



安全理事会

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2017 年 11 月 2 日安全理事会关于索马里和厄立特里亚的第 751(1992)
号和第 1907(2009)号决议所设委员会主席给安全理事会主席的信

我谨代表安全理事会关于索马里和厄立特里亚的第 751(1992)号和 1907(2009)
号决议所设委员会，并根据安全理事会第 2317(2016)号决议第 40 段的规定，随
函转递索马里和厄立特里亚问题监测组关于索马里的报告。

请将此信和本报告提请安全理事会成员注意并作为安理会文件分发给荷。

安全理事会关于索马里和厄立特里亚的
第 751(1992)号和第 1907(2009)号决议
所设委员会主席

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* 由于技术原因，于 2017 年 11 月 15 日重发。



2017 年 11 月 2 日索马里和厄立特里亚问题监测组给安全理事会关于索马里和厄立特里亚的第 751(1992)号和第 1907(2009)号决议所设委员会主席的信

谨根据安全理事会第 2317(2016)号决议第 40 段的规定，随函转递索马里和厄立特里亚问题监测组关于索马里的报告。

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目录

	页次
一. 导言	9
A. 任务规定	9
B. 方法	9
二. 威胁索马里和平、安全与稳定的行为.....	10
A. 青年圣战运动	10
B. 索马里境内的伊拉克和黎凡特伊斯兰国派别	15
C. 族群间冲突	17
D. 公共财务管理	19
E. 资源治理	24
F. 海盗活动再度爆发	27
G. 选举的不当行为	28
三. 武器禁运	29
A. 武器非法流入索马里	29
B. 联邦政府遵守根据部分解除禁运规定的义务	32
C. 其他索马里安全部门机构：对武器禁运的遵守情况.....	35
D. 在柏培拉建立一个阿拉伯联合酋长国军事基地	36
E. 非洲联盟驻索马里特派团和联邦政府安全部队 在进攻行动中缴获的军事装备	37
F. 安全部门改革	37
四. 阻碍人道主义援助	38
A. 青年党	38
B. 官僚主义障碍	39
C. 主要补给路线	40
D. 转用人道主义援助物资	40
E. 袭击人道主义工作者	41
F. 操纵援助，排斥边缘化社区，加剧冲突	42

五. 违反国际人道主义法, 把平民作为袭击目标.....	42
A. 青年党和伊拉克和黎凡特伊斯兰国	42
B. 联邦和州武装力量、部族民兵、其他犯罪分子	43
C. 非洲联盟驻索马里特派团和国际部队	44
D. 招募和使用儿童	45
六. 违反木炭禁令	45
A. 生产、运输和储存	46
B. 非法出口木炭	47
C. 文件和犯罪网络	47
D. 旅行禁令的执行情况	48
七. 更正安全理事会关于索马里和厄立特里亚的第 2244(2015)号决议 所设委员会前份报告(S/2016/919)	48
八. 国家和非国家与索马里和厄立特里亚问题监测组的合作	49
九. 定向制裁的执行情况	49
十. 建议	50
A. 对和平与安全的威胁	50
B. 武器禁运	50
C. 国际人道主义法	50
D. 木炭禁令	50
E. 制裁名单	51
F. 取消关联	51
附件**	
1.1: Al-Shabaab procurement of weapons following attacks on AMISOM.....	52
1.2: Al-Shabaab use of improvised explosive devices (IEDs) (STRICTLY CONFIDENTIAL) **	55
1.3: 2 January 2017 VBIED attack in Mogadishu	56
1.4: Puntland IED seizures.....	59
1.5: Al-Shabaab financing in Bay and Bakool regions	61
2.1: ISIL occupation of Qandala	64

2.2: Leadership of the ISIL faction	68
2.3: Mobile phone analysis of Abbas Mahamoud Yusuf and the ISIL faction (STRICTLY CONFIDENTIAL) **	70
2.4: ISIL attack on International Village Hotel	71
2.5: May 2017 ISIL suicide bombing in Bosaso (STRICTLY CONFIDENTIAL) **	72
3.1: Galkayo conflict: 7 October to 18 November 2016	73
4.1: Currency management	84
4.2: Abdullahi Mohamed Nor	87
4.2.1: CADG Engineering Pte. (STRICTLY CONFIDENTIAL) **	92
5.1: Berbera port payoffs	93
5.2: Fishing governance	95
5.3: Oil governance.....	97
5.4: Strategic Natural Resource Management & Consultants Inc.....	101
6.1: The Abdikarim Salah Mohamed a.k.a. Aw Koombe network and the hijacking of the Aris 13 (STRICTLY CONFIDENTIAL) **	103
7.1: Puntland arms smuggling networks	104
7.1.1: Puntland interdiction of arms from Yemen.....	117
7.2 Maritime seizure of arms in March 2016 by FS Provence.....	118
7.2.1: Belarus sights (STRICTLY CONFIDENTIAL) **	123
8.1: Halane Central Armoury inspections, 26 April and 29 August 2017	124
8.2: Registration and distribution procedures at Halane	127
8.3: Review of paperwork related to ammunition distribution from Halane (STRICTLY CONFIDENTIAL) **	131
8.4: Review of paperwork related to a shipment of weapons and ammunition from Djibouti (STRICTLY CONFIDENTIAL) **	132
8.5: Diversion.....	133
9.1: Establishment of a United Arab Emirates military base in Berbera	135
10.1: Marginalized communities and humanitarian access.....	136
10.2: Involvement of a Lower Shabelle NGO in inter-clan conflict (STRICTLY CONFIDENTIAL) **	143
11.1: Destruction of Shiidle villages near Balad, Middle Shabelle	144
11.2: Child recruitment and use	149

11.3:	Update: Abdirashid Hassan Abdinur — obstruction of humanitarian assistance and targeting of civilians	155
11.3.1:	Update: Abdirashid Hassan Abdinur (STRICTLY CONFIDENTIAL) **	160
11.4:	ACLED statistics	161
12.1:	Charcoal stockpiles	164
12.2.1:	Selected cases of sanctions implementation — Bahrain (November 2016)	165
12.2.2:	Selected cases of sanctions implementation — United Arab Emirates and Djibouti (November 2016–March 2017)	167
12.2.3:	Selected cases of sanctions implementation — Kuwait (April 2017–May 2017)	171
12.2.4:	Selected cases of sanctions implementation — United Arab Emirates (June 2017–August 2017)	174
12.2.5:	Charcoal dhows at Port Al Hamriya anchorage, Dubai, UAE (STRICTLY CONFIDENTIAL) **	177

** 附件仅以原文语文分发，未经正式编辑。

摘要

经过一波三折的冗长选举进程之后，穆罕默德·阿卜杜拉希·法马约于 2017 年 2 月 8 日在摩加迪沙被国会议员选为索马里联邦政府新总统。3 月下旬任命新总理哈桑·阿里·海尔和内阁。行政当局在前六个月的执政期间面临着多重挑战。

索马里联邦政府与索马里联邦州之间的关系一直紧张，政府显然规避在新国家安全架构下向联邦州下放权力的承诺，而且在资源治理方面持续缺乏共识。同时，联邦州继续与外国实体就港口、军事设施和自然资源进行单方面谈判。

海湾合作委员会成员之间日益紧张的关系加剧了这些紧张状况。由于该区域各个会员国被迫在 2017 年 6 月海湾危机中表明立场，法马约行政当局因决定保持中立而越来越孤立。联邦州、许多议员和部分有影响力的摩加迪沙工商界分公开反对这一立场。

同时，好战团体——青年圣战运动(青年党)继续对索马里和平与安全构成最直接的威胁。在本次任务期间，在减轻这一威胁方面几乎未取得任何进展。青年党一直控制大部分农村地区，而且仍然控制索马里南部和中部一些城市中心。2017 年 1 月 2 日，青年党在摩加迪沙引爆了该团体有史以来最大的简易爆炸装置。爆炸的实验室分析显示了硝酸钾痕迹，表明青年党可能已经开始制造自制炸药。

青年党在索马里东北部邦特兰的存在已经扩大，加剧了该地区当局面临的挑战。同时，主要局限在邦特兰巴里区的伊拉克和黎凡特伊斯兰国(伊黎伊斯兰国)派人数增加，正在吸引越来越多的新兵。伊黎伊斯兰国派短暂控制了邦特兰北部沿海甘达拉镇，并在博萨索进行了首次自杀式袭击。虽然伊黎伊斯兰国能力仍然有限，但逃离伊拉克、叙利亚和其他地方军事压力的外国战斗人员的涌入可能对该地区构成重大威胁。

索马里和厄立特里亚问题监测组感到关切的是，非法武器持续流入索马里，特别是经由邦特兰北部海岸。限制通行抑制了索厄问题监测核查交付频率和数量的能力，但收集的证据表明，每月大约一次武器运抵邦特兰，主要来自也门。

与此同时，尽管索马里联邦政府一再呼吁全面解除武器禁运，但无法完全履行其根据部分解除禁运所承担的现行义务。过去两年来，向索马里联邦政府和联邦州供应了多种未通报或部分通报的武器。尽管有所改进，但索马里联邦政府武器和弹药管理的缺陷仍然存在，特别是在物资的分配和跟踪方面。索厄问题监测组不建议进一步放宽武器禁运，因为该制度易受钳制，这对和平和安全造成威胁，特别是中心与外围之间紧张局势持续存在。

尽管公共财务管理有所改善，但联邦机构仍然无法应对普遍的腐败现象。由于继续规避为审查政府合同而设立的机制，而且公司所有权缺乏透明度，所有政府合同都存在令人关切的裙带关系问题。政府各部委继续绕过索马里中央银行的财政部单一账户，避免索马里联邦政府财政当局对其收益进行监督。尽管前政府承诺处理侵占和滥用摩加迪沙公共土地问题，但这一问题持续存在。在邦特兰印制假索马里货币行为继续破坏经济稳定，并促使爆发内乱。

在本次任务期间，青年党应对平民伤亡人数最多负责，因为青年党大规模袭击平民目标，而且对个人和族群实行暴力惩罚。国家和州部队的参与往往加剧族群间冲突，再加上青年党，致使平民遭受严重伤害。加勒卡约和下谢贝利的长期紧张局势升级为公开武装冲突，导致 180 000 多平民流离失所。6 月，青年党还大肆招募儿童，迫使数百名儿童加入该团体宗教学校系统。

继续 2 月宣布饥荒前警报之后，青年党继续禁止人道主义行动，并暴力封锁政府控制的地区，导致 800 000 多平民流离失所。随着加强应对干旱措施，运送援助的总体费用增加，因为在通常由国家部队和/或联邦州部队把守的主要补给路线上的非法检查站进行敲诈勒索。地方人道主义工作者也面临更多的绑架危险，而且青年党破坏和掠夺用品。国际人道主义伙伴和索马里社区组织共同努力防止索马里陷入另一场饥荒。

最后，来自索马里南部的木炭非法出口的总体规模仍然与以前类似。2015 年和 2016 年大部分时间，青年党断断续续地在其控制区禁止木炭贸易。与此相比，青年党已经在博瓜波和基斯马尤港口之间的检查站恢复对木炭的系统性征税。根据保守估计，青年党每年至少从非法木炭贸易中获得 1 000 万美元。阿拉伯联合酋长国迪拜仍然是主要的出口目的地，也是犯罪网络的中心，这些网络违反木炭禁令，而且几乎不受惩罚。科威特例外情况值得注意，木炭禁令执行一直不力，特别是朱巴临时行政当局和非洲联盟驻索马里特派团以及阿拉伯联合酋长国等进口国的执行情况。缺乏对持续执行制裁的承诺以及在某些情况下明显故意不遵守木炭禁令有助于青年党筹集资金，有损索马里反恐努力。

一. 引言

A. 任务规定

1. 安全理事会第 2317(2016)号决议第 38 段延长了纳入安理会第 2060(2012)号决议第 13 段、第 2093(2013)号决议第 41 段和第 2182(2014)号决议第 15 段中的索马里和厄立特里亚问题监测组任务。
2. 依照安全理事会第 2317(2016)号决议第 40 段和第 2060(2012)号决议第 13(I)段，监测组 2017 年 4 月 21 日通过安全理事会关于索马里和厄立特里亚的第 751(1992)号和第 1907(2009)号决议所设委员会向委员会提交中期最新情况通报。监测组还在整个任务期内每月向委员会提交最新进度报告。
3. 在调查过程中，监测组成员访问了巴林、比利时、科特迪瓦、吉布提、埃塞俄比亚、法国、印度、伊朗伊斯兰共和国、象牙海岸、科威特、卡塔尔、索马里、南非、西班牙、斯里兰卡、苏丹、土耳其、乌干达、阿拉伯联合酋长国、大不列颠及北爱尔兰联合王国和美利坚合众国。
4. 监测组设在内罗毕，由下列专家组成：James Smith(协调员)、Jay Bahadur(武装团体)、Charles Cater(自然资源)、Déirdre Clancy(人道主义)、Tapani Holopainen(财务)、Nazanine Moshiri(武器)和 Richard Zobot(武器)。

B. 方法

5. 本报告所述任务期内开展的工作采用了监测组以往报告中概述的证据标准和核查程序。监测组重申根据以往报告采用的方法。本报告采用的方案如下：
 - (a) 尽可能从多个来源收集关于事件和议题的信息；
 - (b) 尽可能从有关事件的第一手资料来源收集信息；
 - (c) 确定信息模式是否一致，将新信息、新趋势同已知信息作对比；
 - (d) 在信息可信度和来源可靠性方面，继续借鉴监测组有关专家的专业知识和判断以及小组的集体评估意见；
 - (e) 采集实物、照片、视频和(或)书面证据，用以佐证收集到的信息；
 - (f) 酌情分析卫星图像。
6. 监测组再次特意有步骤地做出努力，通过直接了解或认识直接了解违反制裁措施细节的人，接触参与违规行为的人。在某些情况下，监测组本身目睹了违反行为。
7. 监测组约谈了掌握有关信息的各种消息来源，包括政府官员及外交使团、民间社会组织和援助机构的代表。监测组成员还与邦特兰、索马里兰和地区临时行

政当局官员、政治和武装团体代表、叛逃者及工商界和索马里民间社会成员进行了会晤或沟通。

8. 依照关于信息的敏感性、分类和处理的秘书长公报(ST/SGB/2007/6)，监测组已随本报告向委员会一并提交了若干份严格保密附件，其中的信息如被披露，可能有助于联合国的正常运作或者联合国工作人员或第三方的福祉和安全，或违反本组织的法律义务。这些附件将不作为安全理事会的文件印发。

二. 威胁索马里和平、安全与稳定的行为

A. 青年圣战运动

9. 好战团体青年圣战运动(青年党)仍然是索马里和平、安全和稳定的最直接威胁。非洲联盟驻索马里特派团(非索特派团)和索马里国民军的主要进攻行动自2015年7月以来停滞不前，标志着朱巴走廊行动处于最后阶段。因此，该团体仍然控制着朱巴河谷大部分地区，包括 Jilib、Jamame 和 Bu' ale 等镇，从而得以持续对该地区农场征税，这是其收入的主要来源。即使索马里南部和中部各城市中心周围被国家或州安全部队和/或非索特派团占领，青年党仍继续控制农村和主要补给路线，因而能够切断对大部分人口的供应。

10. 2017年3月，美国发布一项指令，将索马里南部大片地区划为战区，从而能够扩大地面和空中作战。6月至9月中旬，美国在索马里进行了9次公开承认的空袭，2016年全年13次。罢工造成至少3名中高级青年党指挥官确认死亡。¹然而，正如监测组以前报告所述(见 S/2016/919，第11段)，削弱青年党领导层历来对减小该团体在索马里境内进行非对称和常规袭击能力的影响不大。青年党行动的主要目标仍然是非索特派团维和人员和索马里联邦政府或联邦州官员，青年党认为他们是背教者。

国内和州内行动

11. 青年党继续在摩加迪沙定期进行复杂袭击——通常部署一个车载简易爆炸装置，然后由4至5名所谓的“自杀枪手”袭击索马里联邦政府官员和安全部队成员经常光顾的酒店和餐馆。自从当前任务期开始以来，该团体在摩加迪沙进行了三次此类袭击——Dayah 酒店(2017年1月25日)、意大利咖啡厅(5月8日)及 Posh 酒店和附近的比萨之家餐馆(6月14日)，至少77人遇害。

¹ Bureau of Investigative Journalism, Somalia: reported US actions 2017 database。可查阅 www.thebureauinvestigates.com/drone-war/data/somalia-reported-us-covert-actions-2017(2017年9月19日查阅)。

12. 此外，2017 年 1 月 2 日，青年党在摩加迪沙 Adan Abdulle 国际机场综合大楼 Medina 门国家情报和安保局检查站引爆了一个车载简易爆炸装置，估计多达 1 200 公斤梯恩梯当量，这可能是该团体用过的最重爆炸装置(见附件 1.3)。²

13. 青年党也继续对非索特派团和国家/州安全部队偶尔构成常规军事威胁。1 月 27 日，青年党战斗人员猛攻跨肯尼亚与索马里下朱巴州之间边界的肯尼亚国防军 Kulbiyow 基地，造成至少 67 名肯尼亚国防军士兵死亡。自从 2016 年 6 月 9 日在希兰州 Halgan 对埃塞俄比亚国防军特遣队发动未遂袭击以来，这是第一次对非索特派团部队派遣国进行的大规模常规袭击(见 S/2016/919，第 23 段)。

