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**JOINT STAFF WORKING DOCUMENT**

**on an "Integrated EU approach to Security and Rule of Law in Somalia"**

## **Joint Staff Working Document on an "Integrated EU approach to Security and Rule of Law in Somalia"**

### **Executive Summary:**

The EU is a significant contributor to the Somali security and rule of law sector and its activities are wide ranging (political, CSDP, stabilisation and development), but a truly holistic and comprehensive approach at the conceptual stage needs to be developed. The EU's principal interest is now in ensuring that the positive momentum of the post-transitional period is maintained and that the country progressively moves from conflict and fragility to self-supporting resilience. The support needs to "tilt the balance" from security provided by external actors, towards an ultimately self-sustaining Somali security and rule of law sector. There is also scope to enhance synergies and ensure all actions reinforce the EU political agenda and adapt to the new political reality in Somalia.

This Joint Staff Working Document sets out some elements for consideration for an integrated EU approach for future engagement in support of the development of a Somali security and rule of law sector and provides a way-forward in this endeavour. It contributes to the upcoming Brussels' conference in September and the envisaged conclusion of a "New Deal Compact" between the international community and Somalia. The Joint Staff Working Document has been developed by the EEAS in close cooperation with Commission services, the EUSR and the EU Delegation. Member States could consider whether further follow-up is needed and in what form.

The Joint Staff Working Document builds on the Horn of Africa Strategic Framework and previous discussions on Somalia. It suggests possible objectives and key lines of action around three potential core parameters for EU action: Somali ownership and responsibility; close coordination with other actors; and coherence and synergies between EU instruments.

Indications are offered on how CSDP action could in the future respond to the new situation, but also how CSDP could be increasingly coordinated and aligned with other instruments under a more shared EU approach.

The Joint Staff Working Document is based on an analysis of recent development in the Somali security sector: despite recent significant territorial gains, principally by AMISOM forces, Somali authorities again are facing considerable security challenges. Dependence on AMISOM and neighbours for security will continue as Somalis gradually build up their own capacity. A new UN advisory mission is coming in, and non-traditional donors like Turkey and the Gulf countries will have to be taken into the fold of international coordination. Internally, inclusive relations of the federal government with several regional authorities (and also with Kenya and Ethiopia) are key political pre-requisites to ensure sustainable security improvements in Somalia.

To support Somali ownership, it is necessary to: a) further help develop and implement credible plans in areas of defence, police, maritime security and justice sectors; b) capture the key security and rule of law priorities for the period 2014-2016 in the Transition Compact; c) integrate linkages of security and rule of law with stabilisation, political outreach and peace-building; d) integrate Public Finance Management into security and justice sector planning; e) quickly develop efforts in newly liberated areas and f) deliver more EU support inside Somalia; g) strengthen the resilience of the national and local institutions and advance their capacity to prevent, mitigate and cope with the impacts of violence.

In order to ensure close coordination with other actors it is suggested to examine whether to: a) prioritise synchronisation of support with AMISOM roll out into "new areas"; b) maintain close partnership with AU (including by looking for long-term funding sources from other

partners); c) closely engage with UNSOM; d) bring "new donors" like Turkey and Gulf, but also Kenya and Ethiopia, into the fold of consultation and planning and, finally e) actively support on-going work to develop and start implementing a Somali maritime security strategy.

For improving coherence and synergies among EU instruments it is proposed to discuss with Member States in PSC the ideas set out in this paper.



## **1. OVERVIEW:**

1. The Somali Government's overarching priority is security and rule of law and has to be taken forward under increasing Somali ownership and direction. But despite recent significant territorial gains, principally by AMISOM forces, Somali authorities are facing exceptionally difficult security challenges. There will continue to be a strong dependence on AMISOM and neighbours for security as they gradually build up their own capacity.
2. The EU's principal interest is in ensuring that the positive momentum of the post-transitional period is maintained and that the country progressively moves from fragility to self-supporting resilience. The EU needs to adapt its support over time to “tilt the balance” from security provided by external actors, towards an ultimately self-sustaining Somali security and rule of law sector.
3. In light of the strong political interest in supporting Somalia and the significant funding allocated to this support, the EU needs to ensure its wide range of instruments are meeting the evolving priorities in an increasingly coherent and adaptable manner.
4. This Joint Staff Working Document, which has been prepared by the EEAS, in cooperation with the Commission services, EUSR and EU Delegation, sets out some elements for consideration for an integrated EU approach for future engagement in the area of security and rule of law in Somalia.
5. It builds on the Horn of Africa Strategic Framework and the January 2013 Discussion paper on Somalia<sup>1</sup>, through the following strategic objectives:
  - Maximising effectiveness of Counter Terrorism and Counter Piracy efforts
  - Speeding up training and installation of a unified Somali military and police capacity
  - Building effective and impartial justice structures and a legislative framework based on democratic principles. Guaranteeing effective civilian oversight and accountability of the security forces in line with federal requirements
  - Promoting reconciliation, accountability and outreach at federal and community levels
6. The Joint Staff Working Document takes account of the January 2013 Member State recommendations on applying lessons of CSDP support to Security Sector Reform<sup>2</sup>. Further, it takes stock of the outcomes of the London Conference, including the security sector plans and helps prepare for the Brussels Conference on 16 September, where partners will commit to a New Deal Compact.<sup>3</sup> PSC views are sought on these elements.

