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Technical assistance and capacity-building

Written statement* submitted by International Educational Development, Inc., a non-governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 August 2020]

* Issued as received, in the language(s) of submission only.

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The situation in Somalia

International Educational Development, Inc. has worked on the situation in Somalia more than 12 years, collaborating closely with independent experts Bari and Nyanduga. We welcome the opportunity to work with the new Independent Expert Isha Dyfan.

The Commission and now that Council has addressed the situation in Somalia since 1993. During that time, it has been a question of two baby steps forward and one baby step backward each year. In our view, Somalia has the most pressing issues of any country.

Urgent need for judicial reform

We have had a particular focus on judicial reform due to our belief that the people of Somalia will not buy into the government unless there is concerted and substantial judicial reform. There have been conflicting systems of “justice” – from that of the central government, to Xeer, to systems of the “warlords” and then that of Al-Shabaab. We continue to press for a comprehensive judicial reform with a unitary system and limited powers with Xeer, providing that the Xeer system complies with all relevant international standards of justice.

Continuing terrorist acts in Somalia

Al-Shabaab continues to engage in terrorist acts on a regular basis in spite of efforts by numerous players including the African Union Mission in Somalia (AMISOM), Somalian forces, Kenyan forces and the United States of America operatives. For example, since May 2020, a suicide bomber killed the governor of Puntland (May), explosives killed 4 in Baidoa (July), the army chief survived an assassination attempt (July) and at time of writing, the Elite Hotel in Mogadishu was attacked killing 15. There are reports of clashes between factions of al-Shabaab, although this is difficult to prove due to the inability of Somalian, Kenyan or AMISOM forces to move freely in territory occupied by al-Shabaab. The numbers of al-Shabaab fighters still remains elusive, with most estimates showing between 5 and 8 thousand persons and apparently growing over the past years. There was a drone attack in Al-Shabaab territory and apparently civilians were killed.

The humanitarian crisis

The humanitarian situation remains dire in Somalia due to the residue of the shortfall of rains in 2019 and heavy downpours and severe flooding since May 2020. There are an estimated 100,000 persons who have left their homes. Further, large numbers of Somalians have fled into Kenya and are not able to be repatriated. International funds to date are far short of what is estimated to be needed.

The political situation

The political situation also remains troubling with the ouster of the Prime Minister in July. Many crucial reforms that we had hoped to be enacted still await action from the executive branch and the parliament. Further, Parliament is considering a bill allowing child marriages (from when a girl becomes sexually mature) and forced marriages. If enacted this would be in direct contravention of international norms.

In the last election only a very small percentage of the population voted, and as of June 2020, this year’s elections are postponed for 13 months. We also point out that the current government actually controls only a very small portion of the country, making national unity in the near future improbable. Somaliland and Puntland remain essentially separate and Al-Shabaab still controls territory.

Other issues

We are aware of problems with freedom of the press, women's rights, education and children's rights. We join groups in the area and support their work on these issues.

Recommendations and conclusion

Somalia continues to be the country with what seems to be the most problems and the least capacity to address them. Somalia is also located in a very critical part of the world and its security and stability are essential to regional security and stability. The international community as a whole should work in concert to achieve both security and stability in Somalia and the region.

The African Union needs to continue its efforts and should increase, not decrease the number of troops in Somalia. We are uncertain as to the efficacy of the United States of America air strikes and are concerned that there are no guarantees that civilians are protected in such operations. Concerted effort by all military in Somalia should be made to surround and isolate Al-Shabaab and to prevent its ability to set up road blocks and other mechanisms to obtain funds.

The international community should also address the issue of food and water security as a matter of great urgency to remedy the severe effects of this year's flooding and the large number of displaced. The international community should also assist the government of Somalia in efforts to contain Covid-19.

The Independent Expert enters at a critical time for Somalia. We urge the Council to support the mandate with adequate funds and support. We urge the international community as a whole and the Council and its mandate holders in particular to support her work and to provide assistance where useful. We especially urge all interested States to review ways in which they can work with the Independent Expert on judicial reform and to provide meaningful resource assistance for it as a matter of the highest priority.
