

110TH CONGRESS
2D SESSION

H. RES. 1424

Supporting humanitarian assistance, the protection of civilians, and accountability for abuses in Somalia, and urging concrete progress in line with the Transitional Federal Charter of Somalia toward the establishment of a viable government of national unity.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 2008

Mr. ELLISON (for himself and Ms. JACKSON-LEE of Texas) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Supporting humanitarian assistance, the protection of civilians, and accountability for abuses in Somalia, and urging concrete progress in line with the Transitional Federal Charter of Somalia toward the establishment of a viable government of national unity.

Whereas despite the formation of the internationally recognized Transitional Federal Government (TFG) in 2004, there has been little improvement in the governance or stability of southern and central Somalia, and stability in the northern region of Puntland has deteriorated;

Whereas governance failures in Somalia have permitted and contributed to escalating violence, egregious human rights abuses, and violations of international humanitarian law, including rape and other forms of sexual and

gender-based violence against women and girls committed by the TFG, Ethiopian, and opposition armed forces;

Whereas these atrocities occur with impunity and have led to an independent system of roadblocks, checkpoints, and extortion that hinders trade, business, and the delivery of desperately needed humanitarian assistance;

Whereas the Government of Ethiopia intervened in December 2006 against Somalia's Islamic Courts Union (ICU) and continues to serve as the primary security force for the TFG;

Whereas a report of the United Nations Monitoring Group on Somalia presented to the United Nations Security Council on July 20, 2007, alleged that Eritreans have provided arms to insurgents in Somalia as part of a long-standing dispute between Ethiopia and Eritrea that includes a series of interlocking proxy wars in the Horn of Africa;

Whereas the United Nations estimates that 2,000,000 people in Somalia, with women and children disproportionately represented, need humanitarian assistance or livelihood support for at least the next 6 months, including 745,000 people who have fled ongoing insecurity and sporadic violence in Mogadishu over the past 16 months, adding to more than 275,000 long-term internally displaced Somalis, as of April 2008;

Whereas Somali refugees and internally displaced persons are especially vulnerable to rape and other forms of sexual and gender-based violence, and receive virtually no protection against such attacks;

Whereas the incidence and brutality of rape and other sexual violence in Somalia continues to increase, and the suf-

fering of women and girls under such circumstances is compounded by societal discrimination and acceptance of violence against women and girls, including underrepresentation in politics, severe inequality in access to education, domestic violence, and the widespread use of female genital mutilation;

Whereas survivors fear retribution for reporting attacks, and journalists and other human rights defenders, including women, have been increasingly targeted by all sides in the conflict, inhibiting reporting and monitoring of sexual violence and other human rights abuses;

Whereas, despite Prime Minister Nur Hassan Hussein's public commitment to humanitarian operations, local and international aid agencies remain hindered by extortion, harassment, and administrative obstructions;

Whereas, in March 2008, United Nations Secretary General Ban Ki-moon presented a report on Somalia based on recent strategic assessments and fact-finding missions, which offered recommendations for increasing United Nations engagement while decreasing the presence of foreign troops, including the establishment of a maritime task force to deter piracy and support the 1992 international arms embargo;

Whereas, while the United States Government has allocated nearly \$50,000,000 to support the African Union Mission in Somalia and continues to be the leading contributor of humanitarian assistance in Somalia, providing approximately \$140,000,000 in fiscal year 2007 and fiscal year 2008 to date, there is no comprehensive strategy to build a sustainable peace;

Whereas, over the last 5 years, the House of Representatives has repeatedly called upon the President to develop and implement a comprehensive strategy to contribute to lasting peace and security throughout the Horn of Africa by helping to establish a legitimate, stable central government in Somalia capable of maintaining the rule of law and preventing the country from becoming a safe haven for terrorists through resolutions, amendments, bills, oversight letters, and hearings;

Whereas a February 2008 Government Accountability Office report found that United States and international “efforts have been limited by lack of security, access to vulnerable populations, and effective government institutions” as well as the fact that the United States “strategy for Somalia, outlined in the Administration’s 2007 report to Congress on its Comprehensive Regional Strategy on Somalia, is incomplete”;