## **2. SECURITY SECTOR DEVELOPMENTS**

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<sup>1</sup> "Discussion Paper for the EU's approach in post-transition Somalia", EEAS/COM, Council/ PSC document 03/13, 11.01.2013

<sup>2</sup> PMG and CivCom recommendations / advice in response to the CMPD paper "Lessons of CSDP support to Security Sector Reform", EEAS document 01011/12, 16.07.2012

<sup>3</sup> The Compact is an instrument that will enable the Somali Federal Government of Somalia (SFG) and international partners to reach agreement on priority actions requiring a collective effort in a commitment to deliver on the New Deal's Peacebuilding and Statebuilding Goals in Somalia's post-conflict situation. These goals are: 1) Inclusive politics, 2) security, 3) justice, 4) Economic foundations, 5) revenues and services

## **2.1 Security situation**

7. There has been some clear progress on security and governance in Mogadishu. Al Shaabab (AS) has been driven out (or moved out) of major cities in South and Central Somalia, with communication routes increasingly opening up, albeit not fully secured. The situation remains fragile.
8. Whilst AS operational capacities have been diminished and it has largely lost its capacity to act as a conventional military force, its transformation to asymmetric attacks provides an additional and in many ways more complex challenge to AMISOM, Somali National Armed Forces (SNAF) and wider allies. General security in South Central Somalia remains deficient and AS still controls vast swathes of rural areas. Their ability to conduct “hit and run” operations and terror attacks<sup>4</sup> anywhere remains high and in some areas is increasing. Further, there has been an increase of incidents in the Northern regions (Puntland and Somaliland) potentially due to AS movement to the North, although these incidents could be also attributed to bandits.
9. The military campaign to retrieve further territorial control from AS has slowed down in the last few months with the unwelcome consequence of a loss of momentum on both the security and political fronts. It has given AS the space to revise its strategy, it has slowed down the momentum of political arrangements in the regions and it has contributed to the Ethiopian decision to withdraw from Baidoa.
10. New risks to the general security are arising in the areas liberated by AMISOM and SNAF, particularly where they are too over-stretched to maintain a presence and where the state or sub-state structures are not yet delivering wider services. Local actors assuming leadership are using self-defined law, with local militias even confronting federal forces. Close coordination is needed between SNAF, AMISOM and allied forces in light of potential redeployment and withdrawal. If not supported, relatively stable areas like those under control of Ahlu Sunna Waljama’a, Galmudug, Puntland and Somaliland could destabilise. National and international security forces remain geographically bound to the AMISOM mandated areas and are unable to respond to changing threat profiles in the North.
11. The situation in Kismayo and Jubaland is still very unclear. Kenya has been inactive and its forces are only used for securing the harbour and airport. Several self-proclaimed presidents are competing for control as clan based problems are evident. The role of central government is ambivalent and it is opposing "elections" and the Jubaland project in general. The security situation may not in the short term deteriorate further while all players are trying to secure their areas of interest. As AS is still strong in the region and they are likely to take advantage of the divisions among the clans.
12. Despite the significant recent reduction in piracy levels<sup>5</sup>, it continues to pose a serious threat to security both at sea and on land. The criminal networks involved in piracy remain unchallenged and, though being tempted by other illegal activities in the short term, would return to piracy if naval forces and maritime industry started to lower their guard.
13. Other transnational crimes, feeding into the war economy (smuggling of arms, drugs and humans) constitute a further risk to stability.

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<sup>4</sup> As evidenced most recently by the 19 June attack on the UN compound and the 14 April suicide bombings targeting the supreme court and the airport road in Mogadishu

<sup>5</sup> 30 hijacks and 700 hostages at their peak in 2011 to only 2 ships and 54 hostages held at present