14. 与此相反，青年党的跨境恐怖行动依然处于低谷，没有在索马里境外进行重大袭击。但是，与青年党有联系的 Jaysh Ayman 叛乱份子仍活跃在肯尼亚博尼森林，继续在肯尼亚 Lamu 县内频繁袭击肯尼亚军队、警察和平民。2017 年 5 月，肯尼亚官员宣布，自从 2016 年 12 月开始 Linda Boni 反恐行动以来，警方在肯尼亚境内逮捕了至少 33 名青年党成员——挫败两起有计划的重大恐怖袭击。³

邦特兰东北部青年党

15. 监测组广泛报道东北部青年党在 Golis 山区对邦特兰当局发动叛乱，表示关切邦特兰成为索马里南部和中部逃离军事压力的青年党好战分子的潜在避难所，以及青年党与基地组织在阿拉伯半岛的联系渠道(例如，见 S/2016/919，第 30-32 段和附件 1.3)。监测组在其 2016 年报告中称，大约 70 至 100 名战斗人员叛乱(S/2016/919，第 31 段)。但有迹象表明，2017 年该团体人数大幅增长，也许是因为对立的伊拉克和黎凡特伊斯兰国(伊黎伊斯兰国)派在邦特兰巴里州的存在日益增大。⁴

袭击 Afurur 和邦特兰“抓捕-释放”政策

16. 2017 年 6 月 8 日黎明，青年党在邦特兰发动最致命的常规军事袭击，占领 Afurur 军事基地，并杀害约 60 名 Darawish(邦特兰正规部队)士兵。这一事件是邦特兰部队与 Golis 山区东北部青年党反叛运动之间自邦特兰 2014 年 10 月重大进攻之后发生的第一次主要武装冲突，从好战分子夺取 Galgala。位于 Galgala 镇西

² 2017 年 2 月 8 日，约谈摩加迪沙简易爆炸装置专家和独立的爆炸工程师，后者根据卫星图像和弹坑尺寸对爆炸现场进行分析，以三种不同方法取经评估的平均值。但联合国地雷行动处一名业务干事在摩加迪沙估计，车载简易爆炸装置的爆炸重量在 200 公斤到 500 公斤梯恩梯当量之间。2017 年 9 月 14 日向索厄问题监测组发送的电子邮件。

³ Galgalo Bocha, “Official: police foiled planned Jamhuri Day Shabaab attack”, Daily Nation, 18 May 2017。可查阅 www.nation.co.ke/counties/tana-river/33-suspected-Shabaab-terrorists-arrested/3444928-3931876-iyplcyz/index.html。

⁴ 监测组于 2017 年 6 月 6 日和 7 日在博萨索中央监狱采访了东北部青年党反叛运动四名成员。这些采访表明，在 Golis 山区有多支小分队，由大约 30 名东北部青年党战斗人员组成，没有一个采访对象能够估计出该运动的总体规模。

南约 30 公里的 Afurur 曾经是沿青年党南部补给路线进入 Golis 山区的重要航路点，但自 2015 年 6 月以来一直被邦特兰部队占领。

17. Afurur 行动的领导人之一是 Abdullahi Abdi Haji，即从 2006 年起成为青年党成员的 Mursal Madobe(见 S/2016/919，附件 1.5(严格保密))。索厄问题监测组 2016 年报告详细指出，邦特兰当局于 2015 年 8 月逮捕了 Haji，随后将其释放，这是阿布蒂威里·穆罕默德·阿里·加斯总统(同上)大赦表面上忏悔的青年党成员一部分。释放 Haji 是邦特兰当局针对青年党嫌犯实行“抓捕和释放”政策的实例，监测组自 2014 年以来一直将其记录在案(见 S/2014/726，附件 1.4；S/2016/919，附件 1.5(严格保密))。

18. 7 月 26 日，美国非洲司令部宣布与索马里部队在加勒卡约附近进行的一次联合安全行动中抓捕 Abdirisak Hussein Tahlil 和另外四名青年党好战分子，指责 Tahlil“在索马里协助使用简易爆炸装置”。⁵ 据美国主流媒体报道，Tahlil 于 2006 年至 2009 年间是美国合法居民。⁶ Tahlil 曾于 2012 年 11 月在加罗韦因车内有爆炸材料被邦特兰情报局逮捕，随后被判处死刑。但根据邦特兰总统加斯的命令，他于 2013 年 12 月 18 日和同伙 Mohamed Nur Aden 一起获释，后者因同一案件被捕。⁷

青年党在袭击非洲联盟驻索马里特派团之后采购武器

19. 2015 年和 2016 年，监测组报告称对非索特派团和索马里国民军前方作业基地易遭青年党袭击感到关切(见 S/2016/919，第 14 段；S/2015/801，第 91 段)。对非索特派团部队的重大袭击发生在盖多州 El Adde(2016 年 1 月 15 日)、拜州 Leego(2015 年 6 月 26 日)和下谢贝利州 Janale(2015 年 9 月 1 日)。

20. 自 2016 年 10 月以来，在非索特派团基地上发生了十多次不同程度的袭击。在本任务期间，2017 年 1 月 27 日在肯尼亚-索马里边界 Kulbiyow 发生针对肯尼亚国防军前方作业基地的最重大突击。青年党媒体机构卡塔伊布新闻以及肯尼亚媒体来源的静像和录像片段似乎证实好战分子缴获了武器、弹药和车辆。⁸ 在青年党缴获的重要物品中包括一个 OTO-Melara Mod 56 105mm 榴弹炮、一辆 WZ-551 装甲运兵车、至少一个 81 毫米迫击炮发射器和一架 M240B 重机枪。

⁵ Farah Abdi Warsameh(美联社), “Suspected Al-Shabab associate captured in U.S.-Somali raid”, CBS News, 2017 年 7 月 26 日。可查阅 www.cbsnews.com/news/al-shabab-suspected-associate-captured-in-us-somali-raid/。

⁶ 同上。

⁷ 监测组 2013 年最后报告，包括逮捕 Tahlil’s 和 Nur’s 的详细情况。见 S/2013/413，附件 1.7.a。

⁸ Conway Waddington, “The Kulbiyow Attack Uncovered,” Africa Defence Review, 2017 年 3 月 22 日。可查阅 <https://www.africandefence.net/analysis-of-competing-claims-about-the-january-2017-al-shabaab-attack-on-the-kdf-base-at-kulbiyow/> (2017 年 7 月 25 日访问查阅)。

21. 这种袭击的后果之一是青年党能够缴获迫击炮，用于频繁袭击索马里联邦政府和非索特派团。⁹ 自 2009 年以来，青年党主要使用 82 毫米和 60 毫米的迫击炮。然而，监测组有证据显示，2017 年 4 月 23 日青年党至少一次对乌干达-索马里国民军设在巴乐多格尔的联合基地使用更重的 120 毫米迫击炮，对索马里和平与安全构成新的重大威胁。青年党在袭击驻 Leego 的非索特派团布隆迪特遣队时，可能缴获了迫击炮。¹⁰

22. 2016 年 9 月，西南临时行政当局和非索特派团部队在拜州 Gofgadud Burey 从青年党缴获一枚 DZT-02 40 毫米热压火箭推进榴弹发射器，该团体可能在突击 Leego 时获得该发射器。¹¹

23. 关于在青年党袭击非索特派团后采购武器的更多资料，见附件 1.1。

青年党使用简易爆炸装置情况

24. 在本次任务期间，青年党至少使用了一种新的方法制造简易爆炸装置。所用爆炸物的爆炸力也有所增加；如上所述，例如，2017 年 1 月 2 日，该好战团体引爆了一个车载简易爆炸装置，当量高达 1 200 公斤。¹²

25. 2016 年，监测组报告了青年党未经证实在简易爆炸装置中使用自制炸药的情况(见 S/2016/919，附件 7.1)。2017 年 6 月，监测组收到美国联邦调查局恐怖爆炸装置分析中心关于 2016 年 2 月 2 日至 2017 年 1 月 2 日期间在索马里发生的简易爆炸装置袭击的实验室分析报告，¹³ 其中六份报告证实，自 2016 年以来发生的至少六次重大车载简易爆炸装置袭击中或缴获的简易爆炸装置中有氧化剂硝酸钾，一些国家通常将其用作化肥。¹⁴ 至少三个简易爆炸装置还含有痕量的氯酸钠和氯酸钾，用于加强车载简易爆炸装置的效力。¹⁵

⁹ 根据 2017 年 7 月 24 日通过电子邮件从非索特派团一名高级安全顾问获得的信息，2017 年 1 月至 6 月期间在摩加迪沙使用迫击炮弹进行了 12 次袭击。据驻摩加迪沙的一名索马里研究员称，2016 年在摩加迪沙，青年党进行了大约 17 次迫击炮袭击，似乎表明今年在首都发生的迫击炮袭击总数可能增加。2017 年 8 月 20 日收到一名联合国安全顾问的电子邮件。

¹⁰ 2017 年 7 月 19 日通过短信与非索特派团一名高级顾问沟通。

¹¹ 2017 年 7 月 31 日收到地雷行动处业务干事的电子邮件。温压弹比标准火箭榴弹更具破坏性，因为温压弹爆炸性和燃烧性高，而且在冲击后产生更多碎片。

¹² 在本任务期间，约谈了多名爆炸物处理专家，他们对车载简易爆炸装置进行了爆炸后分析。

¹³ 恐怖爆炸装置分析中心强调，实验室分析报告中所述硝酸钾等氧化剂的存在不能作为青年党自制炸药的确凿证据。

¹⁴ 虽然纯硝酸钾在索马里通常不用作农业化肥，但监测组有证据显示，至少有一家公司向也门批量出口纯硝酸钾化肥。硝酸钾等氧化剂在与燃料结合时提供必要氧气，增加爆炸力。尚不清楚青年党如何购得硝酸钾。2017 年 8 月 24 日地雷行动处一名业务干事发送的电子邮件；2017 年 8 月 8 日电话采访摩加迪沙法医专家。

¹⁵ 氯酸钾可用于制造火柴和推进剂，目前在索马里没有这种行业。氯酸钠是制造除草剂、烟花、焊接用品和化学氧气发生器的常见商用成份。尚不清楚青年党如何购得氯酸钾或氯酸钠。

26. 这些化合物的存在表明，青年党使用从战争残留弹药收集的军事用途炸药或最近从非索特派团基地夺取的弹药制造简易爆炸装置这一传统做法可能出现多样化。青年党有可能使用自制炸弹，这使该团体得以较少依赖从弹药收获爆炸物的过程，而这一过程既缓慢又费力。¹⁶ 因此，青年党可能继续尝试通过化肥和/或其他常见工业产品采购氧化剂，从而使该好战团体得以增加其简易爆炸装置的频率和炸药量。

27. 监测组还对 2017 年 4 月 26 日和 5 月 30 日由邦特兰安全部队缉获的二个简易爆炸装置组件进行调查。到达邦特兰和索马里其他地区的简易爆炸装置关键组件是电雷管，其中许多雷管由设在印度的商业公司 C-DET Explosive Industries 制造。¹⁷ 若要进一步了解青年党简易爆炸装置组件来源及不断发展的技术，见附件 1.2(严格保密)。

青年党筹资

28. 在本次任务期间，青年党继续对索马里工商界征税(另见 S/2016/919，附件 1.6；S/2015/801，第 92 段)。监测组进行的约谈表明，青年党每月在摩加迪沙的征税数额不等，低至市场商贩缴纳的 10 美元，高至大公司缴纳的 70 000 美元。¹⁸ 2017 年 7 月 23 日，联邦政府安全机构发函警告工商界不要资助青年党。不过，鉴于联邦政府和安全机构监测向青年党所付款项的能力有限，这一警告不太可能对青年党向工商界征税的能力产生重大影响。

29. 在前一次任务期间，监测组指出，青年党越来越依赖通过对农业生产、牲畜和贸易征税获得资金(见 S/2016/919，第 83 段和附件 1.8)。¹⁹ 附件 1.5 载有关于青年党在拜州和巴科勒州对牲畜和农业市场征税情况的评估。

30. 青年党还继续在主要补给路线沿线的检查站对货物征税，特别是对通往主要港口的路线上的进出口货物、包括运往肯尼亚的货物征税。通常对大型卡车征税 1 000 美元，并由青年党出具收据，以免在后续检查站再次征税。²⁰

¹⁶ 2011 年 6 月至 8 月在摩加迪沙采访各种简易爆炸装置专家。在 2017 年 9 月 3 日的一次电话采访中，爆炸物处理专家告知监测组，要产生 100 公斤的爆炸物含量，必须获得 500 公斤的弹药。

¹⁷ 见 S/2014/726，附件 6.6，以前关于青年党从也门向邦特兰偷运 C-DET 雷管的案例研究。

¹⁸ 2017 年 3 月 7 日在内罗毕对一名反恐分析员的约谈；2017 年 7 月 4 日在摩加迪沙对一名商业业主的约谈；2017 年 3 月 31 日在伦敦对专门负责打击青年党筹资的一名执法人员的约谈。

¹⁹ 安理会在第 2317(2016)号决议第 21 段中请监测组进一步报告这一问题。

²⁰ 2017 年 8 月 30 日在拜多阿对青年党前财务官员的约谈；2017 年 8 月 2 日在拜多阿对专门负责打击青年党筹资的情报官员的约谈；2017 年 6 月 14 日在基斯马尤对一名咨询人的约谈。

31. 为证明对农业生产和牲畜的征税合理, 青年党称此项税收为札卡特, 即按照惯例对财富和财产征收的宗教税, 一般每年征收一次。从所没收的货物数量、征收频率和所采用的胁迫方法来看, 该团体在征收札卡特时越来越肆意妄为。²¹

B. 索马里境内的伊拉克和黎凡特伊斯兰国派别

32. 效忠 Sheikh Abdulqader Mu'min 的伊拉克和黎凡特伊斯兰国(伊黎伊斯兰国)派别的势力已大大增强, 截至编写本报告时, 可能多达 200 名作战人员, 而监测组 2016 年报告估计, 该派别人数不超过几十人(见 S/2016/919, 第 28 段)。²²

33. 2016 年 10 月, 伊黎伊斯兰国派占领了邦特兰巴里州的甘达拉镇, 宣布其为所谓的伊斯兰哈里发国在索马里境内的基地。11 月底, 在美国军事顾问的支持下, 邦特兰多支地面和海上部队发动攻势, 经过数次武装交火后于 12 月 7 日成功收复该镇。不过, 伊黎伊斯兰国的势力仍然普遍存在于周边农村; 伊黎伊斯兰国成员的移动电话位置数据表明, 位于甘达拉东南约 50 公里处的 Afbashaashin 的移动电话信号塔周围活动频繁。²³

34. 伊黎伊斯兰国派别虽然在甘达拉被收复后未曾参与任何与邦特兰部队的大规模常规对抗, 但却经常实施不对称袭击。该团体在针对一家酒店发动的首次袭击期间表现出战术能力正在增强的迹象, 在这起袭击中, 两名枪手于 2017 年 2 月 8 日清晨闯入邦特兰经济首都博萨索的国际村酒店(见附件 2.4)。5 月 23 日, 该团体实施了首次自杀式袭击, 在博萨索朱巴酒店附近的警察检查站引爆了人体携带简易爆炸装置, 造成 5 人死亡, 至少 12 人受伤(见附件 2.5, (严格保密))。据邦特兰当局称, 伊黎伊斯兰国领导人 Abdirahman Fahiye Isse Mohamud (Darod/Harti/Deshishe 族, 又名 Ahmed Aden、Khalid、Yaquub 和 Burane)是此次袭击的主要协调人。²⁴

35. 虽然伊黎伊斯兰国对邦特兰行政当局的威胁目前并不攸关存亡, 但行政当局对巴里州薄弱的控制使这里成为外国伊黎伊斯兰国作战人员的潜在庇护所。有经验的外国作战人员涌入这里, 可能会击垮很少支付薪金、士气低落的邦特兰安全部队。

²¹ 2017 年 8 月 30 日在拜多阿对青年党前财务官员的约谈, 2017 年 7 月 4 日在摩加迪沙对索马里商人的约谈, 以及在下谢贝利州和中朱巴州对长老和社区成员的数次约谈。

²² 根据 2017 年 4 月监测组对关押在博萨索中央监狱的 10 名叛逃及被抓获的伊黎伊斯兰国作战人员的约谈, 以及对熟悉邦特兰的情报和安全人员的约谈。监测组约谈的大部分作战人员于 2016 年 12 月脱离伊黎伊斯兰国, 因此他们提供的信息反映了截至当时的情况。

²³ 2017 年 4 月 13 日, 邦特兰一名高级情报官员证实了 Afbashaashin 作为伊黎伊斯兰国行动中枢的作用, 特别是在 2017 年 3 月前发挥的作用。

