes** the appointment by the Chairperson of the Commission, in line with relevant IGAD and AU decisions, of former President Jerry John Rawlings of Ghana as the AU High Representative for Somalia, and **appeals** to the Somali parties and all AU partners to extend full cooperation to President Rawlings as he works to galvanize, both within and outside the continent, increased support for efforts to promote peace and reconciliation in Somalia. To this end, Council **encourages** the High Representative to work in close cooperation and coordination with IGAD and the countries of the region, as well as with the UN and other AU partners;
5. **Expresses concern** over the prevailing security situation in Mogadishu, in particular, and in Somalia, in general, and **condemns**, in the strongest terms, the unabating violence, human rights violations and other heinous acts of violence, including indiscriminate mortar attacks, suicide bombings and targeted assassinations against the Somali people, the TFG and AMISOM, with the guidance and support of foreign elements, as well as the spread of such criminal actions in the region and beyond as attested by the despicable Kampala bombings of 11 July 2010;
6. **Expresses concern** over the worsening humanitarian situation in Mogadishu and other parts of Somalia, marked by declining access, intimidation and attacks against humanitarian workers by al Shabaab and Hizbul Islam, in violation of international humanitarian law, and reduced funding for humanitarian activities. Council **pays tribute** to

all humanitarian agencies and workers in Somalia, **expresses appreciation** to the countries and organizations providing support for humanitarian activities in that country, and **urges** members of the international community to respond generously and with the flexibility required to the Consolidated Appeal for Somalia;

7. **Reiterates** the commitment of the AU to respecting the sanctity of human life, as articulated in the AU Constitutive Act, and with particular reference to the AU's efforts in Somalia, **reaffirms** the AU's commitment to fully adhere to, and respect, International Humanitarian Law (IHL) in AMISOM's operations. In this respect, and as part of the overall efforts to better protect civilians, Council **encourages** the Commission to mainstream the draft AU Guidelines for the Protection of Civilians in Peace Support Missions, developed following the Symposium held in Addis Ababa from 3 to 5 March 2010, into the activities of AMISOM as the Mission does its utmost to avoid collateral civilian casualties;

8. **Further reiterates** AU's commitment to respect for, and promotion, of human rights on the continent and, in this regard, **welcomes** the steps so far taken by the African Commission on Human and Peoples Rights (ACPHR) regarding the situation in Somalia. In this respect, Council **urges** the TFG to respond positively to the request made by the ACPHR to send a fact-finding mission to Somalia to investigate human rights violations, so that the visit can take place in earnest;

9. **Notes** the efforts exerted in addressing the problem of piracy and armed robbery at sea off the coast of Somalia, including relevant Security Council resolutions, the current naval operations in the area and regional efforts, and **stresses** that any lasting solution to this problem requires that the underlying problems within Somalia itself and that other equally serious scourges affecting the livelihoods and well-being of the Somali people, in particular, the dumping of toxic waste and illegal fishing off the coast of Somalia, be effectively and swiftly addressed. Council **requests** the Commission to pursue and intensify its efforts towards a comprehensive approach to the issue of piracy, based on relevant AU decisions and the conclusions of the workshop on maritime security and safety held in Addis Ababa on 4 and 5 April 2010, including the elaboration and conclusion of an international convention on the issue of piracy within the framework of the UN General Assembly. Council **further requests** the Commission to establish a technical working group to analyse and make an input to UN initiatives regarding the prosecution and imprisonment of persons responsible for acts of piracy and armed robbery at sea, with the view to making them more comprehensive. Council **also requests** that the mobilization, including in terms of resources, displayed by the international community in the fight against piracy and armed robbery at sea, be also channelled in support of the ongoing efforts by the AU on the mainland;

10. **Notes with serious concern** the recent political developments, notably the wrangling and divisions within the leadership of the TFIs, the impasse in the Transitional Federal Parliament (TFP), the intervening delay in the implementation of the transitional tasks under the Transitional Federal Charter (TFC) and the Djibouti process, which combined have seriously undermined the ability of the TFIs to effectively discharge their responsibilities and efforts so far deployed to promote peace, security, stability and reconciliation. Council **emphasizes** that the Somalis, in particular their leaders, have the primary responsibility for

the restoration of peace, security and stability in their country and **strongly urges** the leadership of the TFIs and all other stakeholders, in the best interest of Somalia, to show selfless leadership, resolve and unity of purpose, for without such dispositions, no amount of external assistance will make it possible to effectively turn around the situation in Somalia.

11. **Takes note** of the appointment of a new Prime Minister designate, and **calls on** the TFIs to move with deliberate speed to:

- (i) ensure the confirmation of the new Prime Minister by the TFP and the formation of a new Government,
- (ii) develop a roadmap regarding the management of the remaining transition period, with clear political, security and reconstruction priorities, in line with the Djibouti process,
- (iii) expeditiously complete the outstanding transitional tasks, including the constitutional process which should be finalized with nation-wide **consultations and input from the** Diaspora, bearing in mind that 20 August 2011 will mark the end of the transitional period,
- (iv) continue to reach out to all peace-embracing Somalis, in a spirit of inclusiveness, bearing in mind that the Djibouti peace process **remains** the sole basis for peace and reconciliation in Somalia. Council **strongly urges** the TFG and the Ahul Sunna Wal Jama'a (ASWJ) to take the necessary steps for the speedy and full implementation of their commitments under the Agreement they signed in Addis Ababa, on 15 March 2010, and
- (v) urgently endorse the draft National Security and Stabilization Plan and the Security Sector Assessment Report, in order to ensure national ownership and to enable partner support for their implementation;