## **2.2 State of Somali security capacities:**

14. The security progress is due to the actions of AMISOM and other allied forces. However, the Somalia National Armed Forces (SNAF) are playing an increasingly important role. The training of more than 3,000 soldiers and officers by EUTM has contributed considerably to their operational capacity. The SNAF are now increasingly active in supporting operations in and near Mogadishu with around 10,000 troops. The overall capacity of the SNAF remains difficult to quantify, but is potentially close to 20,000. However a substantial number of these troops are not firmly under the overall government security architecture, but operating relatively independently or with the support of external actors such as Ethiopia.
15. The Somali police force (SPF) currently consists of around 5300 officially registered officers, to hit 6000 after the current training round is completed. Currently, the SPF is almost non-existent in areas outside of Mogadishu and is rarely in a position to take over functions of public security from military forces. Possibilities for reliable policing in the Newly Accessible Areas need to be explored and supported. Local security arrangements exist, albeit with varying capacities and loyalties to the SFG. Rule of law and justice institutions remain precarious or non-existent. Both police and justice institutions should slowly come under negotiated frameworks that will merge into nationally defined federated structures. There is a need for a degree of realism that the national police should not take over the fight against AS, but police structures should nevertheless free resources of the military tied on police tasks to move to true civilian policing in areas recovered from AS.
16. Human rights abuses (including murder, rape, torture, arbitrary arrest and detention, looting) committed by the Somali Security forces should not be overlooked. Failure to address such abuses strengthens the culture of impunity and insecurity and undermines any trust in the authorities. Creating a relationship of trust between the civilian population and the security forces is critical, and necessitates a substantial improvement in the respect for human rights and accountability of the security forces for serious abuses. Similarly, violations of International Humanitarian Law also erode trust and therefore ensuring compliance with IHL from all parties is crucial.
17. Dependence on external actors remains high. The SNAF's overall capacity to assume responsibility in the security domain remains limited due to their deficient command and control capacities and serious lack of combat support and combat service support capacities. The nascent security structures have still to become truly "national forces" beyond existing clan allegiances. Newly trained Somali forces could constitute a risk, as was identified during EUTM Somalia mission planning, if they do not continue to be properly paid, sustained, commanded, organised (also in respect of clan balance), equipped and maintained under the authority of the Federal Government – this will put an inevitable increased burden on the already weak Federal budget.
18. To counter AS, the Government intends to follow a broad approach ranging from reconciliation to military action and countering violent extremism. For the foreseeable future, President Hassan Sheikh acknowledges there remains a dependence on AMISOM continuing to provide a substantial military force, albeit seeking increasing Somali leadership on security priorities. There is a recognition that the presence of external forces in the country feeds into the AS narrative of 'being under foreign occupation'. A national Public Information Campaign needs to be developed to counter the effects of AS influence.
19. As security operations continue, a number of challenges are becoming critical. This includes how to deal with disengaged combatants and the conduct of negotiations

surrounding any integration of existing militia into the national structure. It also includes issues such as child soldiers, impunity of war crimes, human rights and sexual violence by men in uniform<sup>6</sup>. Any of these could force a suspension of EU (and other partners) support and/or to fatally undermine the legitimacy of the SFG, and thus its ability to operate effectively, including in the security sector.

20. Key underlying reasons for weak security provision as recently outlined by the SFG<sup>7</sup>:

- Complex and uncoordinated security delivery from multiple bilateral providers.
- Limited military capability
- Limited funds and expertise to expand/create capability
- Persistent perception of non-cohesive government combined with unclear command and control structures
- Weak financial controls and lack of civilian oversight accountability, and respect for human rights.

### **2.3 Status of Somali security sector planning and policies**

21. The new Federal Government has put security and the rule of law at the very top of its agenda during its four year mandate. There is real willingness to increasingly direct the necessary internal transformations, however, the development and implementation of key security policies and plans still requires external assistance and mentoring.

22. Over time, it will be essential that Somalis themselves are capable of ensuring public order and security on land and at sea. This is the only viable exit strategy for the international community, and the only lasting solution. This would imply that security capabilities and institutional structures, both military and civilian are developed within the broader political framework and in respect of the Provisional Constitution.

23. Increased Somali ownership needs to go hand in hand with increased responsibilities and accountability and oversight mechanisms. Clear demarcation of tasks in security and rule of law among the different ministries, as well as collaborative relationships with the Federal Parliament and between federal and regional administrations, are of key importance. Full respect of the security and justice needs of the population needs to be factored in, including dialogue with civil society. The swift establishment of a National Security Council (still not convened) and a security coordination mechanism (as successor of the Joint Security Committee) and related bodies is crucial. In line with the Presidential priorities, this also implies greater Somali control over the resources of the state and further steps to weaken the entrenched war economy that fuels on-going conflict and fighting.

24. The Somali National Security Plan (for which the London Conference delivered the framework) and the overarching National Security Strategy will harmonize and develop the substantial work that has been undertaken to date and set a course for the Government of Somalia and the international community to follow in the short, medium and long term. It will also set out Somali Government policy in a number of areas including integration of militias and the development of a national security architecture. Lower level action plans

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<sup>6</sup> See UNPOS/UNDP/UN Women 2012 report on "Violence in the lives of girls and women in the Somali Republic" to be shortly published

<sup>7</sup> Presentation to the "core group" in Mogadishu on 14 March 2013



have already been articulated in the police and justice sectors as well as the immediate requirements for the Armed Forces.