²⁴ 2017 年 8 月 18 日对邦特兰高级安全官员的约谈。

与更广泛的伊黎伊斯兰国组织的联系

36. 虽然监测组尚未发现有强有力的证据表明，Mu'min 派与更广泛的伊黎伊斯兰国网络有关联，但经证实为 Mu'min 此前所用电话号码的记录显示，他曾于 2016 年 4 月和 5 月与也门的一台电话号选择器多次联络(见 S/2016/919，附件 1.2)。经区域情报来源确定，该选择器的使用者为曾于 2013 年脱离该团体并迁往也门的青年党前成员 Khalil Dheere。据报告称，Dheere 目前的作用是担任 Mu'min 与伊拉克和阿拉伯叙利亚共和国境内伊黎伊斯兰国高级领导人之间的中间人，虽然这种联络的确切性质尚不明确。

37. 2016 年 12 月，伊黎伊斯兰国派别中的部分成员从该团体叛逃。这些前成员报告称，该团体的领导人接收来自伊拉克和阿拉伯叙利亚共和国的命令，并通过哈瓦拉汇款系统接收来自这两国的资金。一名前成员指出，他看到过包括 Abdulqader Mu'min 和 Ahmed Adan 在内的该团体领导人使用加密软件 TrueCrypt，通过录音与伊拉克和阿拉伯叙利亚共和国境内的伊黎伊斯兰国领导人沟通。不过，监测组无法独立核实这些说法。

招募

38. 伊黎伊斯兰国派别的招募方法显得越来越复杂，主要是招募索马里南部心怀不满的青年党成员。例如，监测组约谈的两名伊黎伊斯兰国前作战人员报告称，他们收到了从摩加迪沙到加勒卡约的机票，这使他们能够避开经由公路从索马里南部到邦特兰时需要经过的众多武装检查站。由于更加主动地招募人员，伊黎伊斯兰国派别不再是 Darod/Majeerteen/Ali Saleeban 小部族主导的运动，其作战人员如今代表了索马里各地的各个部族。

39. 与青年党相比，伊黎伊斯兰国作为全球性的哈里发运动，对外国恐怖主义作战人员具有吸引力更加理所当然，青年党的直接目的仅限于从索马里驱逐非穆斯林和建立遵行伊斯兰教法的国家。不过，巴里省的伊黎伊斯兰国派迄今吸引的外国作战人员数量有限，其中之一是受到美国财政部制裁的苏丹国民 Suhayl Salim Abd El-Rahman，又名 Abu Faris。2012 年 7 月，Abd El-Rahman 因在代表青年党协助外国作战人员进入索马里方面发挥的作用而被美国商务部外国资产管制处列入被特别指认国民和被阻禁者名单。²⁵ 监测组约谈的一名于 2016 年 12 月从该派别叛逃的伊黎伊斯兰国前作战人员称，Abd El-Rahman 是他在该团体内的直接上司。另有两名前激进分子报告称有一名讲阿拉伯语的苏丹籍外国作战人员，虽然他们回忆他使用的名字是 Bilal。²⁶

²⁵ 见美国财政部，“财政部针对助长索马里暴力和不稳定的区域行为体采取行动”，新闻稿，2012 年 7 月 5 日。可查阅 www.treasury.gov/press-center/press-releases/Pages/tg1630.aspx。Suhayl Salim Abd El-Rahman 是 1844 制裁名单上被指认人员 Aboud Rogo Mohammed (SOi.011) 的同伙，后者是一名激进的肯尼亚神职人员，于 2012 年 8 月在蒙巴萨被身份不明的袭击者枪杀。

²⁶ 2017 年 4 月 11 日和 12 日在博萨索对伊黎伊斯兰国前作战人员的约谈。

40. 此外，监测组约谈的一名前作战人员自称是肯尼亚国民，但监测组无法审查其身份文件；而另一名 17 岁的激进分子自称出生在科威特。²⁷ 两名受访者还报告称，该团体内有一名吉布提国民，仅知其名为 Abtidoon，收复甘达拉期间，此人在与邦特兰部队的战斗中死亡。²⁸

薪资

41. 监测组约谈伊黎伊斯兰国前作战人员，发现该团体成员获得的薪金极低，甚至为零。前作战人员报告称，未婚的伊黎伊斯兰国激进分子根本没有任何薪金，²⁹ 而已婚的激进分子每个月会收到 50 美元，每有一名子女则额外发放 10 至 20 美元，具体数额取决于每名子女的年龄。³⁰ 为支付这些薪金，伊黎伊斯兰国每月薪资支出估计为 3 000 至 9 000 美元，即每年 36 000 至 108 000 美元。³¹ 如此之低的薪资使伊黎伊斯兰国领导人能够使用有限的预算资助叛乱活动，并有可能不必依赖外部资助。不过，低级别作战人员薪金不足还导致伊黎伊斯兰国各派别很有可能面临人员经常叛逃的问题，这个问题同样影响着青年党。

42. 附件 2.2 提供了关于伊黎伊斯兰国派别的更多信息，包括对该团体领导人的详细说明。

C. 族群间冲突

43. 在前两次任务期间，随着更广泛的州、联邦和(或)国际动态发生改变，下谢贝利州和加勒卡约的两场族群间长期冲突变得更加复杂。青年党越来越多地参与其中，这两场冲突继续威胁着更广泛的和平与安全以及索马里的长期稳定。

下谢贝利州

44. 自 2014 年以来，监测组记录了下谢贝利州根深蒂固的族群间冲突、特别是 Haber Gedir、Biimaal 和 Digil 部族间的冲突如何因 Haber Gedir 部族在地方和联邦政治及安全架构中相对占据主导地位，并越来越多地因青年党的参与而变得复杂。哈桑·谢赫·马哈茂德总统当政期间，下谢贝利州的国家权力机构乃至国际支助都与 Haber Gedir 族网络结盟。以 Hawiye 人为主的索马里国民军不仅在下谢贝利州参与对 Biimaal 和 Digil 族群的大规模攻击，而且在某些情况下还为此与青

²⁷ 这两个人在加入伊黎伊斯兰国派别之前都曾是索马里青年党成员。

²⁸ 2017 年 3 月 7 日，邦特兰一名前情报官员告诉监测组，伊黎伊斯兰国的一名吉布提籍外国作战人员死于邦特兰部队之手。据监测组约谈的两名前作战人员称，Abtidoon 熟悉简易爆炸装置的制作和使用方法。两人都报告称，邦特兰安全部队向他们展示了一张 Abtidoon 尸体的照片。

²⁹ 一名未婚的伊黎伊斯兰国前作战人员声称，他每月收到约 20 美元的移动电话话费。

³⁰ 2017 年 4 月 11 日和 12 日在博萨索对伊黎伊斯兰国前作战人员的约谈。

³¹ 根据该团体 120 名作战人员(其中 40%已婚)的较低估计数和 200 名作战人员(其中 60%已婚)的较高估计数计算。

年党开展联合行动(见 S/2016/919, 附件 6.1)。与此同时, 青年党还在与当地反政府族群结盟, 为自己树立抵抗非法、掠夺性国家的保护者形象。³²

45. 到 2016 年底, 在该州效忠青年党的力量得到更加牢固的确立。2016 年 2 月, 青年党暂时接管马尔卡, 这得到了 Haber Gedir 族民兵和索马里国民军人员不同程度的支持, 并促使 Biimal 族转而效忠于非索特派团和反青年党部队(见 S/2016/919, 附件 7.5)。该州的 Haber Gedir 族网络转向青年党, 巩固了其联盟关系。到 2016 年 10 月, 青年党已经开始大规模烧毁和抢掠 Biimaal 族村庄, 并于 2017 年 5 月加剧了袭击活动³³。8 月, Biimaal 族和 Haber Gedir 族民兵与青年党围绕马尔卡控制权爆发了公开冲突(另见附件 10.2 (严格保密))。

加勒卡约

46. 加勒卡约的冲突根源是敌对部族、主要是 Darod/Majeerteen 族和 Hawiye/Haber Gedir 族之间长期的紧张关系, 1993 年达成的协议使这种紧张关系缓和了 20 多年。不过, 2015 年达到顶峰的联邦化进程将新的行为体引入这一动态进程, 并增加了风险: “过去以部族为主的地区演变为以部族为基础的联邦成员国, 这些成员国如今不仅为获取牧场、水源和当地其他资源而竞争, 而且为领地主张、政治合法性和国家资产控制权而竞争”。³⁴

47. 加勒卡约的公开冲突于 2015 年和 2016 年经历了两个阶段, 其间, 高度军事化的行政当局——贾穆杜格临时行政当局与邦特兰——连同结盟的部族民兵和国家安全部队人员展开对峙。双方之间多次谈判失败, 这使青年党能够介入其中积极搅局, 进一步加剧双方之间的不信任, 直接助长暴力活动。青年党通过参与其中获益, 扩大了在邦特兰和贾穆杜格的存在和影响, 巩固了对州内政治和军事架构人员的控制。与此同时, 一年之内参与两次冲突的贾穆杜格临时行政当局和邦特兰的领导人没有受到谴责。

48. 附件 3.1 说明了加勒卡约冲突的起源和驱动因素、其对平民的影响以及为减轻进一步暴力活动而正在采取的步骤。

其他族群间紧张关系

49. 自邦特兰建立以及自封的卡图莫州随后于 2012 年成立以来, 关于苏勒州和萨纳格州以及托格代尔州部分地区(常称为卡因)控制权的对立主张造成邦特兰、索马里兰和卡图莫部队之间经常出现轻微武装冲突, 加剧了该地区的不发达状况³⁵。

³² 在本次任务期间, 青年党在阿夫戈耶的法庭仍然是许多人解决土地纠纷的首选法院, 甚至在摩加迪沙也是如此。

³³ 更多信息见人权观察, “索马里: 青年党部队烧毁村庄”, 2017 年 7 月 26 日。可查阅 <https://www.hrw.org/news/2017/07/26/somalia-al-shabab-forces-burn-villages>。

³⁴ 国际建设和平联盟及和平与发展研究中心, “加勒卡约冲突评估”, 2016 年 12 月至 2017 年 3 月。

³⁵ 这些是居民以 Dhulbahante 族为主的地区。另见 S/2016/919, 附件 7.4, 第 38 段。

尽管存在武装冲突和政治操纵，包括卡图莫长老拒绝接受的卡图莫一个派别与索马里兰于 2017 年 6 月达成的协议，但仍避免了公开冲突。³⁶ 不过，2017 年 8 月中旬，随着索马里兰选举筹备工作的开展，邦特兰将部队调入苏勒州，Dhulbahante 族民兵对选举相关目标发动袭击。³⁷ 与此同时，监测组收到报告称，青年党越来越多地出现在苏勒州和萨纳格州的部分地区(在苏勒州尤以 Las Anod 为甚)，青年党袭击 Afurur 后这种情况更加严重。³⁸

50. 2017 年 7 月，在加尔古杜德州 Herale 区，先知的信徒在贾穆杜格临时行政当局主席 Ahmed Duale Gelle “Haaf” 按计划访问该地区前派部队进入 Herale 镇，造成至少 27 人死亡，13 800 多人流离失所。³⁹ 到 8 月底，冲突已经加剧，先知的信徒和贾穆杜格临时行政当局部队在杜萨马雷卜郊外战斗，据报告称，索马里国民军第 21 区部队以及驻 Adado 的国家情报和安全机构人员使战事恶化。

D. 公共财务管理

公共财务管理发展态势概述

51. 在本次任务期间，联邦一级在公共财务管理方面取得了些许进展。⁴⁰

52. 8 月 10 日，联邦政府内阁核准了《公共财务管理法案》，截至编写本报告时，该法案正在等待议会核准。8 月 21 日，议会上院核准了《国家通信法》。不过，上述政策仍然未获执行或执行不力，或在目前的政治和经济环境下根本无法执行。⁴¹

³⁶ 2017 年 6 月的协议导致支持索马里兰协议的民兵与支持敌对的 Dhulbahante 族解放阵线的民兵对峙。见“索马里卡图莫州长老院对与索马里兰会谈的立场”，新闻稿，2017 年 6 月 17 日。可查阅 www.somalilandsun.com/images/PDF/THE_GUURTI_OF_KHATUMO_STATE_OF_SOMALIAS_POSITION_ON_TALKS_WITH_SOMALILAND.pdf。

³⁷ 8 月 12 日，民兵部队袭击了 Halin 的投票站，造成三名平民受伤，一名索马里兰士兵在 Holhol 保护运输选民卡的车队时丧生。2017 年 8 月 14 日联合国工作人员发送的电子邮件。

³⁸ 2017 年 7 月 30 日监测组对近期访问过 Las Anod 的人进行的电话约谈；2017 年 1 月至 8 月联合国工作人员发送的一系列电子邮件。

³⁹ 2017 年 8 月 7 日驻穆杜格州人道主义工作者通过电子邮件向监测组发送的报告。冲突前两天，贾穆杜格临时行政当局主席 Ahmed Duale Gelle “Haaf” 在 Abudwaq 会晤了 Herale 的长老，承诺访问该镇，讨论发展和合作支助事宜。

⁴⁰ 2017 年 7 月 11 日，国际货币基金组织在完成根据索马里工作人员监测方案进行的第二次审查后发布了新闻稿，欢迎“当局继续承诺执行政策和改革……[并]继续在货币改革和重振金融部门的计划上取得进展”。国际货币基金组织，“基金组织管理层完成根据索马里工作人员监测方案进行的第二次审查，基金组织总裁核准新的工作人员监测方案”，新闻稿，2017 年 7 月 11 日。可查阅 www.imf.org/en/Publications/CR/Issues/2017/07/11/Somalia-Second-and-Final-Review-Under-the-Staff-Monitored-Program-and-Request-for-a-New-45065。

⁴¹ 某些措施的重要性尚存疑问。自 2004 年以来，历届议员和电信部门代表就《国家通信法》进行谈判，并最终将其弱化。在法案通过前，其关键内容被删除。目前形式的《公共财务管理法案》允许联邦政府在不获议会核准的情况下寻求高达 2 亿美元的国际贷款。

53. 财务治理委员会是最初于 2014 年中设立的监督机构，其成员包括各国际机构的代表，联邦政府于 2017 年 6 月 15 日将该委员会的任务期限延长至 2018 年 6 月。

54. 索马里财务管理信息系统建立于 2015 年底，旨在协助公共财务管理程序自动化和一体化，该系统用于财政单一账户，但大多数部委、部门和机构以及贝纳迪尔州当局仍未使用该系统或对其使用不足。因此，虽然财政单一账户交易的信息相对详细，但各部委、部门和机构以及贝纳迪尔州当局的交易(仍然以现金交易为主)信息依旧极为有限。⁴²

55. 征税仍然是联邦政府面临的主要挑战，联邦政府依然依赖于主要在首都摩加迪沙产生的微薄资源。负责在 2016 年代表联邦政府征税的私营公司运作结果参差不齐(见下文关于“智能总务有限公司”的讨论)，2017 年 7 月 29 日财政部在其签署的一封信中取消了这些公司的合同。

货币管理

56. 监测组在其前一份报告中表达了其对无管制印制索马里先令的关切(见 S/2016/919，附件 4.1)。在本任务期间，监测组继续记录博萨索的邦特兰国家银行在邦特兰当局的参与下无管制印制面值为 1 000 索马里先令的纸币。在本任务期间，假币的扩散以及相应的通货膨胀和内乱愈演愈烈，并从邦特兰蔓延至希兰州和索马里兰。邦特兰地方当局否认印制货币，并谴责青年党造成此种后果。地方当局采取的反制措施包括采用固定汇率和大规模拘留货币经纪人。

57. 有关无管制印制索马里货币的影响的更多资料见附件 4.1。

公共合同和特许权

58. 在本任务期间，监测组继续要求提供有关各种公共合同和特许权的信息。作为对要求提供信息说明财务治理委员会合同和各种公司所有权的信函的答复，联邦政府 2017 年 9 月 5 日表示，“显而易见，我国政府(从前一届政府)接手了一些合同，这些合同在如何签发方面具有不透明性，缺少公司所有权数据，并存在缺乏效力和资金效益等其他问题”。⁴³

59. 在联邦一级，监测组向联邦政府转达了对其与以下两个公司的合同和协议的特别关切：

⁴² 索马里财务管理信息系统内关于贝纳迪尔州当局的记录显示，2016 年支出为 7 905 126.35 美元，对所有金额在 67 707.35 美元至 335 140.20 美元之间的交易都作出相同说明：*Khidmada Maamulka Gobalka Banaadir \$15%*。

⁴³ 联邦政府 2017 年 9 月 5 日给监测组的信。然而，同样明显的是，截至 8 月中旬，财政部尚不知悉财务治理委员会以往审查的公共合同，该委员会是由财政部长主持的机构。

东非布哈里后勤公司

60. 根据监测组收到的报告，联邦政府与东非布哈里后勤公司签订合同，向联邦政府看守部队提供口粮。⁴⁴ 合同授予未经财务治理委员会或国家临时采购局审查。根据索马里中央银行的财政部单一账户，2016 年 11 月至 2017 年 1 月之间，大约 74 万美元被转到东非布哈里后勤公司在萨拉姆索马里银行的账户，这表明每年转账约 300 万美元。⁴⁵

61. 2017 年 7 月 31 日，监测组要求当前的联邦政府提供关于东非布哈里后勤公司的资料——包括公司合同及所有权的详情。在 8 月 18 日的答复中，联邦政府告知监测组，财政部并不知悉与东非布哈里后勤公司签订的任何合同，“并希望监测组提供进一步资料，以便使财政部可以对这个问题做进一步调查。”⁴⁶