12. **Requests** the Chairperson of the Commission, through his Special Representative for Somalia, to broaden consultations with Somaliland and Puntland, as part of the overall efforts to promote stability in those regions and further peace and reconciliation in Somalia as a whole;

13. **Notes** the commendable efforts made by the Commission towards the implementation of the decisions of the 15th Ordinary Session of the Assembly of the Union held in Kampala, from 25 to 27 July 2010, and, in this regard, **endorses** the recommendations outlined in paragraphs 62 to 75 of the Report of the Chairperson of the Commission on the situation in Somalia, which once implemented will enable the Mission, within the framework of an enhanced mandate, to better support the peace and reconciliation process, including the achievement of the remaining transitional tasks, the improvement of the security situation, to enable the TFIs discharge their responsibilities to assist in the establishment of effective governmental institutions, including security and

police forces and public institutions, and to support and facilitate peacebuilding recovery and humanitarian efforts. More specifically, Council **endorses** the new force strength of 20,000, with the requisite air and maritime capabilities (paragraph 68), the enhanced police component of 1,680, comprising 560 police experts on mission and eight (8) Formed Police Units (FPUs) of 140 each (paragraph 74), and an enhanced civilian component;

14. Urgently **calls on** Member States to provide the required military and other personnel, including police, for AMISOM to reach its newly authorized strength, as well as to contribute to the mobilization of the necessary logistical and financial resources, bearing in mind the need for Africa to demonstrate renewed determination and sense of solidarity with Somalia, one of the OAU founding members;

15. **Appreciates** the invaluable support, including political, financial and logistical, provided so far by the international community, in particular the United Nations and other AU partners, including the European Union and its member States, the League of Arab States, the United States and other bilateral partners, which has made ongoing AU efforts for Somalia possible, and **further calls** on them and, in particular, the Security Council to take the decisions now required of it in line with its primary responsibility for the maintenance of international peace and security, by:

- (i) endorsing the revised concept of operations and newly-authorized strength of AMISOM, namely, 20,000 troops for the military component, 1,680 for the police component, comprising 560 police experts on mission and 8 Formed Police Units of 140 each, and an enhanced civilian component,
- (ii) authorizing an enhanced support package for AMISOM, funded through UN assessed contributions, on the basis of the newly-authorized strength, and catering for reimbursements for Contingent Owned Equipment (COE), including minor and major equipment, and the payment of troop allowances at UN rates, in order to ensure adequate, predictable and sustainable support to the Mission. In addition, Council **requests** that such support be availed to the Mission both within and outside Somalia, as required,
- (iii) imposing, in response to the request by the AU and the region, a naval blockade and a no-fly zone over Somalia to prevent the entry of foreign elements into Somalia, as well as flights and shipments carrying weapons and ammunitions to armed groups inside Somalia which are carrying out attacks against the TFG, AMISOM and the Somali population. In this respect, Council **urges** the Security Council to request the naval operations undertaken off the coast of Somalia and with its authorization, to provide a more direct and tangible support to AMISOM, the modalities of which will be subsequently defined between the concerned countries and organizations, on the one hand, the AU, on the other,
- (iv) ensuring the effective implementation of sanctions against all those impeding the peace and reconciliation process in Somalia, in particular through

financial, material and logistical support to groups waging attacks against the TFG, the Somali people and AMISOM,

- (v) approaching the issue of piracy off the coast of Somalia in a holistic manner, with the view to effectively addressing its underlying causes and other equally serious threats which affect the livelihood and well being of the Somali people, in particular illegal fishing and dumping of toxic substances and waste off the coast of Somalia,
- (vi) reaffirming its commitment to deploy a UN peacekeeping operation in Somalia through the re-hatting of AMISOM and to urgently establish a timeline for this deployment;

16. **Calls on** the larger international community, including the League of Arab States, the European Union and its member States, the Organization of the Islamic Conference, the United States and other bilateral partners to continue to provide political, financial and other support for AMISOM and the TFG. Council **also stresses** the critical importance for continued and enhanced technical, logistical and financial support for the TFG security forces and police, to enable them to fully discharge their role, as well as the need for adequate support in the areas of capacity building for other sectors of governance, including administration, early recovery and reconstruction, notably within the framework of the Istanbul Declaration;

17. **Reiterates, once again**, its appreciation to the Governments of Burundi and Uganda for their unwavering commitment to the advancement of the cause of peace and reconciliation in Somalia and **welcomes** their commitment and readiness to contribute more troops and resources to AMISOM. Council **commiserates** with the Governments of the Republics of Burundi and Uganda and the families of those soldiers who have paid the ultimate price in our pursuit of peace, stability and reconciliation in Somalia;

18. **Calls on** other Member States to contribute troops and other personnel required for the Mission. Council **commends** the troop generation efforts of the Commission and **also requests** the Commission to further intensify this and related efforts aimed at guaranteeing the availability of the required resources for the potential Troop Contributing Countries;

19. **Notes with satisfaction and gratitude** the notable contributions of different AU organs and institutions, in particular the African Union Inter-African Bureau for Animal Resources (AU-IBAR) and AMISOM for the dedication and good work done in supporting the peace, security, reconciliation and recovery efforts in Somalia. Council **expresses** deep appreciation to the Special Representative of the Chairperson of the Commission (SRCC), Ambassador Boubacar Gaoussou Diarra, the military and police leadership of the Mission and all AMISOM personnel for their dedication and commitment;

20. **Requests** the Chairperson of the Commission to transmit this communiqué to the UN Security Council to seek its support and to actively engage all AU partners to mobilize further support for the ongoing efforts in Somalia;

21. **Decides** to remain seized of the matter.