#### **2.4 International partner support:**

25. For the London Conference on 7 May, a framework for the National Security Plan was delivered, setting out the requirements for an affordable, sustainable and cross-cutting plan, outlining policies for the development of national security architecture under civilian and democratic oversight. London further delivered a number of Somali-owned sectoral (Armed forces, Police and Justice) plans, focussing predominantly on short-term requirements (immediate requirements in the case of the Armed Forces). These were backed by a number of international pledges of support.
26. The Brussels Conference on 16 September will seek to maintain Somali and international focus and momentum through agreement of a New Deal Compact between Somalia and the international community. The Compact for Somalia will in essence be a short to medium-term strategic document (2014-2016) focusing on the top national priorities that will help lead the country out of fragility and towards a more sustainable socio-economic development. Security will be a key element (alongside political inclusiveness, justice and rule of law, economic foundations and revenue/services). It will bring together the range of instruments used by the international community to support Somalia with the aim of improving delivery of impact, streamlining flows of international development cooperation (and other support streams) and leading ultimately towards an increased reliance on Somalia owned-systems. Joint financing strategies and joint risk assessments will be used for improving development effectiveness, country systems will be strengthened and timely and more predictable aid will then be provided through more flexible instruments. The Compact's security-related segment will focus on the key short-term priorities for the country: these priorities will likely be distilled from the National Security Plan's framework and other existing plans mentioned in paragraph 25.
27. The UNSC agreed in resolution 2093 to establish a new and expanded special political UN mission (to replace UNPOS). The new mission, UNSOM, deployed a core team with effect from 3 June. Four key tasks are identified: (1) good offices and reconciliation, (2) strategic advice, (3) human rights and (4) coordination. The core function of the Mission is to act as an enabler. The Mission will not be responsible for delivering either support to national security (role of AMISOM supported by UNSOA) or operational programmes (UN Country Team).
28. The African Union plays a critical role in Somalia with its provision of troops through AMISOM (although the vast proportion of funding support comes from EU and other international partners). UN has recently renewed the AMISOM mandate to 28 February 2014.
29. The EU and its Member States, as well as the US, are the principal financial contributors to the Somali security sector, but there is increasing interest from partners such as Turkey, the Gulf States and Egypt and it is essential to manage relations with these new partners for coherent international support.

### **3. EU ROLE AND LINES OF ACTION**

#### **EU interests**

30. Under-development and the absence of state control create a situation where piracy, terrorism, smuggling, poverty and food insecurity, illegal immigration and trafficking can flourish, with a direct impact on Europe's security and wider interests.

#### EU commitment

31. Within the overall context of supporting Somalia on the path to resilience and help it emerge from fragility, the EU should continue to help develop Somalia's security capacity which is accountable to political authority. Equally, the EU should continue to support the coverage of the rule of law across the country, providing protection for the population and respecting human rights. The EU will also strive to guarantee that all parties ensure safe and unhindered access to humanitarian aid and to comply with their obligations under international humanitarian law.<sup>8</sup>

#### Possible EU Objectives

32. Building on the Horn of Africa Strategic Framework and the January 2013 Discussion Paper on Somalia<sup>9</sup>, the EU could consider supporting security development in Somalia through:

- Maximising effectiveness of Counter Terrorism and Counter Piracy efforts
- Speeding up training and installation of a unified Somali military and police capacity
- Building effective and impartial justice structures and legislative framework based on democratic principles. Guaranteeing effective civilian oversight and accountability of the security forces in line with federal requirements
- Promoting reconciliation, accountability and outreach at federal and community levels

#### Possible guidelines for action

33. EU support should be adapted to the changing security environment. The planning of future EU support to the Somali security sector could thus consider adopt the following key parameters:

- I. **Somali ownership and responsibility** - this will imply an effort on reconciliation and standing mechanisms for relations between elements of a potential federal system (centre vs. periphery), draft sector policies and developing the necessary federal structures and capacities. It also entails developing good neighbourly relations.
- II. **Close coordination / cooperation** with other actors (e.g.: the new UN mission and AU) while respecting the Somali responsibility of leading on drafting and implementation of strategies and policies.

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<sup>8</sup> *Conclusions of the 3218th Foreign Affairs Council meeting, Brussels, 31 January 2013*

<sup>9</sup> *"Discussion Paper for the EU's approach in post-transition Somalia", EEAS/COM, Council/ PSC document 03/13, 11.01.2013*

- III. **Coherence and synergies between EU instruments** to fully exploit complementarities of CSDP, Commission and Member States actions. Test integrated assessment and planning approaches.

The EU is a very significant contributor to the Somali security and rule of law sector and its activities are wide ranging (political, CSDP, stabilisation and development), but a truly holistic and comprehensive approach at the conceptual stage needs to be developed. Whilst broad ranging in its combined application, EU action up to this point has been focussed on addressing specific needs, based principally on single instrument-oriented actions. There is scope to enhance synergies and ensure all actions reinforce the EU political agenda and new political reality in Somalia. The EU Operations Centre's mandate should be exploited to enhance synergies and improve coordination among CSDP missions. The EU should improve strategic impact and visibility of its different missions, programmes and projects.

#### **4. ELEMENTS TO CONSIDER FOR EU ACTION**

**PSC views are sought on the ideas set out below.**

##### **4.1 Supporting Somali ownership and responsibility**

- A. Jointly with other actors, and taking forward the progress from the London Conference, the EU should continue to support the elaboration of a clear Somali-led political framework, of **credible strategies and plans to reform and develop the defence, police, maritime security and justice sectors**. These will sit under an overarching National Security Plan and National Security Strategy. The overall principle should be to facilitate the hand-over of responsibility on all security and rule of law related aspects.
- B. **Somali security sector and rule of law plans should be reflected in the Transition Compact** which will hopefully be agreed by Somali and international partners at the EU-Somalia Conference in Brussels this September. Identification and prioritisation of any further EU activity will flow ultimately from the Compact and these lower level plans.
- C. **Security should not be seen in isolation** but must be integrated in the broader political and development agenda, taking into consideration specific stabilisation support strategies that include political outreach, state-building, basic services and peace-building strategies.
- D. **Public Finance Management should be integrated in Security and Rule of Law Sector related dialogue and assistance**. Options should be developed to ensure long term funding of the Somali security sector, in particular stipends for armed forces and police, without forgetting the judiciary apparatus.