62. 监测组 8 月 23 日通过来往函件同联邦政府分享现有资料。在编写本报告时，没有收到有关该公司的所有权或与联邦政府的合同的任何进一步资料。

智能总务有限公司

63. 2015 年 9 月，财政部与智能总务有限公司订约，以代表联邦政府收缴道路税和车辆登记费。尽管联邦政府发出了有关将所有国家收入都转到索马里中央银行的财政部单一账户的长期指令，智能公司收缴的税费还是存入了位于摩加迪沙的萨拉姆·索马里银行的私人账户。⁴⁷ 因此，智能公司提供了一个平行税收制度的实例，为规避财政部监督使用私人银行账户或索马里中央银行内的非官方账户。

64. 根据财政部与智能公司最初的协定条款，智能总务公司实现的所有收入的 60% 都应归于联邦政府。⁴⁸ 在该公司扣除了其 40% 的份额后，收入净额本应每 15 天从萨拉姆索马里银行转入财政部单一账户。⁴⁹ 然而，监测组获得的该公司在萨拉姆银行的账户报表表明，智能总务公司 2016 年 8 月到 2017 年 5 月收取的 1 481 695 美元中只有 62 648 美元(4.2%)转到财政部单一账户。此外，收入转移前后不一致，⁵⁰ 并且有不合规的情况。⁵¹

⁴⁴ 2017 年 5 月 16 日与正在同联邦政府合作的国际咨询人的约谈。

⁴⁵ 在秘书处存档的索马里中央银行财政部单一账户报表。

⁴⁶ 联邦政府 2017 年 8 月 18 日给监测组的信。

⁴⁷ 在秘书处存档的账户细目和报表。

⁴⁸ 监测组 2016 年的报告(S/2016/919)附件 4.3.a 概述了智能总务有限公司协定，其中还提供了合同第一页和最后一页的副本。

⁴⁹ 2017 年 7 月 25 日与联邦政府财政部一名前高级官员的约谈。

⁵⁰ 例如，所有收入都于 2016 年 8 月至 12 月转入财政部单一账户；在 2017 年没有转移资金。

⁵¹ 例如，2016 年 12 月 8 日，萨拉姆索马里银行账户报表显示，26 000 美元已转到索马里中央银行；然而，记录显示仅收到 14 000 美元。

65. 监测组观察到记账方面的不合规之处，包括在 2016 年 10 月 19 日取出的仅被简单列为“maal galin”(“投资”)的 275 000 美元款项。此外，智能总务公司 40% 以上的收入(600 187 美元)直接付给总部设在摩加迪沙、由 Abdulkadir Abukar Omar “Adaani” 管理的建筑公司库尔米耶总务公司，Abdulkadir 是前世界粮食计划署的订约人 Abukar Omar “Adaani” 的儿子和商业助理，其破坏索马里稳定的作用在监测组的许多报告中有所记录。⁵² 这些资金在表面上用于支付库尔米耶总务公司，供其根据与贝纳迪尔联邦州行政当局未经正当程序被授予的合同在摩加迪沙建造公路。⁵³

66. 监测组要求联邦政府说明智能总务公司和库尔米耶总务公司所有权情况，但得到的详情不足，无法确定这两个公司真正的所有权。监测组还要求确认库尔米耶总务公司建造的道路，但未收到对这一要求的答复。

67. 2017 年 7 月 29 日，联邦政府财政部通过禁止私营公司代表联邦政府获取收入的法令取消了智能总务公司的合同。

摩加迪沙机场综合设施内部和周边公共土地的挪用

68. 监测组自其 2016 年有关在摩加迪沙挪用公共土地的报告后继续就该问题开展调查(见 S/2016/919，第 79-80 段和附件 4.6)。2017 年 7 月 31 日，监测组向联邦政府发出正式信件，要求提供联邦政府和在摩加迪沙机场综合设施内运作的 22 家公司之间的租赁协议。在 8 月 18 日的回复中，联邦政府指出，这些公司中只有两个公司——SKA 国际集团和 RA 国际公司——目前向索马里中央银行支付租金。联邦政府承认，公共土地正在未经正当程序被“地方实体”外包，并称这种做法“可能成为对和平、安全和稳定的威胁”。⁵⁴

69. 在本任务期间，监测组确定了涉及前国家财政部长、现任议员 Abdullahi Mohamed Nor 的两个可能滥用公共土地的案例。⁵⁵ 2013 年 2 月，Nor 获得了机场综合设施附近的 344 公顷临海公共土地，用于建造一个私营豪华酒店。根据总理 2017 年 8 月 10 日的请求，贝纳迪尔联邦州行政当局要求 Nor 停止施工，并提供文件证明他对该片土地的权利。⁵⁶ 财务治理委员会告诉监测组，Nor 拒绝

⁵² 关于 Abukar “Adaani” 的活动，见 S/2010/91，第 239 段(挪用粮食计划署粮食的援助)；S/2006/913，第 12 段和第 143 段(伊斯兰法院联盟的资金筹措；建立培训设施和武器运送)；S/2006/229，第 136 段(对马安海港的争夺)；S/2005/625，第 18 段和附件一(武装支持反对派和购买武器)；S/2005/153，第 29 段(向反对派团体运送武器)；S/2004/604，第 76-77 段和第 100 段(资助武装团体和助长冲突)。

⁵³ 2017 年 7 月 25 日与联邦政府财政部一名前高级官员的约谈。

⁵⁴ 联邦政府 2017 年 8 月 18 日给监测组的信。

⁵⁵ Nor 目前担任议会预算、财政、规划和国际合作以及公共机构财务监督委员会秘书。

⁵⁶ 联邦政府 2017 年 8 月 18 日给监测组的信。

合作。⁵⁷ 据多个联邦政府官员称，Nor 调动了索马里国民军的人员，尤其是他的一名担任高级指挥官的亲属，强行维护他对该片土地的要求。⁵⁸ Nor 否认使用索马里国民军士兵维护其对该片土地的权利，并指责贝纳迪尔联邦州行政当局试图非法使用警察和国家情报和安全机构军官实施对该片土地的接管。⁵⁹

70. 此外，2016 年，Nor 的公司东非兄弟公司向总部设在新加坡的 CADG 工程公司索要总计至少 250 000 美元的付款，作为该公司获得机场综合设施内一块土地的交换。在编写本报告时，关于这片土地的租金继续直接支付给联邦政府运输和民航部，并规避联邦政府财政当局的监督。

71. 这两个案例研究全文见附件中 4.2。

72. 在 8 月 18 日的信中，联邦政府称，前总理奥马尔·舍马克 2016 年 7 月为收集非法挪用公共土地数据设立了公共财产委员会，自 2016 年以来该委员会没有召开会议，并且工作“尚未产生效果”。然而，联邦政府也申明，它认为管理公共土地是一个“优先事项”，并表示愿意与监测组和包括财务治理委员会在内的其他国际机构合作，以澄清机场综合设施内部土地的状况。⁶⁰

安全部门财务改革和持续挪用资金

73. 在前两个任务期，监测组报告称对在索马里国民军中的资金挪用表示关切（见 S/2015/801，附件 3.1(严格保密)；S/2016/919，附件 2）。在本任务期中，国际社会对安全部门内财务改革的关注有所增加，并且世界银行、联合王国国际发展部(DfID)和挪威 Abyrint 公司对该改革进行了建设性参与，特别是在索马里国民军薪金方面。不过，在索马里国民军方面取得的进展有限，并且索马里国民军官员继续阻挠改革努力。⁶¹

74. 在 2016 年 9 月至 2017 年 3 月六个月期间，索马里国民军在索马里中央银行两个相互独立的账户被取出共计 14 249 591 美元现金。监测组通过 7 月 31 日以及 8 月 22 日的正式信函要求提供文件证明这些资金的使用，但在编写本报告时，尚未收到关于这一问题的全面回应。⁶²

⁵⁷ 同上。

⁵⁸ 2017 年 9 月 18 日与贝纳迪尔联邦州行政当局一名高级官员的约谈，2017 年 9 月 6 日与贝纳迪尔联邦州行政当局第二名官员的约谈，以及 2017 年 7 月 25 日在与内罗毕一名前内阁部长的约谈。

⁵⁹ 2017 年 9 月 14 日在内罗毕与 Abdullahi Mohamed Nor 的约谈。

⁶⁰ 同上。

⁶¹ 监测组 2017 年 6 月至 8 月与议员以及国际机构代表的约谈。

⁶² 根据索马里国民军的内部文件，索马里国民军还管理监测组以往不了解的在萨拉姆索马里银行的另一个私人账户。在秘书处存档的文件。

75. 2017 年 4 月,“法马约”总统任命 Mohamed Hussein Garabey 上将接替 Abdullahi Moalim Nur 准将担任后勤主管。⁶³ 根据 2017 年 5 月 11 日在新成立的索马里国民军财务委员会调查结果的基础上编制并经监测组审查的索马里国民军内部报告, Abdullahi Moalim Nur 和他的副手 Mohamed Hussein Nur 上校被发现非法使用划拨给索马里国民军⁶⁴ 的资金。报告指出, 索马里国民军资金——特别是拨给口粮的资金——管理不善问题已经存在了一段时间。

76. 监测组对向私营公司支付的有关提供口粮的款项依然关切。⁶⁵ 2016 年 10 月, 财政部任命的一个评估委员会审查了向索马里国民军供应口粮的投标, 该委员会由 Mohamed Hussein Nur 担任主席。以前的订约公司 Agetco 通用贸易和清关有限公司投标价最低, 结果中标。鉴于 Mohamed Hussein Nur 先前与 Agetco 通用贸易和清关有限公司有文件记录的参与和索马里国民军财务委员会最近的调查结果, 他作为主席对投标进程的参与使该进程的合法性受到质疑。⁶⁶

77. 2017 年 5 月, 索马里国民军取消了与 Agetco 通用贸易和清关有限公司公司的口粮合同, 并将合同授予 Kasram 贸易有限公司——前国家财政部长和现任议员 Abdullahi Mohamed Nor 拥有三分之一所有权的实体(见上文第 69 和 70 段)。合同的招标程序极不合规, 涉及四家公司, 其中 Nor 拥有三家公司的部分所有权。⁶⁷ 在编写本报告时, 尚不清楚 Kasram 贸易公司是否已经承担提供口粮的责任。联邦政府告知监测组, 已宣布投标无效, 并且该问题已提交总检察长。

78. 关于 Kasram 贸易公司的更多详情见附件 4.2。

E. 资源治理

79. 监测组仍然关切的是, 联邦政府、联邦成员州和临时行政当局之间的现有争端, 包括在政治权力和资源共享等资源治理重要方面意见不统一, 继续对索马里的和平与安全构成威胁。

⁶³ 监测组在 S/2016/919 附件 2.2 和 2.4 中报告称, 它对 Abdullahi Moalim Nur 和 Mohamed Hussein Nur 在后勤部门的参与感到关切。

⁶⁴ 该文件称, Abdullahi Moalim Nur 和 Mohamed Hussein Nur 已分别非法获取 32 574 美元和 4 043 美元。根据在过去三个任期中收集到的证据, 监测组认为, 这些款项占这两人贪污款项总额的一小部分。虽然该文件呼吁 Mohamed Hussein Nur 在军事监狱服刑 10 天, 并归还资金, 但 Abdullahi Moalim Nur 仅被告知归还资金。在秘书处存档的文件。

⁶⁵ 监测组在 S/2015/8013 附件 3.1(严格保密)和 S/2016/919 附件 2.4 中对向索马里国民军提供口粮的订约公司表示关切。

⁶⁶ 在秘书处存档的 Agetco 通用贸易和清关公司的银行清单证明 Mohamed Hussein Nur 从该公司账户提取大笔资金。

⁶⁷ 这些公司为 Kasram 贸易公司、Sahal 企业有限公司、Fulcrum 和 Wadajir 公司。Nor 是 Kasram 贸易公司、Sahal 企业公司和 Fulcrum 的部分所有人。监测组尚未确定 Wadajir 公司的所有权。

港口

80. 港口长期以来一直是索马里政府收入的主要来源。港口和海洋运输部长 Mariam Aweis 称，索马里所有海港都是联邦共和国拥有的公共资产，并且所有港口特许协定“须接受港口和海洋运输部在联邦政府的授权下进行的审查、批准和核准”。⁶⁸ 在州政府未与联邦政府事先协商的情况下与外国合作伙伴缔结发展和管理港口的合资企业协定时，其行动显示对政治权力相互矛盾的解释。

81. 2016 年 8 月 9 日，索马里兰议会下院批准授予迪拜世界港口自由区独资公司(DP World)开发和管理柏培拉港的为期 30 年的特许权；2017 年 2 月 12 日，索马里兰议会两院还批准在柏培拉修建一个阿拉伯联合酋长国军事基地。除了武器禁运方面的影响(见下文)，这两项表决引起对腐败和可能挪用公共资金的关切(见附件 5.1)。

82. 监测组仍然关切的是，联邦政府和各州对控制港口和相关收入的争端可能进一步破坏索马里的稳定。⁶⁹

自然资源

83. 与港口管理一样，在索马里不完整的联邦州组建进程背景下，可至少部分理解自然资源治理的问题。联邦政府和州政府之间的意见分歧——特别是关于谁有权批准商业活动和确定应如何分享自然资源收入——在渔业部门以及石油和天然气部门中仍然普遍。薄弱的自然资源治理可能造成严重后果，包括公共资源的不当使用、经济和政治发展受到阻碍以及武装冲突。

渔业

84. 渔业部门治理不力和普遍存在的非法、未报告和无管制捕捞活动继续威胁索马里的和平与安全。在宏观一级，渔业治理不力和普遍存在的非法、未报告和无管制捕捞活动造成大量国家收入损失，此种收入本来可能通过许可证费用和税款获得。还有初步迹象表明，非法、未报告和无管制捕捞活动与邦特兰海盗网络之间可能存在资助关系。⁷⁰ 此外，渔业部门治理不力和缺乏促进更有效的海事安全的体制能力——包括监测 200 多艘在邦特兰沿海作业的伊朗和也门捕捞道船——加剧了捕捞道船被用于非法目的、包括小武器贩运的风险。⁷¹

⁶⁸ 港口和海洋运输部长 Mariam Aweis 2017 年 8 月 7 日的电子邮件。

⁶⁹ 2017 年 7 月 27 日，邦特兰议会批准授予 P&O 港口公司管理和开发博萨索港口的为期 30 年的特许权。2017 年 6 月 8 日，西南临时行政当局主席谢里夫·哈桑·谢赫·亚丁还宣布了总部设在阿拉伯联合酋长国的第一公顷资本公司、总部设在中国香港的前沿服务集团有限公司和当地西南索马里服务公司之间的一个新项目，除其他外，该项目涉及在 Barawe 修建一个自由区和海港。

⁷⁰ 与发展机构渔业专家的约谈，内罗毕，2017 年 7 月 14 日。

⁷¹ 联合国机构渔业专家 2017 年 7 月 17 日提供的截至 2016 年 12 月的在邦特兰沿海活动的伊朗和也门捕捞道船的估计数。

85. 治理不力包括协定的执行和法律的实施缺乏一致性。在 2017 年 2 月底，邦特兰为在邦特兰沿海作业的七个泰国所属、悬挂吉布提国旗的拖网渔船颁发许可证，为期三个月，收取许可证费用 700 000 美元。⁷² 这违反了 2014 年《索马里渔业法》，该法在沿岸 24 海里内设立了一个沿海渔民⁷³ 保护区，禁止在联邦共和国沿海水域内进行拖网捕捞。⁷⁴ 根据联合国粮食及农业组织(粮农组织)的监测，拖网渔船也没有遵守已经与邦特兰商定的在海岸线六海里以内禁止捕鱼的禁区。在 3 月 9 日给邦特兰渔业部的信中，联邦政府渔业和海洋资源部表示反对拖网渔船作业和为其颁发许可证(见附件 5.2)。5 月 4 日，在给泰国渔业和海洋资源部的一封信中，渔业和海洋资源部请泰国拒绝 MV Chotchainavee 35 进入港口卸货，因为该船在索马里水域进行了非法、未报告和无管制捕捞活动(同上)。由于监测组尚不清楚的原因，渔业和海洋资源部在此后不久向泰国发出的第二封信中，收回了它的请求。

86. 同时，2017 年 5 月 5 日至 7 日，印度洋金枪鱼委员会在维多利亚举行联邦政府和五个州行政当局代表之间有关在索马里专属经济区发放金枪鱼许可证的谈判，该委员会是在粮农组织主持下为管理印度洋以及邻近海域金枪鱼和金枪鱼同类鱼种设立的政府间组织。5 月 7 日，似乎已经达成一项协议，五个州行政当局的代表签署了有关在索马里专属经济区发放金枪鱼和金枪鱼同类鱼种许可证的临时协定。然而，联邦政府代表、渔业和海洋资源部副部长和财政部副部长没有签署该协定(同上)。这对于签署方以及来自国际社会的观察员显然是一个意外，因为谈判期间的主要争议问题或得到解决，并且结果应有利于联邦政府，例如，将许可证的收入存入索马里中央银行；或被推迟，例如，制定金枪鱼许可证收入分享公式。联邦政府没有签署该协定，这使其失去了一次创造收入同时监管索马里海岸 50-200 海里内金枪鱼捕捞的机会。