Whereas the recent designation by the Department of State of Somalia’s al-Shabaab militia as a foreign terrorist organization under section 219 of the Immigration and Nationality Act and as a specially designated global terrorist by Executive order highlights the growing need for a strategic, multifaceted, and coordinated approach to Somalia; and

Whereas it is in the interest of the United States, the people of Somalia, and the citizens and governments of countries worldwide to work toward a legitimate peace and a sustainable resolution to the crisis in Somalia that includes and embodies civilian protection, access to services, the rule of law, and accountability: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

1 (1) remains committed to the people of Somalia
2 and to helping build the institutions necessary for a
3 stable nation free of civil war and violent extremism;

4 (2) encourages the President, in partnership
5 with the African Union, the United Nations, and the
6 international community as a whole, to—

7 (A) provide sufficient humanitarian assist-
8 ance to those most seriously affected by the
9 armed conflict, drought, and flooding through-
10 out Somalia, and call on the Transitional Fed-
11 eral Government to actively facilitate dispersal
12 of such assistance;

13 (B) ensure accountability for all state,
14 nonstate, and external parties responsible for
15 violations of human rights and international hu-
16 manitarian law in Somalia, including rape and
17 other forms of sexual and gender-based violence
18 against women and girls, through the deploy-
19 ment of United Nations human rights monitors
20 and the establishment of a United Nations
21 Commission of Inquiry to investigate abuses;

22 (C) call on all parties to recommit to an
23 inclusive dialogue with international support in
24 the interest of promoting sustainable peace and

1 security in Somalia and across the Horn of Af-
2 rica;

3 (D) urge the Government of Ethiopia, in
4 coordination with the United Nations Political
5 Office in Somalia, to develop a clear timeline
6 for the responsible withdrawal of its armed
7 forces from Somalia, to honor its obligation
8 under the Geneva Conventions to ensure protec-
9 tion of civilians under its control, and to ob-
10 serve the distinction between civilians and mili-
11 tary combatants and their assets;

12 (E) urge the Government of Eritrea to
13 play a productive role in helping to bring about
14 stability to Somalia, including ceasing to pro-
15 vide financial and material support, such as
16 arms and ammunition, to insurgent groups in
17 and around Mogadishu and throughout the re-
18 gion; and

19 (F) call on all countries in the region and
20 wider international community to provide in-
21 creased support for African Union Mission in
22 Somalia (AMISOM) and ensure a robust civil-
23 ian protection mandate for AMISOM and any
24 future peacekeeping mission, including the
25 adoption of a strategy to address and end wide-

1 spread sexual and gender-based violence in in-
2 ternally displaced person camps and at check-
3 points, consistent with United Nations Security
4 Council Resolutions 1325 and 1814 and related
5 laws and policies on the protection of women
6 and girls; and

7 (3) encourages the Transitional Federal Gov-
8 ernment, including the newly appointed Prime Min-
9 ister and his cabinet, to work to achieve sustainable
10 peace in the region by—

11 (A) taking necessary steps to protect civil-
12 ians from dangers related to military oper-
13 ations; investigating and prosecuting human
14 rights abuses, including rape and other forms of
15 sexual and gender-based violence against
16 women and girls; providing basic services to all
17 the people of Somalia; and ensuring that hu-
18 manitarian organizations have full access to
19 vulnerable populations;

20 (B) recommitting to the Transitional Fed-
21 eral Charter, including its promotion of peace,
22 democracy, the rule of law, fundamental free-
23 doms, and protection of the human rights of all
24 Somalis, including women;

1 (C) setting a detailed timeline and dem-
2 onstrating observable progress for completing
3 the political transition laid out in the Transi-
4 tional Federal Charter by 2009, including con-
5 crete and immediate steps toward scheduling
6 elections as a means of establishing a democrat-
7 ically elected government that represents the
8 people of Somalia; and

9 (D) agreeing to participate in a political
10 process that is both transparent and inclusive,
11 particularly of women, and has international
12 support that leads to the formation of a govern-
13 ment of national unity based on the principles
14 of democracy, accountability, and the rule of
15 law.

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