Rationale: Sustainable payment of a larger Somali security and police force is the only viable option to reduce and ultimately allow exit of AMISOM as a stabilisation force. It is also more cost effective and a key priority of SFG. This should be accompanied by a proper risk assessment.

- E. **Give short term priority to stabilisation efforts**. Timing is of the essence in current efforts to secure, stabilise and develop. Losing momentum now will cripple the

strategy and increase the cost of achieving the longer term objectives of stability in Somalia and possible exit of CSDP actions. In the absence of stabilisation and development, political integration will be difficult and undermine the Government's credibility. Initial military achievements risk being undermined. Key challenges are moving funds and implementers to "liberated" areas while also continuing to support relatively stable areas.

- F. **EU could consider** further ways to respond to the clear expectation of the Somali authorities that support should be delivered in Somalia. Following on from EUTM's move to Mogadishu, this should include exploration of all options for **establishing a Delegation in Mogadishu** and bring other CSDP missions closer to Somalia. The lack of a Delegation and assets within Mogadishu itself perhaps more than any other factor currently limits the capacities of the EU to respond to its ambitions to expand its existing limited presence inside Somalia and engage directly with the new authorities. The EEAS is working with all EU actors on the ground to find an affordable way to establish this physical presence. However, within existing resources, options are limited

#### **4.2 Close coordination with other actors**

- A. **Synchronising action of all support is essential.** The pace of AMISOM roll out and improved integration of Somali armed forces accompanied by rapidly enhanced police/justice capacity become the key. The glue to the effort lies in both coordinating the different "stakeholders" and ensuring responsive delivery of assistance. This is not taking place effectively enough yet.
- B. **The EU needs to maintain and further develop its partnership with AU and AMISOM.**
- i) Continuation of Africa Peace Facility (APF) financial support in the short term. EU activities in the military domain need to be conducted in full coordination and complementarity with AMISOM mandate. In particular the **partnership established around the training of Somali forces** needs to be enhanced now that EUTM support is moving increasingly into Somalia itself.
  - ii) For the medium term, the EU could explore all opportunities for **sharing the burden of its significant financial support to AMISOM** with other partners, including the AU itself.

Rationale: The EU, via the APF, has committed almost EUR 480 million in financial support to AMISOM since its inception in 2007 (currently around EUR 17 million per month, mainly for AMISOM troop allowances). The EU, as a main donor, should further translate into close partnership with the Mission on the ground and, notwithstanding AU ownership, leverage of the EU in shaping mid and long term perspectives of the mission.

- C. **Explore closer synergies with the UN and its future mission.** The EU could further engage to shape the structure of the mission, including through engaging via its Members in the UN Security Council. The EU could also explore the possibility of embedding EU experts, or giving EU responsibility to lead particular pillars under coordination of the UN mission (eg. military training).

Rationale: The EU and its Member States are important contributors to UN efforts in Somalia, and we have a clear interest in shaping its activities. There is already substantial EU funded UNDP work in the Somali security sector. The future UN Mission is expected to have an increased role in security, rule of law and justice, and

should incorporate from the beginning options for synergies and close cooperation with the EU and its missions and programmes.

**D. Efforts should continue to bring Turkey and other potential “new donors” (such as the Gulf countries or Egypt) under agreed coordination frameworks.**

**E. Regional countries need to be associated with our strategic thinking and planning.**

Rationale: Developments in Somalia are of clear importance to the region. Ethiopia and Kenya are critical actors in security matters relating to Somalia. If they are not satisfied with conditions in Somalia they will intervene. They must thus be brought into the fold of consultation and planning. Uganda remains critical as the main troop contributing country to AMISOM.

**F. We should actively support, in cooperation with the UN, IMO and others, and building on the EU support already provided to countries in the region on maritime security, the current development of a Somali Maritime Security Strategy.** EUCAP could be the primary tool for this. Alternatively, given the active present support to Maritime Security under IfS and EDF in the region, these mechanisms could possibly be expanded to also include this issue in Somalia. As the draft Somali Maritime Strategy develops, it will provide opportunities for EU assistance in building sustainable capacity amongst Somalis, and support to Somali authorities in using, protecting and managing their maritime domain. Mutual commitments on maritime security, following-on from the UAE-sponsored event on this topic, could also be part of the Brussels conference.

#### **4.3. Coherence and synergies between EU instruments**

A. The EU should increasingly demonstrate the ability to act under "one" vision for Somalia's security and rule of law sector support. On the basis of the developing Somali-led National Security Plan, the lower level sectoral reform plans developed by the Somalis, and the following the Compact, there might be an opportunity to to define potential areas for further EU security action.