采掘业

87. 监测组仍然感到关切的是，采掘业治理薄弱继续对索马里和平与安全构成威胁，特别是在持续的武装冲突、大量腐败以及缺乏适当法律框架和充足体制能力的背景下。特许权重叠的边境地区，如邦特兰和索马里兰之间的地区，对稳定构成威胁(S/2014/726，附件 6.7)。如果没有更高的财政透明度和更严格的财务问责制，采掘业也可能使侵吞索马里公共资源的情况愈演愈烈(见附件 5.4)。

88. 监测组继续监测索马里有关采掘业、特别是石油和天然气部门的法律框架和体制(见附件 5.3)。积极的事态发展包括：在非洲开发银行主持的非洲法律支助机制协助下，起草了一份示范产量分成合同，以及石油和自然资源部为纳入财务治理委员会的建议对产量分成合同的修订；在世界银行两名咨询人的协助下，对《石

⁷² 监测组与邦特兰当局的会议，加罗韦，2017 年 6 月 7 日。

⁷³ 联邦共和国，1985 年 11 月 30 日《索马里渔业法》第 23 号，第 3(c)条和第 33(1)条。

⁷⁴ 粮农组织与监测组分享的测绘数据，2017 年 3 月 6 日。

油法》(2008 年)进行了修订,然后将其作为一项新的法律于 2017 年提交议会审议。然而,虽然在 2016 年与两个临时行政当局通过双边谈判达成了一个石油共享临时协议,在联邦政府和州政府之间达成总体资源共享协定方面没有取得进展。⁷⁵ 同样,该部承诺编制的石油特许权中央登记册仍未完成,在编写本报告时,也不清楚联邦政府委员会有关自然资源收入管理方面的建议是否将被纳入《公共财政管理法》。⁷⁶ 最后,尽管在以前的部长领导下已经确定需要大量人员,但该部的技术能力似乎没有改善,而《石油法》(2008 年)要求成立的一个正常运作的索马里石油管理局和索马里国家石油公司尚有待成立。

89. 与此同时,虽然在现行当局管理下尚未进行任何经确认的新的石油交易,现有证据表明,联邦政府把与公司继续谈判列为优先事项。石油和自然资源部 2017 年年度工作计划包括: 377 000 美元用于一次碳氢化合物“巡回展出”、多轮招标以及根据 Spectrum ASA 收集的近海地震勘测数据授予合同(见 S/2016/919 第 85 段和附件 5.1); 300 000 美元用于与荷兰皇家壳牌公司、埃克森美孚石油公司、索玛石油和天然气控股有限公司及 Petro Quest (Liberty)的谈判; 另外 100 000 美元分配给“执行授予仪式”。⁷⁷ 石油和自然资源部在 2017 年 8 月 18 日给监测组的信中确认其与荷兰皇家壳牌公司、埃克森美孚公司、索玛石油和天然气公司和 Petro Quest (Liberty)进行直接谈判的意图,以及在 2018 年开放一些近海区的投标的计划。监测组仍然关切的是,联邦政府缺乏有效管理采掘业和减少冲突风险的监管框架和机构能力。

F. 海盗活动再度爆发

90. 2017 年 3 月 13 日,阿拉伯联合酋长国所属油轮 Aris13(海事组织: 9012501)从吉布提前往摩加迪沙途中在索科垂岛和索马里大陆之间的峡湾遭到海盗劫持,这是自 2012 年以来国际商船在索马里沿海首次被劫持。在 2017 年 3 月 16 日海盗和邦特兰海事警察部队之间交火后,海盗、当地长老和邦特兰当局之间举行了谈判,其结果是该油轮被放行。

91. 4 月 1 日,印度所属、悬挂印度旗的道船 Al Kausar 在从迪拜前往基斯马尤的途中也在索科垂的峡湾被劫持。⁷⁸ Al Kausar 上 10 名印度船员被扣为人质并随后被索马里安全部队于 4 月 12 日解救。4 月 3 日,巴基斯坦所属货船 Salama 1 在索马里中部沿海被劫持,数目不详的船员被扣为人质。

⁷⁵ 与贾穆杜格临时行政当局和西南临时行政当局达成了双边协定。

⁷⁶ 这些建议涉及自然资源收入管理原则,包括在资金保存地点、资金支付方式以及如何节约资金方面的原则。见财务治理委员会,“联邦政府咨询说明: 加强公共财政管理法案草案”,2017 年 5 月。

⁷⁷ 石油和矿产资源部,“石油和矿产资源部 2017 年年度工作计划”。

⁷⁸ 在 2017 年 5 月 2 日与航运总局在印度孟买的会议上,当局证实 Al Kausar 是监测组以前确认的违反从索马里出口木炭禁令的同一艘悬挂印度旗的道船(见 S/2016/919 附件 9.5)。

92. 4月8日, 海盗劫持了一艘黎巴嫩所属、悬挂图瓦卢国旗的货船 OS35。这艘船在第二天被中国和印度的国际海军部队解救。在采取救援行动期间, 中国部队俘虏了包括劫持者头目 Abdikarim Salah Mohamed (别名 Aw Koombe)在内的三名海盗。Mohamed 以沿岸小镇 Alula 为据点, 同时也是劫持 Aris 13 的海盗团伙头目。中国海军随后将 Mohamed 转交给邦特兰当局, 他目前被关押在博萨索中央监狱。

Abdikarim Salah Mohamed(别名 Aw Koombe)网络以及对 Aris13 的劫持

93. 中国海军在 2017 年 4 月 9 日解救货船 OS 35 时俘虏了海盗头目 Abdikarim Salah Mohamed(别名 Aw Koombe)和两名以前未知身份的同伙 Mohamoud Mahad Yusuf 和 Sadam Abdullahi Mohamed Yusuf, 并将他们交给邦特兰当局。Mohamed 还领导 3 月 13 日对劫持油轮 Aris 13 负责的海盗团伙。⁷⁹ 这两个海盗团伙以邦特兰东北部末端的小镇 Alula 周边地区为基地开展行动; 自从邦特兰部队 2016 年 12 月从伊黎伊斯兰国夺回 Qandala 以后, Alula 地区成为海盗行动的自然枢纽, 因为 Alula 是 Qandala 和 Bargal 之间唯一的大型定居点, 而这两个地点都由邦特兰部队驻防。⁸⁰

94. 除了 Aw Koombe 和他的两名同伙, Aris13 上的卫星电话通话记录显示, 3 月 13 日船只遭劫持后有人与两个邦特兰移动电话号码通话, 监测组认为这两个号码属于 Aw Koombe 网络成员。

95. 附件 6.1(严格保密)提供有关劫持 Aris 13 的更多信息和 Aw Koombe 海盗网络联系的分析。

G. 选举的不当行为

96. 监测组收到在从议会甄选程序开始到 2017 年 2 月总统选举的整个选举过程中选举舞弊行为的大量报告。⁸¹

97. 选举程序表明, 精英阶层继续以和平与安全为代价, 努力获取或维持对索马里国家资源的控制。欧洲联盟选举专家团编写的一份报告将过渡描述为 “[国家领导论坛]⁸² 牵头进行的政治谈判, 该论坛设计了选举程序, 任命了实施该程序的特设机构, 没有为这些机构配备任何执行商定规则的手段, 并宣布其决定无效。”⁸³

⁷⁹ 监测组 2017 年 6 月 7 日在博萨索中央监狱约谈 Mohamed 时, 他否认参与 Aris 13 的劫持。然而, 监测组在博萨索的消息来源称, Mohamed 承认了他在海盗团伙的领导作用, 并且监测组获得的移动电话位置数据证实了他的参与。

⁸⁰ 邦特兰部队重新占领 Qandala(Khooriga)导致失去该地的自然港口, 此后 Alula 似乎也成为邦特兰的军火走私中心(见附件 2.1)。

⁸¹ 监测组在 S/2016/919 附件 3.2 中报告了其选举框架的关切。

⁸² 国家领导论坛由联邦政府总统、总理、副总理和议长以及联邦州朱巴兰州、西南州、贾穆杜格州和邦特兰州的州长组成。希谢贝利行政当局新当选的州长在 2016 年 10 月加入该论坛。

⁸³ 欧洲联盟, “2016-2017 年索马里有限选举程序-欧盟选举专家团-最后报告”, 2017 年 2 月 16 日。可查阅 https://eeas.europa.eu/sites/eeas/files/eu_eem_somalia_final_report.pdf。该报告全面介绍了选举程序的弱点, 并提出了建议。

议会选举程序

98. 监测组记录了多次企图操纵议会选举程序结果的事件，其中包括：⁸⁴

- (a) 国家间接选举执行小组对州选举程序的把关；
- (b) 选举团清单的欺诈性修改；
- (c) 贿赂部族长老和选举团成员；
- (d) 对候选人、部落长老和选举团成员威胁使用和使用暴力。

99. 国际社会施加压力后于 2016 年 9 月底设立的独立选举争端解决机制收到 98 份正式申诉。该机制 11 月 21 日编写的内部报告概述了 39 个具体案例。⁸⁵ 该机制后来于 12 月 14 日宣布 11 个席位的选举结果无效。然而，12 月 27 日，国家领导论坛推翻该机制的决定，下令仅在五个案例中重新举行选举，允许所有被禁选的候选人都参加选举并随后第二次胜出。

总统选举

100. 监测组从多个独立消息来源收到关于一些总统候选人和议员之间在 2017 年 2 月 8 日总统选举之前期间进行大笔金钱交易的报告。

101. 若干总统候选人，包括时任总统和总理，据称向议员给出高达 50 000 万美元的出价，使其投赞成票。⁸⁶

102. 某些会员国也积极活动，企图影响总统选举的结果，其中阿拉伯联合酋长国最明显。该国频繁召集州行政当局领导人出席会议，并向其提供现金，用于说服其州议员投票给该国中意的候选人。⁸⁷

三. 武器禁运

A. 武器非法流入索马里

邦特兰武器走私网络

103. 邦特兰地区仍然是武器非法流入索马里的主要入境点。在前二个任务期间，监测组查明了两个往邦特兰走私武器的渠道：使用远洋道船将较大的货物从伊朗

⁸⁴ 监测组 2017 年 1 月给委员会的每月更新中摘要介绍了这些企图。

⁸⁵ 在秘书处存档的独立选举争端解决机制内部报告。

⁸⁶ 监测组在 2016 年 12 月至 2017 年 4 月之间与外交界和国际机构代表、现任和前任的联邦政府官员和摩加迪沙和内罗毕的总统候选人的约谈。

⁸⁷ 同上。据称，阿拉伯联合酋长国为前任总理竞选总统职务提供了支持，至少在竞选后期之前。

伊斯兰共和国 Makran 海岸运到邦特兰；通常使用小艇将较小的货物从也门走私到邦特兰，这种小艇可以在一天内完成航行，这种走私形式更加频繁。⁸⁸

104. 虽然监测组收到了证据，证实每月约有一批武器货物沿邦特兰海岸从甘达拉运至阿卢拉，但由于缺乏准入途径和安全条件，监测组无法证实这其中很多案件。尽管如此，监测组还是收集到了证据，证明有三批武器货物进入邦特兰(一批来自伊朗伊斯兰共和国，其他两批来自也门)，其中一批打算运送给邦特兰巴里州的伊拉克和黎凡特伊斯兰国(伊黎伊斯兰国)。

Fatah Al Khayr 和伊拉克和黎凡特伊斯兰国的武器采购

105. 2017 年 4 月 30 日，当在索马里登记的 Fatah Al Khayr 号普通货运道船在博萨索停泊时，邦特兰港口警察在该船上发现了 16 支手枪和 2 030 发 7.62×25 毫米手枪子弹。4 月 28 日，在 Fatah Al Khayr 号从也门穆卡拉驶往博萨索的途中，美国军舰顺化市号为登船进行例行旗帜验证，拦截并搜查了该船，但未发现违禁品。⁸⁹

106. 随后监测组对该事件开展了调查，调查显示向 Fatah Al Khayr 号交付了一批手枪的走私者网络随后往邦特兰东北海岸给邦特兰东北部的伊黎伊斯兰国派运送了一批较重的小武器。运送给伊黎伊斯兰国的武器(包括手枪)由也门夏卜瓦省以也门为根据地的军火商提供，由邦特兰武器走私者进行运送，监测组知道这些走私者，主要有 Mahad Isse Aden(别名 Laboballe)、Abdi Mohamed Omar(Dhofaye) 和 Buruj Mohamed Ali Farah。

107. Fatah Al Khayr 号的案例研究全文见附件 7.1。

Dhofaye、Laboballe 和 Buruj Farah 团伙

108. 监测组还证实，Dhofaye、Laboballe 和 Buruj Farah 三人还从也门进口了第二批小武器，这批武器于 2017 年 5 月 9 日到达博萨索以东约 15 公里的人口贩运中心 Marero。⁹⁰ 监测组获得的财务记录表明，在 2016 年 10 月至 2017 年 7 月之间，Dhofaye 向也门的三名军火商转账近 260 000 美元，这表明在本任务期间，除了监测组记录在案的这两起活动，Dhofaye、Laboballe 和 Buruj Farah 团伙可能还涉及了一系列非法运送武器的活动。

109. 2017 年 9 月 22 日，监测组收到欧洲联盟欧盟阿塔兰特海上行动(阿塔兰特行动)国际海军特派团的信息，得知一架海上巡逻机发现一只小艇从也门向索马里运送武器。随后同邦特兰海事警察部队分享了这些信息，9 月 23 日上午邦特兰海事警察部队在博萨索截获了该小艇，并扣押了运送的武器。邦特兰海事警察部

⁸⁸ 2015 年 9 月到 2016 年 3 月之间，四艘从伊朗伊斯兰共和国 Makran 海岸走私武器到索马里的远洋道船被国际海军部队拦截。在监测组以往多份报告(包括 S/2014/726，附件 6.6)中，记录了从也门运送较小规模武器的情况。

⁸⁹ 2017 年 8 月 29 日，海上联合部队向索厄问题监测组提供了此次登船的详情。

⁹⁰ 由前邦特兰情报人员提供并经移动电话记录分析证实的信息。

队确定小艇上的两人为 Dhofaye 和 Buruj Farah，但称他们成功逃过了邦特兰部队的抓捕。⁹¹ 这次扣押武器，标志着邦特兰和国际海军部队第一次在拦截武器中展开了实时协调。

110. 在编写本报告时，监测组已与邦特兰当局联络，安排检查这次扣押的武器；武器和小艇的初步照片载于附件 7.1.1。

使用道船从伊朗伊斯兰共和国向阿卢拉运送武器

111. 由于 2016 年 12 月邦特兰部队从伊黎伊斯兰国派手中收复甘达拉，因此走私武器中心似乎已从甘达拉向东移至邦特兰东北端阿卢拉和 Habo 沿海城镇周围的地区。

112. 2017 年 3 月 8 日至 9 日，三只可能来自伊朗伊斯兰共和国的道船在索马里 Mohamed Abdi Muse 部族的协助下向阿卢拉运送了一批武器。该部族曾被监测组认定为甘达拉-哈丰武器走私网络的成员(见 S/2016/919，附件 8.10)。监测组随后获得这批货物在阿卢拉附件海滩上的照片，但因仍是包装状态，所以无法确定包装内的确切物品。

113. 移动电话记录证实了 Mohamed Abdi Muse 部族在促成该批货物运输中所起的作用，记录显示该部族在 3 月 3 日至 9 日之间共向三个卫星电话拨出过 16 通电话。2015 年，Mohamed Abdi Muse 部族曾在运送主要由 75 枚反坦克导弹组成的货物时，与伊朗登记的道船 Nasir 号上武器走私者所操作的卫星设备取得联系，Nasir 号于 2015 年 9 月 24 日被澳大利亚皇家海军舰艇墨尔本号拦截(同上)。Nasir 号出发地为伊朗伊斯兰共和国查赫巴尔，且机组人员报告称该道船的目的地是邦特兰胡尔迪约。⁹²

114. Mohamed Abdi Muse 部族 2017 年 3 月电话活动的关联图见附件 7.1。

关于 2016 年 3 月法国护卫舰“普罗旺斯”号扣留武器事件的最新情况

115. 监测组获得了关于法国“普罗旺斯”号护卫舰 2016 年 3 月 20 日从一艘驶往邦特兰的道船上查扣了一批武器的进一步资料(见 S/2016/919，附件 8.4)。监测组于 2017 年 3 月访问法国，期间还检查了缴获的武器。之后监测组确定，在行动中缉获的 2 000 支突击步枪具有与伊朗制造的 AK 型 KLS-7.62 毫米突击步枪一致的特点，其中 64 支狙击步枪具有与伊朗制造的 SVD 狙击步枪一致的特点。⁹³

116. 9 月 18 日至 21 日，监测组访问伊朗伊斯兰共和国，期间伊朗当局坚决否认该国参与了向索马里运送武器的活动，并指出某些行为体企图将武器运送归咎于伊朗伊斯兰共和国。

⁹¹ 2017 年 9 月 23 日对邦特兰海事警察部队一名高级官员的访谈。

⁹² 海上联合部队机密报告。

⁹³ 也门问题专家小组也作出了类似的结论。见也门问题专家小组的最后报告(S/2017/81，表 3)。

117. 一个会员国向监测组确认以下事实：在此次查扣中发现的光学瞄准具之前被出口到一家伊朗公司，出口的前提是不会用于军事目的，或向第三方出售或转让以用于军事目的。伊朗当局向监测组保证将会调查涉事公司。