Rationale: The extensive EU activity in the Somali security and rule of law sector across all instruments represents an opportunity for the EU to show coherence – and a way to fully deliver the Comprehensive Approach.

B. Increased EU engagement in support of the security and rule of law sector would potentially entail greater reputational risks and the EU needs to factor in and manage these risks. In this context, a **robust communication strategy** to explain our policy is crucial. So is the need to stress that EU intervention in the security sector is consistent with democratic principles, good governance and respect of human rights, with specific accent on child rights and protection of civilians. Gender Based Violence (GBV) is a specific issue that is on the rise and the EU will be called by Human right organisations to respond.

C. EU engagement in Somalia should also include advocacy to ensure compliance of all actors with International Humanitarian law.

**D. The EU to also speak “as one” towards non-EU partners.** The EEAS and Delegation have the key responsibility in ensuring coordination with the international community. In the area of CSDP this should follow the principle of central planning and coordination, decentralized execution and local coordination of implementing action. It is **important to establish internal coordination mechanisms both in Brussels and locally in Mogadishu.** Within Brussels this should be undertaken by a

Standing Management Group on Somali Security (SMSS) meeting on a regular basis. In Mogadishu an equivalent group, the Standing Operational Group on Somali Security (SOSS), will be established under Head of Mission Somalia with support of CSDP mission commanders. EU action in Somalia should of course also be enriched by the appropriate **synchronisation with individual Member States actions** (where the EU relies on their support to speak with one voice towards the Host Country) and wider international engagement.

- E. **EU political ambitions must be backed by appropriate resources**, and these resources should be clearly communicated to our partners. Creating political expectations that will not be operationally sustainable will only have serious negative impact on the perception of EU commitment. This is a fundamental principle in the proposed endorsement of a New Deal Compact.

## **5. IMPLICATIONS FOR CSDP ACTIONS**

### **5.1 Cross-cutting recommendations:**

- A. **Synchronized timing of the review and adaptation of CSDP missions if needed.** Any mandate changes – or new CSDP actions - need to be carefully conceived as part of the overall EU approach and in relation to other instruments.
- B. In the short term, continue to **shift delivery from outside to inside Somalia** in accordance with current mandates and start prudent planning about medium term evolutions.
- C. **Possibilities for synergies should be exploited amongst the three CSDP missions / operations under their existing mandates and based on the recommendations therein.** Synergies should be identified and codified to ensure that the three missions can deliver through mutual assistance and with the maximum effectiveness for Somalis. A list of activities could be drafted and agreed upon as a bridging document, whilst strategic direction of each operation/mission should be synchronised.
- D. Adopt a more **strategic approach to support the security and rule of law sector including the police and justice plans.** Possible engagement of CSDP actions in police/rule of law in the medium term could take place by adapting existing missions or proposing new actions.
- E. In addition to the continued naval presence at sea, there is a need to **improve Somalia’s maritime sector**, in particular land-based Somali law enforcement capacities and ensuring determination of Somali authorities to use these capacities for the arrest and prosecution of pirate groups and, in particular, their leaders. This needs to be coupled by an enhanced economic livelihood approach focusing on the coastal communities. This “**twin approach**” of **pressurizing pirate networks at sea and on land** requires joined up use of CSDP, political dialogue and development assistance to police, justice and affected communities.

### **5.2 Mission specific recommendations:**

#### ***A. EUTM Somalia***

- In the short term, as far as conditions allow, ensure increasing delivery of mandate within Mogadishu. Make use of being the first EU actor permanently on the ground in Mogadishu to explore potential for helping to support and guide EU's wider security sector interests. Transfer of knowledge and expertise to the Somali counterparts should be the main focus of these activities to ensure sustainability.
- In the medium term, taking into account; evolution of the situation, the current and foreseen other stakeholders' (mainly AMISOM, UN, US, UK, IT, TU) activities and Somali-led security plans, a strategic review will have to consider continued requirement for training and advisory roles and any requirement to move into broader security sector activities. Perhaps consider more formal links with other CSDP activities in security/rule of law sector. Any potential increased interaction with the civilian sector will need to take into account ongoing EDF and IFS activities and planning.
- In the long term, the need to take into account Somalia's Federal structure and potential to roll out support outside Mogadishu could be considered, if security conditions improve and constitutional and political pre-conditions are in place.

### ***B. EUNAVFOR Atalanta***

- Continue fighting and deterring piracy at sea and launch the work aimed at adapting the mandate for the period after 2014. This will be done by means of the up-coming strategic review.
- The strategic review will consider inter alia how to make best use of available resources to i) keep up pressure on piracy at sea (and possible new upswings); (ii) support other EU missions/actions and develop further synergies with other EU missions and actors; iii) support Somali authorities for the protection of their maritime domain and iv) increased cooperation with the UN Somalia-Eritrea Monitoring Group.