118. 对法国护卫舰“普罗旺斯”号缴获武器的全面分析列于附件 7.2。

Ekol 空包弹手枪

119. 2017 年 1 月 23 日，朱巴临时行政当局和非索特派团特遣队在停泊于基斯马尤港的 SJ African 号船上发现一个装了约 25 000 支 Ekol 空包弹手枪的集装箱。根据集装箱所附的单据，集装箱计划于 2015 年 12 月在厄立特里亚的马萨瓦卸货。

120. 在朱巴临时行政当局的支持下，监测组于 2017 年 2 月 14 日在港口检查了武器的样品。当时，朱巴临时行政当局转达了在基斯马尤销毁这些手枪的打算。然而，2017 年 8 月 17 日致朱巴临时行政当局、要求澄清这些手枪下落的公函却没有收到答复。由于这些空包弹手枪很容易改造成发射实弹的手枪，所以监测组认为这批武器属于对索马里武器禁运规定中的禁运物资。

121. 关于扣留 Ekol 空包弹手枪的详细说明载于索马里和厄立特里亚问题监测组关于厄立特里亚的报告(S/2017/925)第 14 至 17 段和附件 1。

B. 联邦政府遵守根据部分解除禁运规定的义务

122. 2013 年，安全理事会允许联邦政府进口无限量的武器弹药(不超过一定口径和类型)及其他军事装备。⁹⁴ 部分解除禁运后，联邦政府必须事先通知委员会其安全部队获得的所有支助，并说明所有武器和弹药的运送和分发情况；每隔六个月向安理会提交关于其部队结构和构成的报告；为武器和弹药管理制定有效的程序。

通知⁹⁵

123. 委员会在本任务期间收到了七份关于向联邦政府运送军事物资的预先通知，其中六份是联邦政府提交的。⁹⁶ 监测组确认在本任务期间为联邦政府安全部队运送的武器、弹药和其他军用物资中有四批货物已经抵达。其中，只有一批货物的供货过程完全遵守了提交预先通知和发货后通知的要求。其中有两批货物没有向委员会提交预先通知。在发货后和监测组查询后，委员会才获知这些货物。尽

⁹⁴ 见安全理事会第 2093(2013)号决议，第 33 至 39 段。

⁹⁵ 见安全理事会第 2142(2014)号决议，第 3 至 7 段。与支助联邦政府安全部队有关的通知要求概述，见安全理事会决议第 751(1992)和 1907(2009)号决议所设委员会 2016 年 3 月 14 日的“第 2 号执行援助通知：索马里和厄立特里亚现行武器禁运限制(包括豁免)概述”的第 9 至 17 段。

⁹⁶ 尽管联邦政府对通知委员会承担首要义务，但参与供货的会员国或国际组织，也可以与联邦政府“协商”后提交预先通知。见安全理事会第 2142(2014)号决议，第 4 段。

管委员会确实收到了联邦政府为第四批货物提交的预先通知和发货后通知，但提供的信息存在不一致的地方。

124. 信息流通不畅(包括联邦政府和会员国之间，以及政府机构内)阻碍了联邦政府履行提交发货后通知的义务。

125. 2017年8月，监测组收到信息，获悉一大批军事装备从中国运抵 Villa Baidoa，但是委员会没有收到关于这批货物的预先通知。监测组联系了联邦政府，随后，8月21日联邦政府致函委员会，确认运送了军事物资，但未详细说明运送的军事装备的类型和数量。⁹⁷ 8月29日监测组在哈兰中央军械库检查了这批货物的一部分。⁹⁸ 中国回应监测组的询问，于9月22日告知监测组，军事装备、武器和弹药于2017年7月交付给联邦政府，相关文件也已提供给联邦政府。

126. 此外，提交通知的责任出现混淆，例如：美国通知联邦政府，称其打算于2017年8月29日运送一批武器和弹药，以支持索马里国民军。联邦政府以为已就这些物资提交了预先通知，所以没有向委员会提交任何补充来文。⁹⁹ 但8月29日抵达的货物所载的清单不同于联邦政府所引用的预先通知中的清单。

联邦政府向安全理事会报告安全部队的情况

127. 按照第 2182(2014)号决议第 9 段所详述并最近经第 2317(2016)号决议第 7 段延期的要求，自上一份报告提交以后，安全理事会收到了联邦政府提交的两份报告。

128. 在2016年10月的报告中，除了说明索马里国民军、索马里警察部队、国家情报和安全局以及看守部队的领导结构流程图，联邦政府还提供了一份表格，显示索马里国民军每个旅的部队人数。然而，表中所示兵力不符合其他各种对索马里国民军兵力的评估(包括由监测组审查的联邦政府/索马里国民军内部评估)，且没有详细说明每个营大致的兵力，每个营和旅的地点或每个营和旅的指挥官。没有提供关于索马里警察部队、国家情报和安全局或看守部队的进一步细节。

129. 2017年3月报告的提交时间正逢向现在联邦政府行政当局过渡的时期。该报告进一步详细说明了各地区的索马里安全部队，估计了为邦特兰、贾穆杜格临时行政当局和西南临时行政当局地区部队提供的兵力。报告指出，朱巴临时行政当局没有与联邦政府分享关于其部队兵力的细节，而且新设立的希谢贝利临时行政当局在报告提交时还没有任何部队。

130. 尽管联邦政府关于其安全部队的报告略有改善，但仍不完整且不够详细。¹⁰⁰ 这些不足之处部分可以归咎于联邦政府和州行政当局之间的薄弱关系，也可能是因为安全部门官员不愿意或没有能力提供适当或足够的信息。

⁹⁷ S/AC.29/2017/NOTE.41。

⁹⁸ 见 S/AC.29/2017/SEMG/OC.122 和附件 8.1。

⁹⁹ S/AC.29/2015/NOTE.66。

¹⁰⁰ 监测组先前对联邦政府报告的评估见 S/2016/919，附件 8.2。

武器和弹药管理

131. 因为在本任务期间进入武器储存设施的机会增加，监测组注意到，在哈兰中央军械库，进口物资的管理和登记以及武器的分发和跟踪得到了改善。监测组在开展分析时得到了联合核查小组和联合国裁军研究所的支持。¹⁰¹ 新的联邦政府愿意继续加强程序，这使监测组受到鼓舞。然而，在编写本报告时的现行制度仍然薄弱，且容易受到操纵。

武器和弹药的登记和标记程序

132. 监测组获准进入摩加迪沙哈兰中央军械库三次，并要求再予以五次进入哈兰的机会。¹⁰² 2017 年 4 月 26 日和 8 月 29 日，监测组对哈兰中央军械库的武器和弹药进行了两次单独的审查。

133. 监测组检查哈兰中央军械库的详细情况见附件 8.1。

134. 监测组注意到在本任务期间，两批运送中收到的武器都遵循了登记和标识程序，但发现了一些有出入的地方。与此同时，与弹药登记有关的进程需要改进。

135. 哈兰中央军械库当前武器管理程序的说明见附件 8.2。

136. 在编写本报告之时，八个武器打标机中有七个正在使用，三个在哈兰中央军械库，三个在联邦政府国内安全部，还有二个移动武器打标机在实地使用。据联邦政府称，截至 2017 年 3 月 30 日共给 8 800 件武器打上标识。¹⁰³

武器和弹药分配

137. 在 2017 年 4 月 26 日访问哈兰中央军械库期间，监测组获得了追溯到 2015 年 12 月的弹药分配核准表。监测组还审查了相应的记录，记录了 2015 年 12 月至 2017 年 3 月之间向索马里安全部队共分配 1 366 970 发子弹的详情。

138. 尽管监测组发现哈兰中央军械库的弹药分配管理有所改进，仍存在一些令人关切的领域。例如，没有记录物资预定目的地的标准化程序：在某些情况下，只列出了城市或行业部门，没有说明具体单位。2017 年 7 月 31 日，监测组要求联邦政府提供关于弹药接收方的进一步信息。联邦政府在其 8 月 18 日的答复中，

¹⁰¹ 继 2014 年 4 月 3 日秘书长给安全理事会主席的信(S/2014/243)和 2014 年 5 月 22 日安全理事会主席的声明(S/PRST/2014/9)，依照安全理事会第 2182(2014)号决议，联邦政府组建联合核查小组，定期对政府安全部队武器的库存、库存记录和供应链进行检查，以便减少武器和弹药外流。

¹⁰² 哈兰中央军械库是所有抵达索马里的武器、弹药和军事装备的正式起始储存点，位于大摩加迪沙机场大院内。

¹⁰³ 联邦政府根据第 2182(2014)号决议第 9 段于 2017 年 3 月 30 日向安理会提交的报告。索马里国民军给 6 000 件武器打上了标识，国内安全部给 2 800 件属于国家情报和安全局、索马里警察部队、公务员和私营保安公司的武器打上了标识。联邦政府也曾通知监测组(见 S/AC.29/2017/NOTE.24/Add.1)，自那以来，另有 1 600 件吉布提共和国捐赠的武器也被打上标识。

承认没有按照安全理事会第 2142(2014)号决议第 6 和第 7 段提供支持某些货物分发后信息的文件。因此，监测组无法核实弹药是否达到预定接收方手中。

139. 对联邦政府武器和弹药分发文件的审查见附件 8.3(严格保密)。

140. 2017 年 8 月 29 日，监测组详细审查了与 2017 年 6 月从吉布提共和国运抵的武器的运送、登记和转运有关的文件。¹⁰⁴ 虽然已产生大量文件，但无法追踪每一件设备的预定目的地。在某些情况下，日志条目与相应的分发命令和分发后通知文件不符。

141. 本案例研究的详情见附件 8.4(严格保密)。

142. 关于联邦政府的安全行动期间收缴的或军火市场记录在案的有联邦政府标识的武器详情见附件 8.5。

C. 其他索马里安全部门机构：对武器禁运的遵守情况

143. 如果委员会核准，其他索马里安全部门机构可以获得本因武器禁运而被禁止的支助和物资。¹⁰⁵ 正如在 2016 年所述，会员国在本任务期间继续大力支持非联邦政府部队(见 S/2016/919，附件 8.3)。然而，委员会在本报告所述期间只收到了供其审议的一份通知，内容是向索马里兰警察部队交付的一批货物。

未发出通知的运往基斯马尤和拜多阿的武器货物

144. 在本任务期间，监测组要求埃塞俄比亚政府澄清关于向基斯马尤和拜多阿区域安全部队运送武器的报告。2017 年 8 月，埃塞俄比亚政府代表分享了两份关于交付给西南临时行政当局主席办公室武器的最终用户证书(日期分别为 2016 年 2 月 18 日和 2016 年 9 月 23 日)和一份日期为 2016 年 7 月 20 日、来自朱巴临时行政当局主席办公室的订购单。来自朱巴临时行政当局主席办公室的订购单表示要求购买各种物资，包括以下物品：

- (a) 1 000 支 AK-47 突击步枪；
- (b) 20 支 PKM 机枪；
- (c) 50 支 RPG-7 火箭助推榴弹发射器；
- (d) 30 支德什卡重机枪；
- (e) 5 支 14.5 毫米机枪。

¹⁰⁴ 2017 年 5 月 26 日向委员会提交了预先通知(见 S/AC.29/2017/NOTE.24)。联邦政府于 2017 年 8 月 17 日发出了交付后和分发后通知，并于 2017 年 9 月 6 日提供了补充资料(见 S/AC.29/2017/NOTE.24/Add.1)

¹⁰⁵ 见安全理事会第 2111(2013)号决议，第 11(a)段。

145. 在编写本报告时，尽管已经提出要求，但仍不清楚这些交付给西南临时行政当局或朱巴临时行政当局的货物的具体信息。

D. 在柏培拉建立一个阿拉伯联合酋长国军事基地

146. 2016 年底，监测组收到关于在索马里兰柏培拉建立一个阿拉伯联合酋长国军事基地计划的报告。监测组于 2017 年 1 月 18 日致函阿联酋和索马里兰，要求澄清他们关于该军事基地的协定，并对武器禁运的遵守情况提供咨询意见。¹⁰⁶ 2 月 12 日，在监测组收到答复之前，索马里兰议会核准了在索马里兰建立军事基地的决定。¹⁰⁷

147. 在 2017 年 5 月访问索马里兰期间，一名高级内阁成员告诉该监测组，索马里兰行政当局已准许阿拉伯联合酋长国作为军事基地翻修和使用柏培拉现有机场设施，并将其仅供阿拉伯联合酋长国空军使用，期限为 25 年。这名官员还告诉监测组，该基地将主要用于海上巡逻，以打击海盗行为，且不会用于进行空袭。¹⁰⁸ 与之相反，另一名高级官员公开宣布，基地将被阿拉伯联合酋长国用于培训、监视和在也门的军事行动。¹⁰⁹

148. 2016 年 12 月至 2017 年 9 月期间获得的卫星图像表明，正在柏培拉机场跑道以北大约 2 公里处的海岸线上建造新的永久性设施(包括一个新的泊位)。建筑工地的卫星图像见附件 9。

149. 在柏培拉建立外国军事基地涉及将军用物资转运进该国境内，这将违反对索马里的武器禁运：监测组所获关于该基地用途的资料表明，不可能适用任何现有的武器禁运豁免。此外，根据安全理事会第 2111(2013)号决议第 11(a)段，任何对位于索马里兰的索马里安全部门机构构成支助的援助，必须通知委员会，并征求其核准。

150. 最后，如果决定单方面与索马里兰行政当局开展这种性质和规模的冒险行动，将进一步破坏联邦政府与索马里兰行政当局之间的关系，从而破坏索马里的长期稳定。

¹⁰⁶ S/AC.29/2015/SEMG/OC.23，2017 年 1 月 18 日。

¹⁰⁷ 阿拉伯联合酋长国政府 2017 年 8 月 8 日对索厄问题监测组作出答复，鼓励监测组联系索马里有关当局，询问在其领土内进行的活动(2017/338)。

¹⁰⁸ 监测组于 2017 年 5 月 25 日在哈尔格萨与一名索马里兰高级内阁官员的访谈。监测组得知，作为回报，阿拉伯联合酋长国同意在附近建立一个新的民用机场，以及在瓦贾莱修复从柏培拉通往埃塞俄比亚边界的道路。

¹⁰⁹ 阿卜杜勒阿齐兹·奥斯曼，“索马里兰称阿联酋可从新基地发动攻击”，美国之音，2017 年 5 月 26 日。可查阅 www.voanews.com/a/somaliland-says-united-arab-emirates-launch-attacks-new-air-base/3872972.html。

E. 非洲联盟驻索马里特派团和联邦政府安全部队在进攻行动中缴获的军事装备

151. 安全理事会第 2182(2014)号决议第 6 段规定，索马里国民军和非索特派团必须记录和登记在进攻行动中缴获的所有军事装备，并协助监测组的检查。在第 2317(2016)号决议第 12 段中，安理会敦促在履行这一义务时“非索特派团加强配合”。

152. 在本任务期间，非索特派团领导发布了管理缴获武器的程序和指示，但在部门一级执行这些程序和指示仍然存在问题。尽管非索特派团加强了参与并多次表达了配合的意愿，对本报告所述期间缴获的七批武器，非索特派团只向监测组提供了有限的信息。

153. 监测组还请联邦政府在本任务期内提供访问的机会，以便查看在数次进攻行动中缴获的武器，但联邦政府没法使这些访问成行。

F. 安全部门改革

154. 随着非索特派团部队在今后两年至五年撤出索马里南部和中部的可能性越来越大，人们越来越担心索马里部队是否有能力维持和加强过去十年来所取得的安全成果。

155. 索马里安全部门在 2017 年 5 月 11 日举行索马里问题伦敦会议之前和期间得到了重视，结果在会议上联邦政府和国际社会代表签署了一项安全契约。这项安全契约规定：联邦政府和州行政当局之间为索马里部队制订新国家结构的政治协议；索马里安全部门分阶段改革的计划；¹¹⁰ 国际伙伴支持这一进程的承诺。¹¹¹

156. 各种行为体，包括联邦政府和索马里国民军的高级代表，表示反对该计划，特别是从摩加迪沙下放指挥权和增强区域行政当局权威的内容。¹¹²

157. 主要由于缺乏政治意愿，所以自 2015 年以来，大多数将州安全部队——包括 3 000 名邦特兰特别治安部队士兵¹¹³——编入索马里国民军的努力都陷入僵局。(见 S/2016/919，第 52 段)新的联邦政府和当前各州行政当局是否愿意共同有

¹¹⁰ 根据拟议的新安全架构，各州要在索马里国民军中实现平等代表权，可能需要对部族代表情况进行重新分配。因此，目前索马里国民军中占主导地位的部族——特别是阿布加尔部落和哈伯盖迪尔部落(两者都属于哈维耶部族)——可能需要减少人数。

¹¹¹ 大不列颠及北爱尔兰联合王国国际开发部、外交和联邦事务部和国防部，“安全契约”，政策文件，2017 年 5 月 11 日。可查阅 www.gov.uk/government/uploads/system/uploads/attachment_data/file/613720/london-somalia-conference-2017-security-pact.pdf。

¹¹² 与在 2017 年 5 月和 8 月之间参与内罗毕和摩加迪沙安全部门改革的国际外交工作人员和咨询人的访谈。监测组还审查了索马里国民军的内部文件，这些文件表明拒绝了国际合作伙伴提出的、在广泛提供援助时确保各州行政当局予以授权的请求。

¹¹³ 将邦特兰特别治安部队编入索马里国民军仍是邦特兰行政当局的当务之急。2017 年 8 月 29 日在内罗毕与邦特兰总统办公室主任 Abdinasir Sofe 的访谈。

系统地执行新的安全架构仍有待观察。但是，在编写本报告之时，不太可能达到索马里问题伦敦会议为2017年10月(计划于该月举行一场后续会议)设定的基准。

158. 监测组感到关切的是，试图向不情愿但具有影响力的行为体强加一种新的安全架构将产生这一进程的搅局者，并可能导致索马里中部和南部各地的安全局势迅速恶化。

四. 阻碍人道主义援助

159. 联合国于2017年2月2日发布的饥荒前预警引起索马里人道主义活动大幅升级。¹¹⁴ 虽然当地非政府组织和社区承担了分发基本物资的负担和风险，但由于新的冲突周期开始，打击青年党的行动加强，且供应线路无法通行，物资的发放受到了阻碍。青年党善于在其公认的控制地区内外扰乱和操纵人道主义活动。

A. 青年党¹¹⁵

160. 2011年，索马里饥荒导致260 000人死亡，青年党拒绝人道主义准入对此起到了极大的促成作用。与此形成对照的是，在当前任务期间，青年党发起了宣传到位的抗旱行动，设立区域抗旱委员会，并建立了自己的 Al-Xhasan 人道主义部门。¹¹⁶ 2017年3月，青年党在拜州、巴科勒州、加尔古杜德州、希兰州、谢贝利州和穆杜格州开展了一系列高调的分发粮食和水的行动。然而，与此同时，青年党的其他政策进一步恶化了其控制地区内外有需要的民众的处境。¹¹⁷ 其中包括：

(a) 通过没收和销毁粮食援助及处罚接受人道主义援助的民众，在大多数地区继续积极执行针对正式人道主义部门的禁令；

(b) 增加对社区资产、农收产量和人道主义援助(包括现金转移)的征税，往往通过暴力执行；¹¹⁸

¹¹⁴ 到7月底，收到或认捐89 700万美元，用于2017年由联合国支助的索马里人道主义应急行动。

¹¹⁵ 本节中的案例研究基于经过证实、于2016年12月至2017年9月1日在拜多阿、加尔卡约和摩加迪沙对国内和国际人道主义工作人员、区域和地方官员、当地记者、社区长者和援助受益者本人进行的访谈。索厄问题监测组还远程采访了现在还在或已经离开青年党控制地区的前青年圣战运动成员、当地长者和社区代表。

¹¹⁶ 青年党广泛宣传其人道主义活动和批评国际努力。除其他外，见对青年党发言人 Sheikh Ali Dhere 的采访，电台 al-Furqan，可查阅 <http://radioalfurqaan.com/?p=9523> (索马里文)(2017年9月20日查阅)。

¹¹⁷ 在青年党控制的一些地区，人道主义局势十分严峻：2017年6月，Mataban 地区的重度急性营养不良率估计达到了6%——是紧急临界值的三倍。

¹¹⁸ 2017年3月，在中谢贝利州，青年党从 Gaaleefto 村绑架了五名长者，焚烧房屋和学校，原因是三周前当地社区拒绝按青年党提高的税率缴税。

(c) 逮捕和绑架试图就人道主义准入问题进行谈判的人道主义工作者和长者的行动激增；¹¹⁹

(d) 提高检查站收费，继续封锁向政府控制的地区运输商业和人道主义物资。¹²⁰

161. 虽然青年党抵制外部人道主义援助，但也有例外。2017 年 2 月，青年党要求当地非政府组织对若干地点爆发的霍乱疫情采取应急行动。3 月初，青年党允许中朱巴州一个小部族向散居国外者集资，为其社区购买粮食援助，但所有资金和物资都必须缴税。

162. 青年党允许试图离开其聚居区以获取援助的人有限地自由行动，¹²¹ 但这些人能否返回家园并非总能得到保证。监测组记录了下谢贝利州的流离失所家庭如何通过手机转账来纳税，以保留其土地所有权。在拜州一些地方，在雨季到来之后返回家园耕作的代价是上交 15 美元和部分收成。

B. 官僚主义障碍¹²²

163. 2017 年 2 月 28 日，联邦和州当局誓称，消除“有阻提供援助的一切障碍，包括食品、关键用品进出口以及汇款方面的一切障碍；[并且]暂停联邦以下一级对施援者新提出的官僚主义要求”。¹²³ 尽管略微作出一些姿态，但是承诺并未兑现。¹²⁴ 2017 年 1 到 8 月，秘书处人道主义事务协调厅记录了 62 起人道主义行动遭遇官僚主义障碍的事件。由于缺乏规范人道主义行动的明确框架，旨在妨碍和转用人道主义援助的阻挠手段仍在继续，包括：¹²⁵

(a) 对人道主义供应品征税；

¹¹⁹ 2017 年 4 月 25 日，青年党在下谢贝利州的 Qoryoley 杀害一名因在此类谈判中发挥作用的长者。

¹²⁰ 7 月 1 日，青年党袭击了从 Wajiid 前往 Buurdhuxunle、由九驾驴车组成的车队，宰杀了牲畜并烧毁了粮食。

¹²¹ 在巴科勒州，两名青年党领导人就是否应允许居民离开产生了巨大的分歧，结果引发了武装冲突。

¹²² 索厄问题监测组对官僚主义障碍的定义是，被承认的当局强制实行出于以下意图或具有以下效果的条例或做法：对人道主义援助的获取进行阻碍或具有阻碍作用，包括转用人道主义援助，见 S/2016/919 附件 6.1。

¹²³ 联合国索马里援助团，“在摩加迪沙就索马里抗旱工作举行高级别圆桌会议之后发表的公报”，2017 年 2 月 28 日，可查阅：<https://unsom.unmissions.org/communique-following-high-level-roundtable-meeting-held-mogadishu-drought-response-somalia>。

¹²⁴ 西南临时行政当局规划与国际合作部暂停实施非政府组织法案，以便抗旱工作的开展。

¹²⁵ 安全理事会第 2317(2016)号决议敦促索马里联邦政府改进对提供援助者的监管(第 27 段)。联邦非政府组织法案草案虽已拟就，但在州一级未经磋商与协调，也未被纳入更为广泛的立法框架，所以往往阻碍而非方便人道主义行动地开展。

(b) 实行非常规性登记、项目监测、合同审查和工作人员审查程序和收费；

(c) 要求接受“安全援助”并缴纳“安全援助”费用，取消“安保援助”以迫使谈判；

(d) 邦特兰间或禁止从索马里兰由陆路提供人道主义援助。

164. 联邦和州当局还阻挠人道主义工作，从控制区驱逐国家和国际人道主义工作者。监测组在本任务规定期间对案件进行了分析，其中至少有三起能说明驱逐背后的意图在于阻挠相关组织的合法活动、攫取资源或是为了徇私报复之便。

165. 最后，肯尼亚和埃塞俄比亚段边界间或关闭，有碍人道主义援助物资的运送。进入的唯一可能是违反正式程序。

C. 主要补给路线

166. 联邦和州武装力量、部族民兵与青年党控制的非法检查站阻碍了援助物资通行，推高了商品成本。人道主义援助的价值于是受到影响：以现金或票券形式提供 80% 以上的用于抗旱的粮食援助。

167. 一个人道主义组织于 2017 年 8 月对索马里中部和南部的主要转运路线进行评估，查明有 82 个收费检查站，其中 20 个由青年党把持。剩下的多数受索马里国民军控制。此外，索马里国民军还控制了另外 5 个检查站，且将其中所得收入与西南临时行政当局军队分成。

168. 地方当局和武装行为体趁抗旱之机，把一些地区内检查站收取的费用增加了两倍。2017 年 4 月，60 辆卡车在下谢贝利州万勒维恩被拦，联邦政府安全部队试图迫使商营卡车缴纳“欠款”，数额按其使用青年党控制下通往拜多阿的另一路线的次数计算。¹²⁶ 许多地方运输业者倾向于选用青年党控制的路线，因为交的钱能作数，还可以避免收据问题以及牵涉安全部队的暴力行为。¹²⁷

169. 2017 年第二季度，非索特派团、贾穆杜格临时行政当局和联邦政府为保障补给路线所作的努力取得一定成功，尽管在某些情况下，问题只是因为固定检查站被临时检查站取代而消解。

D. 转用人道主义援助物资¹²⁸

170. 根据从 2011/12 年饥荒得到的经验教训，人道主义界加大了抗旱力度，提高了风险意识，采用了一套新的风险管理和监测机制作为辅助。尽管如此，监测

¹²⁶ 与联合国工作人员约谈，2017 年 4 月 17 日和 8 月 7 日。

¹²⁷ 由联邦和州武装力量驻守的检查站仍充斥着勒索和暴力侵害平民的行为。

¹²⁸ 简要说明在与当地和国际人道主义工作者、州和联邦官员、受益社区代表和青年党前骨干约谈的基础上汇编而成。

组仍收到政府官员、非政府组织与联合国工作人员、受益对象的可信指控,确认存在转用人道主义物资的情况,涉及:

- (a) 抗旱委员会成员偷窃援助资金;
- (b) 境内流离失所者营地看门人和“土地所有人”有时身为政府官员,但仍进行勒索;
- (c) 操纵人道主义物资的发放,向受益对象支付“露面费”,然后迫使其留下领取的物资;
- (d) 控制 SIM 卡,纵容资金经手人和贸易商转用现金形式的援助,绕开监测机制;
- (e) 东道社区与看门人串通搭建“米棚”,即虚假的境内流离失所者营房,以进行登记接收援助;
- (f) 滥用国家安全和行政权力,干扰人道主义行动。¹²⁹

171. 青年党还对明显属于联邦政府管辖的地点施加控制,向人道主义组织和受益对象征税,要求就出入事宜进行谈判,在某些情况下,插手组织管理工作。

E. 袭击人道主义工作者

172. 自 2016 年以来,袭击、胁迫人道主义工作者的行为激增,人道主义援助发放期间的暴力程度加剧。¹³⁰

173. 随着人道主义需求增加,人道主义工作者冒着新的风险,扩大在青年党控制区的接触。青年党抓住这个机会,商定的活动一有变动,就对人道主义工作者非抓即罚,从与之有关联的部族勒索钱财、车辆,某些时候还有武器。到 9 月 15 日,2017 年已有 27 名人道主义工作者遭青年党绑架,本报告撰写之际,仍有 6 名在押。

174. 青年党重新夺取地盘时,会抓捕人道主义工作者并对其施以酷刑。由于对青年党的打击预计升级,人道主义界面临新的威胁:2017 年 5 月,美国向人道主义机构索要化解冲突信息,引发对空中行动影响的关切。

175. 2017 年,在发放人道主义援助期间,或因受援者产生绝望情绪,或因管理经验不足,或因在受益对象的选取上被认为有偏私,引发了暴力行为,导致 70 多人死亡或受伤。¹³¹ 在对人道主义行动发起的袭击中,平民也沦为重点攻击对象:

¹²⁹ 见附件 11.3——针对朱巴临时行政当局安全部长 Hasan Abdirahshid Abdinur 所受指控发起的调查的最新情况。

¹³⁰ 据人道主义事务协调厅统计,2017 年 1 至 8 月发生了 110 多起使人道主义组织受影响的暴力事件,导致 4 名人道主义工作者死亡。

¹³¹ 几乎所有涉及暴力侵害平民行为的事件,均是在未按既定人道主义制度和程序组织发放食物时出现的。

4月16日，青年党声称对一起袭击人道主义运输队的事件负责，在这起事件中，人道主义运输队在穿越摩加迪沙的Weedow境内流离失所者安置点时遇袭，一名儿童死亡，另有两人受伤。

F. 操纵援助，排斥边缘化社区，加剧冲突

176. 2011/12年饥荒期间，索马里南部的边缘化社区，包括许多受青年党控制的社区普遍被排除，得不到援助。尽管排除现象在本任务规定期间再次出现，但有证据表明，人道主义界已开始克服这一问题。附件10.1列举了剥夺受援机会的事例，以及针对该等社区普遍受到的排斥采取的反抗措施。

177. 索马里境内人道主义业务模式的发展及其在经济中所占规模和所起作用为滥用援助、追逐部族和商业利益创造了肥沃土壤，包括加剧冲突(见S/2015/801，附件5.3)。监测组对下谢贝利一家非政府组织的调查见附件10.2(严格保密)。

178. 人道主义界需要更加有效的风险管理：除了与青年党有关的分析，还要考虑局势和冲突分析；坚持改善关于问责事项的信息共享和早期预警，特别是联合国机构之间；尝试破除人道主义界内部某些根深蒂固的权力中心。

五. 违反国际人道主义法，把平民作为袭击目标

179. 虽然暴力侵害平民行为的绝对水平自2013年以来基本稳定，但是随着武装行为体扩散和采用更具毁灭性的战争手段，在本任务规定期间，袭击平民事件的杀伤力(即每起事件造成的死亡数量)加大。附件11.4内载一系列为监测组制作的图表，对这些趋势进行了说明。¹³²

A. 青年党和伊拉克和黎凡特伊斯兰国

180. 青年党负责的袭击平民事件和平民伤亡数量仍然最高，其中包括一次大规模行动，青年党对市区的酒店和民间机构发动了复杂袭击，2016年11月至2017年1月逐步升级。¹³³

181. 青年党更加密集地使用暴力，对控制区内社区实施集体胁迫或惩罚。由于干旱期间资源压力加大，该团体就通过焚烧村庄及绑架、斩杀老人，强行要求征税。¹³⁴ 2017年6月，青年党还开始大规模绑架儿童、老人和教师，以此逼迫社区群众送儿童加入青年党(见附件11.2)。

¹³² 这些图表由武装冲突地点及事件数据项目制作，供索厄问题监测组使用。数据项目收集和分析发展中国家政治暴力数据，见 www.acleddata.com。

¹³³ 据武装冲突地点及事件数据项目统计，青年党参与了188起以平民为目标的行动，据记录在2016年9月1日和2017年8月1日期间造成356人死亡。见 www.acleddata.com。联合国核实截至2017年6月21日造成的平民伤亡中有46%由青年党负责。

¹³⁴ 2016年11月下旬，Harardhere某社区拒不答应新的税收要求，青年党于是斩杀老人，焚烧房屋，偷窃牲畜，导致20人死亡。

182. 青年党在部族间、州间暴力事件中的作用更加明显。在下谢贝利，青年党和反青年党部队分别加强了与哈伯盖迪尔和 Biimaal(及迪吉尔)部族旷日持久的资源和地盘控制权争夺战中对立方联盟。2016 年 10 月发生的一系列袭击，于 2017 年 5 月和 8 月再次升级。在袭击过程中，青年党焚烧村庄，杀害、绑架 Biimaal 和迪吉尔社区的平民(同上)。

183. 可能是为了应付伊黎伊斯兰国不断壮大的局面，青年党对因从事间谍活动、弃军逃跑或违反伊斯兰教法而被认定有罪的人，实行更加残暴的惩罚，包括截肢、斩首和石刑。¹³⁵

184. 索马里的伊黎伊斯兰国派出现后，基本把重点放在军事目标上，但在本任务规定期间改弦易辙：自 2016 年 10 月下旬占领甘达拉以来，斩杀平民，导致 22 000 多人流离失所；实施暗杀、焚烧房屋、掠夺牲畜(见附件 2.1 和 11.4)。

B. 联邦和州武装力量、部族民兵、其他犯罪分子

185. 监测组在 2016 年发现的积极趋势得以延续，联邦政府未涉足对平民发起的大规模袭击。¹³⁶ 然而，2017 年 1 月 1 日至 6 月 30 日，联合国查明索马里国民军对 129 例平民伤亡负责，其中有 76 例死亡，还有 42 例伤亡与非法检查站和勒索行动相关。

186. 然而，州武装力量应对监测组调查的大多数在冲突中造成的平民伤亡负责。2016 年 10 月，加勒卡约再次经历一轮战斗，主要交战方——邦特兰、贾穆杜格临时行政当局和当地民兵部队——均使用了重型武器。¹³⁷ 90 000 余人被迫逃离，其中至少 45 人死亡，162 人受伤。

187. 干旱引发了部族之间对水和牧场的激烈争夺。仅 2017 年 5 月 1 日至 8 月 22 日，部族冲突就造成至少 175 例平民伤亡。¹³⁸ 针对部族民兵暴力行为的影响进行的评估变得复杂，因为民兵经常参与联邦或州武装力量、混杂联邦或州武装力量，或者在某些情况下同青年党并肩作战。

188. 联邦政府早在 2011 年就承诺暂停死刑，但在本任务规定期间，联邦和州当局诉诸死刑的次数急剧上升，其中以邦特兰为甚。¹³⁹ 在某些情况下，定罪程序缺

¹³⁵ 2017 年 5 月中旬，青年党宣布，在 Tiye glow 以偷窃为由截去两名男子的手掌。这是前几天埃塞俄比亚军队撤离以来，首次依照伊斯兰教法执行的处罚。8 月，两名 Bantu 青年男子试图脱离青年党、与一名叛逃者会合时，被发现并被斩首。索厄问题监测组在基斯马尤同该名叛逃者有接触。