### ***C. EUCAP Nestor***

- In recognition of the changed political and security environment and at the direct request of the Somali Government, realignment of the mission mandate will be considered in the framework of the upcoming strategic review for which the timing should be synchronized with the one for EUNAVFOR. This should be done to strengthen the EU's engagement in maritime security for both Somalia and the region, building on the existing support provided through EDF and IFS.
- We could consider further implementation of support to maritime governance and administration in accordance with the wishes of the Somali Government and consider feasibility of extending the mandate to sea-going capabilities. Assessment of pre-conditions will include a reflection on potential involvement with the Puntland Maritime Police Force (PMPF).
- To prepare for potential increased support to Somali maritime governance, the mission is planning currently the provision of strategic advisors (first recruitment has been done) to the Federal Government and regional authorities and a limited deployment in Somalia.

- Consideration will be given to check the feasibility of using EUCAP NESTOR as a vehicle for further EU support to police and rule of law in the field of CSDP.
- The appropriateness and feasibility of mandate adaptations will take into account the security situation inside Somalia, maturity of Somali frameworks the maritime security sector and willingness of key partners to engage with the EU.

## **6. NEXT STEPS**

Discuss with Member States in PSC the reflections outlined in this paper. In case of support, give priority to:

- Synchronization of timelines of the Strategic Reviews.
- Develop input and support on-going work in Mogadishu on identification of security sector top priorities for possible inclusion in the New Deal Compact.
- Develop further options for EU support to security and the rule of law on the basis of this document and in a coordinated way.
- Put in place the coordination mechanisms (see part 4.3 C), both in Brussels and Mogadishu on the security and rule of law sector in Somalia.



**Annex - EU security activity in Somalia (and related regional activity)**

<b><u>Instrument</u></b>	<b><u>Activity</u></b>	<b><u>Focus</u></b>	<b><u>Description</u></b>	<b><u>Duration</u></b>	<b><u>Cost</u></b>
<b>CSDP</b>	Op Atalanta	Regional	Protection of World Food Programme (WFP) vessels delivering aid to displaced persons in Somalia, and the protection of African Union Mission in Somalia (AMISOM) shipping. Deterrence, prevention and repression of acts of piracy and armed robbery at sea off the Somali coast. Protection of vulnerable shipping off the Somali coast on a case by case basis. Contributing to the monitoring of fishing activities off the coast of Somalia.	Current mandate up to Dec 2014	2012/14: €14,9m (Common cost) On average 5-7 naval assets and 2-3 Military Patrol and Reconnaissance Aircrafts (MPRA); average total staff: 1000-1500
	Eucap Nestor	Regional	Strengthen the sea going maritime capacity of Djibouti, Kenya, Tanzania, and the Seychelles. Strengthen the Rule of Law sector in Somalia, with an initial focus on the regions of Puntland and Somaliland. In particular, the mission will support the set-up and training of a land-based coastal police force.	Current mandate up to July 2014	2012/13: max €22.8 million max. authorized staff: 175
	EU Training Mission	Somalia	Developing Command and Control and specialised capabilities, and self-training capacities of Somali NSF, with a view to transferring EU training expertise to local actors. EUTM Somalia will now also provide strategic level advice to Somali authorities within the Security Institutions (Ministry of Defence and General Staff), support and advice on Security Sector Development. Gradual shift of activities to Mogadishu as security permits.	Current mandate up to 31 March 2015	2013/02-2015: €13.4m (Common funding) €7,8m for 2013 currently 70 staff
<b>IFS</b>	Critical Maritime Routes Programme (CMR)	Trans-Regional	Focuses on the security and safety of essential maritime routes: <ul style="list-style-type: none"> <li>• <u>MARSIC</u> - enhancing information sharing and training capacities. Contributes to the implementation of the regional Djibouti Code of Conduct targeted at fighting piracy and armed robbery against ships. Focuses on capacity building and training of maritime administration staff, officials and coast guards from the region.</li> <li>• <u>CRIMLEA - National law enforcement capacities</u> – implemented by Interpol - to combat maritime piracy by providing necessary training and equipment to perform effective and pro-active investigations including on piracy financiers and organisers.</li> <li>• <u>CRIMARIO</u> – to be implemented by EUMS, the specific objective of the foreseen CRIMARIO project is to improve and strengthen the connection of existing information sharing and communication networks to enhance Maritime Situation Awareness in the Indian Ocean (IO). The three proposed result areas are: Information Sharing Networks; Capacity Building Networks and; Operational Policies and Governance. The long term goal of the CMR programme is improved capacity for maritime governance.</li> </ul>	Aug 2010 - Aug 2015	€5.99 million project  €3.6 million  €5.5 million
	Countering the financing of	Trans-Regional	<ul style="list-style-type: none"> <li>• A project related to Regional Law Enforcement and Countering the Financing of Terrorism (CFT) cooperation in the Horn of Africa and Yemen is being developed with</li> </ul>	2014-2016	€6 million

	terrorism		implementation planned from 2014. The specific objective is to contribute to the national and regional capacity to meet international standards on effective anti-money laundering and counter-terrorist financing in the sub region, through capacity building and networking.		
	Strengthening Resilience to Violence and Extremism (STRIVE) in the Horn of Africa	Trans-regional	Countering Violent Extremism in the Horn of Africa: - to develop best practices for countering violent extremism and radicalisation related to the Horn of Africa	Jan 2014 - Dec 2016	€ 2 million
	Creating conditions for safe access and recovery (IfS short-term)	Somalia	Implemented by UNMAS. Explosive Remnants of War (ERW) threat awareness and clearance; Quick Impact Projects (QIPs) to enable reconstruction and rehabilitation in Mogadishu; emergency mine awareness and clearance for the most vulnerable groups in newly accessible rural areas; Mogadishu port security improvements and explosive threat mitigation to facilitate economic growth; support for the Somali Police Forces (SPF) in the field of explosive threat disposal capacity; manual demining supporting income generation in western Somalia; communications and advocacy to minimise the impact of ERW contamination on freedom of movement and recovery countrywide	May 2012 - Oct 2013	€13 million
	Stabilisation and recovery in newly accessible areas in South-Central Somalia (IfS short-term)	Somalia	The objective is to support wider stabilisation efforts in Somalia, especially by providing technical expertise, primarily Mogadishu-based, to central and local authorities so as to help them plan and design recovery activities for the 'newly accessible areas' in South-Central Somalia. Such technical assistance would be accompanied by pilot and small-scale projects enabling the local authorities to demonstrate concrete improvements that will provide rapid and visible responses to the most urgent needs on the ground, including through help to establish basic local governance, delivery of basic services, reconciliation actions, etc.	To be contracted with EUNIDA	€ 1.3 million
<b>APF</b>	AMISOM	Somalia	The African Union Mission in Somalia benefits since launch (March 2007) from uninterrupted EU financial support. Covers costs such as troop allowances, salaries for the police and civilian components of the mission and running costs of AMISOM operational HQ in Nairobi.	Ongoing	2012: €150 million 2013: € 50 million (Jan - March) €444 million (March 2007 – March 2013)
	Support to IGAD Initiative for Emergency Intervention in Somalia	Somalia	In 2013, under the Early Response Mechanism of the APF, an IGAD Initiative for emergency intervention in Somalia is being funded to contribute to the post-conflict peace building efforts. It supports implementation of IGAD's stabilisation plan in Somalia.	Ongoing	2012/13: ~€1,2 million for 9 months

<b>EDF</b>	Support for Rule of Law and Security Phase I, II & III	Somalia	<p>UNDP-implemented project strengthens the rule of law and security through:</p> <ul style="list-style-type: none"> <li>• <u>Access to justice</u> — To train and build the capacity of the legal profession, but also focussing on providing access to justice for most vulnerable communities, especially those living in areas with no functioning state institutions. Supports both technical assistance and capacity development at the government and local community level.</li> <li>• <u>Civilian Police</u> —Works closely with police authorities in all areas to build internal control mechanisms that respond to cases of human rights abuse by the police.</li> <li>• <u>Community security and Armed Violence Reduction</u> - Supporting civil society, local government, and state security sector to strengthen peace and security at the community level. Works closely with communities and local counterparts.</li> <li>• <u>Support to Somalia Police Force: Stipend Payments</u> - support the payment of stipends to Somali Police Force (SPF) officers who have been trained and certified by UNDP/ UNPOS/ AMISOM and verified by the Police Commissioner; and who are on active duty within South Central Somalia. Currently at about \$660.000/months (@5400 officers).</li> </ul>	2005-2007 2006- 2009 2009-2012  2013-  2013-2013	Phase I - € 4,000,000  Phase II - € 9,300,000  Phase III - € 17,500,000  Phase IV – currently in contract negotiations, move to basket fund modality  Gap-filling stipend contribution: € 2,053,903
	Somalia Constitution Making and Transition Support	Somalia	UNDP - Support the legitimate end to the current transition through the constitution-making process and the establishment of improved security arrangements in the newly recovered areas	2009-2013	€ 5. 900,000
	Strengthening participation of Somali Non-state actors I & II	Somalia	Strengthening the Participation of Somali Non-State Actors in decision making: implemented by Safeworld UK, this project supports the development and capacity building of Non State Actors platforms in Somalia to enable their participation in decision-making on peace, security and development.	2008- 2012 2012- 2014	Phase I - € 2,200,000  Phase II- € 2,150,000
	Pillars of Peace I & II	Somalia	The Interpeace implemented project strengthens the role of youth and community groups in peace-building processes and promotes reconciliation through extensive public consultations, workshops, forums and stakeholder dialogue.	2009- 2012 2013 - 2015	Phase I- € 3,400,000 Phase II – € 2,150,000
<b>Regional EDF</b>	Regional Maritime Security programme (MASE)	Regional	Aims to contribute to developing a strategy to tackle piracy on land in Somalia; enhanced judicial capabilities to arrest, transfer, detain and prosecute piracy suspects; address economic impact and financial flows related to piracy and finally improve national and regional capacities in maritime security functions, including surveillance and coastguard functions. A pilot project worth €2 million prepares the ESA-IO region for the implementation of the full MASE programme (€37,5 million).	2012-2013 2013-2017	Pilot project ~ €2 million Full programme (€37,5 million for 60 months; starting June 2013)