¹³⁶ 然而，索马里国民军人员于 4 月卷入对中谢贝利一系列村庄发起的袭击。见附件 11.1。

¹³⁷ 冲突详情见附件 3.1。联邦武装力量也被控参加战斗。

¹³⁸ 联合国内部报告，2017 年 8 月 24 日。

¹³⁹ 到 9 月 10 日，联邦当局和州行政机关 2017 年执行的处决已达 24 例，其中一半是在邦特兰。

乏基本的正当程序保障。当被告无法依赖部族保护时，也是如此。监测组接到可信指控，称存在违反国际法刑讯逼供的行为。

189. 2014 年以来，涉及简易爆炸装置的事件，无论部署主体是青年党还是另有他人，其总数始终呈现出小幅上升的趋势。尽管如此，2016 年 1 月 1 日至 2017 年 8 月中旬，据联合国评估，533 起简易爆炸装置事件已造成 1 432 例平民伤亡，含 931 例死亡。¹⁴⁰

190. 对 2016/17 年选举进程相关个人行刺是 2017 年 2 月 8 日以后新出现的暴力模式，特别是在摩加迪沙。作案手法各有不同，青年党仅声称对 2017 年头三个月发生的 90 起谋杀中的 8 起负责。这说明个人动机大于政治动机，虽然未必与选举没有关系。

191. 监测组继续针对朱巴临时政府安全部长 **Abdirahshid Hassan Abdinur** 在酷刑、不人道和有辱人格的待遇、非法拘留和非法移解他人等行为中的责任，收集确凿证据和指控(见 [S/2016/919](#)，附件 7.8 和 7.8.1(严格保密)；本报告附件 11.3)。

C. 非洲联盟驻索马里特派团和国际部队

192. 在本任务规定期间，国际部队多次从巴科勒、加尔古杜德、希兰和下谢贝利的一些地区撤离，且几乎不给任何提醒。¹⁴¹ 青年党立刻卷土重来，使当地社区蒙受杀戮、酷刑、绑架、人道主义援助物资被毁、强征入伍等苦难。¹⁴² 撤军的后果，加上关键地点沦陷与收复的周期循环，也削弱了社区支持反青年党联盟的意愿。

193. 截至 2017 年 8 月 31 日，检测组已经收到关于肯尼亚、美国和不明部队 2017 年实施的 32 次空袭的报告。¹⁴³ 有证据显示，空袭的针对性增强：朱巴村的社区代表告诉监测组，空袭对平民的影响自 2016 年以来一直在下降。¹⁴⁴

194. 联合国认为，2016 年 1 月至 2017 年 6 月，非索特派团造成 88 例平民死亡。¹⁴⁵ 虽然非索特派团仅对 2016 年所有伤及平民事件中的 4% 负责，但是调查

¹⁴⁰ 地雷行动处索马里办公室提供的数据。在本任务规定期间，涉及平民的事件致死率及远程暴力的使用率整体上升。见附件 11.4。

¹⁴¹ 埃塞俄比亚当局公开和私下都表示，由于撤军的缘故，埃塞俄比亚无力没有止境地承受索马里的“负担”；其他评论人士认为，这与埃塞俄比亚目前的政治动荡有关。

¹⁴² 11 月 1 日，青年党重新夺取巴科勒的 Tiye glow 时，杀害了 5 名平民，其中包括两名向埃塞俄比亚部队提供支持服务的商人。

¹⁴³ 相比之下，索厄问题监测组在 2016 年同期记录了 29 次空袭。见 [S/2016/919](#)，附件 7.7。

¹⁴⁴ 根据联合国的记录，2016 年 1 月至 2017 年 6 月，36 例平民伤亡与 58 次空袭中使用航空资产有关。其他地区的平民也因担心空袭而离开家园：在盖多，近 1 200 人因 2017 年 6 月巴德拉周边地区遭到空袭而流离失所。

¹⁴⁵ 2017 年 9 月 15 日联合国工作人员的电子邮件。

工作缺乏沟通以及赔款支付流程不透明引发失望情绪，致使人们产生国际部队要对暴力程度升级负责的想法。¹⁴⁶ 这对非索特派团及其战略伙伴执行任务不利。

强迫流离失所

195. 到 2017 年 7 月底，据联合国记录，自 2016 年 11 月 1 日以来已有超过 859 000 人因干旱流离失所。¹⁴⁷ 2017 年 1 至 7 月，87 000 人因冲突和危险被迫离开下谢贝利州。¹⁴⁸

196. 强行驱逐境内流离失所者的做法在 2017 年延续，到 7 月底记录的案件已有 90 000 多起，其中多数是在摩加迪沙。实施驱离既有个人行为体的因素——系看门人与住户就人道主义援助的分配产生纠纷所致，也有联邦政府和州政府政策的因素。¹⁴⁹

197. 2016 年 11 月 16 日，肯尼亚政府宣布，达达布难民营的关停工作已从原定的 2016 年 11 月底，推迟至 2017 年 5 月 31 日。批准修改后的最后期限并非要强行驱回全体难民，但联合国记有驱回的个案。

D. 招募和使用儿童

198. 2016 年最后三个月记录的招募和使用儿童事件数量减少了 50%，但是 2017 年 6 月下旬，青年党招募儿童的行为变本加厉，特别是在加尔古杜德、希兰和穆杜格州。青年党通过绑架老人、教师和家庭成员强化行动的效果，导致家庭纷纷逃走，或把子女送离当地以保安全。

199. 在本任务规定期间招募和使用儿童的总体情况见附件 11.2。

六. 违反木炭禁令

200. 非法从索马里出口木炭的整体规模与上一个任务规定期间持平，但有一些新的趋势值得注意。青年党在 2015 年、2016 年大部分时期，间或在控制区禁止木炭贸易(见 [S/2016/919](#)，第 129 段)，如今则大不相同，在通往布尔加博和基斯马尤的港口附近储存地点的道路沿线检查站重新开始系统地征税。据保守估计，青年党目前从非法木炭贸易中每年至少赚取 1 000 万美元。

¹⁴⁶ 非索特派团关于平民伤亡应对措施的标准作业程序最终于 2017 年 7 月通过。平民受伤指控处理、赔款金额确定、其他行动转介程序因此实现了标准化。非索特派团告诉索厄问题监测组，由于缺乏资金，无法落实标准作业程序。

¹⁴⁷ 见联合国难民事务高级专员公署(难民署)，“索马里：流离失所信息看板——保护和回返监测网络，2017 年 7 月流离失所情况”，2017 年 8 月 29 日。

¹⁴⁸ 难民署，“索马里：要况快报——保护和回返监测网络最新流离失所情况”，2017 年 8 月 10 日。

¹⁴⁹ 仅在拜多阿一地，8 月第一个星期驱离的境内流离失所者就超过 5 000 人。2017 年 5 月和 6 月，索马里兰内政部下令拆除苏勒州 Ainabo 内部和周边的非正规住区，导致 327 个受干旱影响而逃离的家庭流离失所。

201. 阿拉伯联合酋长国迪拜特别是哈姆瑞亚港，仍为主要的出口目的地，但木炭贩运者几次尝试实现多样化，把木炭运往该地区的其他港口，包括巴林、科威特、可能还有也门。在本任务规定期间，最常用来掩盖木炭源自索马里的一类虚假文件是吉布提原产地证书。与此同时，主要盘踞在迪拜和基斯马尤的跨国犯罪网络似乎在设法采用更加正规的结构进行协作。

202. 虽然海上联合部队和科威特独树一帜，付诸了努力，但是木炭禁令的执行情况始终不好，特别是索马里的朱巴临时行政当局、非索特派团肯尼亚国防部队特遣队以及进口国之一阿拉伯联合酋长国。由于缺乏一以贯之执行禁令的决心，在某些情况下还公然故意违反木炭禁令，青年党得以筹集资金，使索马里境内的反恐和打击叛军工作遭到削弱。

A. 生产、运输和储存

203. 索马里的木炭生产，包括以非法出口为目的的木炭生产，继续保持高位。根据粮农组织对卫星图像所作的分析，2011 年至 2017 年大约共有木炭生产点 26 000 处，2017 年查明将近 4 000 处。¹⁵⁰ 2017 年，木炭的一线产区是索马利东南角下朱巴州 **Badhadhe** 的南部，木炭的二线产区是中朱巴州 **Bu'ale** 附近地区。两者皆被青年党占领。

204. 监测组获悉，与上一个任务规定期间观察到的策略不同，青年党重新开始将木炭产区到港口沿线的检查站系统地征收木炭税。税率为每袋木炭 2.50 美元，合每车木炭 750 美元。**Badhadhe** 南部出产的木炭经小路运往布尔加博的储存地点，**Bu'ale** 附近出产的木炭则经吉利布运往基斯马尤的储存地点。

205. 基斯马尤和布尔加博的储存地点仍是木炭的主要出口源，同时，巴拉维的储存地点可能也会威胁和平与安全。2017 年 6 月 11 日、12 日，监测组成员观察到基斯马尤港口附近的两处木炭储存地点。监测组随后还得到了基斯马尤北部该市第三处木炭储存地点的照片。6 月 11 日至 14 日，监测组成员在基斯马尤港和布尔加博附近看到储存地点(见附件 12.1 中的储存地点卫星图像)。最后，监测组仍然担心巴拉维的木炭储存地点会对和平与安全造成威胁，因为该地可能成为青年党攻击的目标，或在木炭贩运者之间引发冲突(见 [S/2016/919](#)，第 131 段)。2017 年 3 月 3 日，监测组同西南临时行政当局主席会面时，强调西南临时当局经与联邦政府协商，应当就巴拉维的木炭储存地点一事向委员会寻求指导。¹⁵¹

¹⁵⁰ 与粮农组织工作人员会晤，内罗毕，2017 年 7 月 14 日。

¹⁵¹ 与谢里夫·哈桑·谢赫·亚丁会晤，内罗毕，2017 年 3 月 3 日。

B. 非法出口木炭

206. 现有证据表明,从索马里非法出口木炭的规模,与监测组上一个任务规定期间的情况相比,区别不大。监测组保守地估计,除了8月至10月的信风季节,从基斯马尤和布尔加博发运的木炭每月将近15道船,合每年135道船。¹⁵²按货物每批平均30 000袋、每袋25公斤算,每道船装有750 000公斤木炭,合每年出口木炭逾100 000公吨。按出口市场每袋批发价30美元的估计值算(见S/2016/919,附件9.2),每年出口的木炭有近4百万袋,价值1.2亿美元。

207. 阿拉伯联合酋长国、尤其是迪拜的哈姆瑞亚港,仍是从索马里非法出口木炭的主要目的地。监测组在本任务规定期间还获悉,索马里的木炭经阿拉伯联合酋长国的富查伊拉港出口,但数量尚未核实。海湾合作委员会其他国家,如巴林和科威特等,经确认也是索马里木炭的目的地(见附件12.2)。监测组还接到报告,称有装载木炭的道船驶往阿曼,但是这些报告尚未被核实。

C. 文件和犯罪网络

208. 使用伪造海关文件,例如原产地证书,仍是方便非法进口索马里木炭的主要手段。在上一个任务规定期间,虚假木炭文件的主要类型是科莫罗、加纳和巴基斯坦原产地证书(见S/2016/919,第138段和附件9.7)。在本任务规定期间,最常用的一类虚假木炭文件是吉布提原产地证书,阿拉伯联合酋长国的哈姆瑞亚港有这类文件,科威特的多哈港也收到过这类文件。监测组的调查显示,虚假的吉布提木炭文件主要来自Basheer Khalif Moosa,此人系吉布提国民,现住在迪拜(见附件12.2.2)。在本任务规定期间,阿拉伯联合酋长国哈姆瑞亚港和富查伊拉港也收到过虚假的加纳原产地证书。监测组仍在调查其他虚假木炭文件,包括科特迪瓦和坦桑尼亚联合共和国原产地证书。监测组还发现,木炭贩运者使用伪造的斯里兰卡船只登记文件(见附件12.2.3)。

209. 从监测组观察到的非法木炭贸易模式中可以看出,跨国犯罪网络在索马里和阿拉伯联合酋长国有活动(见S/2016/919,附件9.6)。在本任务规定期间,这些跨国犯罪网络可能采用了更加正规的结构。监测组获悉,全星集团,又称全星通用贸易公司汇集了基斯马尤和迪拜的主要非法木炭供应者、贩运者和投资者。监测组尚无法核实关于全星集团与朱巴临时行政当局主席Ahmed Madobe就从索马里出口木炭一事达成独家协议的多项报告,同样无法核实关于全星与青年党之间有收入分享协议的指控。然而,有条信息与之相符,即阿里·艾哈迈德·纳吉——青年党前收税员、全星集团现成员、Madobe的长期助理(见S/2016/919,第133段)——遭到情报局发出的死亡威胁,要求他恢复木炭收入分享安排。¹⁵³

¹⁵² 推算以经过核实的索马里木炭货物样本为基础,结合监测组对上个和当前任务规定期间整体出口趋势的观察结果完成。

¹⁵³ 与基斯马尤的线人约谈,2017年6月14日。

D. 旅行禁令的执行情况

210. 虽然安全理事会在第 2317(2016)号决议第 22 段重申,索马里当局应采取必要措施,防止从索马里出口木炭,但是实际上联邦政府没有控制基斯马尤或布尔加博的港口。朱巴临时行政当局仍靠对非法出口木炭征收税款筹集运作资金,木炭禁令于 2012 年 2 月颁布以来,基本上没能贯彻落实。非索特派团虽仍把肯尼亚国防部队特遣队部署在基斯马尤和布尔加博的港口,但并未按照第 2317(2016)号决议第 23 段的规定,协助索马里当局执行木炭禁令,协助监测组访问出口木炭的港口。2017 年 6 月 14 日,监测组的三名成员乘联合国直升机从基斯马尤到布尔加博后,没有获准离开非索特派团肯尼亚国防部队的基地,前往附近一处木炭储存地点进行检查。¹⁵⁴

211. 其他会员国的木炭禁令执行情况参差不齐。阿拉伯联合酋长国虽在上一个任务规定期间取得进展,包括没收了几批非法木炭,但在一贯性和有效性方面却有退步(见附件 12.2.2.和 12.2.4)。吉布提、特别是其驻阿拉伯联合酋长国大使 Osman Moussa Darar 对木炭禁令的执行工作被削弱承担较大责任,反复为虚假的原产地证书提供合法证明(见附件 12.2.2)。科威特极其积极主动地致力于执行工作,并承诺与监测组广泛合作(见附件 12.2.3)。还应指出,巴林与监测组合作,最终部分扣押了一批装运的货物(见附件 12.2.1)。

212. 监测组注意到,海上联合部队、尤其是 152 联合特遣队配合执行木炭禁令的情况,包括在 4、5 月份迅速分享信息,协助监测组与科威特当局联系,以及促成没收两艘道船上装载的木炭(见附件 12.2.3)。7、8 月份,海上联合部队对经监测组认定从索马里驶往哈姆瑞亚港口锚地的 5 艘道船实施空中侦察。然后,海上联合部队把道船说明、方位数据和照片交给在阿拉伯联合酋长国水域有权上船检查的阿联酋当局。报告撰写之际,尚无结果(见附件 12.2.4)。

七. 更正安全理事会关于索马里和厄立特里亚的第 2244(2015)号决议所设委员会前份报告(S/2016/919)

213. 监测组在其前份报告(S/2016/919)第 77 段脚注中报告称,霍伍德电信公司于 2012 年遭到美国外国资产管制处制裁。监测组谨澄清,霍伍德公司从未受过该处制裁。

¹⁵⁴ 根据肯尼亚国防部队指挥官称,之所以不派人陪同,也不许索厄问题监测组三名成员离开非索特派团基地,是因为监测组在抵达基地前,没有通过官方途径请求检查布尔加博的储存地点。安全不是主要问题,因为该地已经清理,供联合国的直升机安全降落。

八. 国家和非国家与索马里和厄立特里亚问题监测组的合作

214. 与索马里联邦政府的接触因 2017 年 2 月选举后的政治过渡而变得复杂。监测组要指出,在其任务即将结束时新政府提供合作,对大多数来往公文作出回应。索马里中央银行对监测组的调查也特别有帮助。

215. 监测组要赞扬邦特兰当局提供的合作,特别是与调查伊黎伊斯兰国有关的合作。

216. 监测组要感谢伊朗伊斯兰共和国在 2017 年 9 月第二次欢迎监测组前往伊朗伊斯兰共和国,从而进一步促进了上次任务期间开始的合作。

217. 监测组要感谢科威特为执行木炭禁令、法国为便利检查“普罗旺斯”号海军船只缴获的武器以及土耳其为协助调查空包弹手枪提供的合作。

218. 监测组要感谢海上联合部队就木炭禁令提供的合作,感谢欧洲联盟阿塔兰特海上行动(阿塔兰特行动)为调查武器贩运和海盗行为提供的合作。

219. 设在华盛顿特区的非政府组织 C4ADS 为多项监测组调查提供了协助;联合王国的咨询组织 Arquebus Solutions 为监测组提供了关于空包弹手枪和其他武器的有用分析。

不合作

220. 监测组要指出,“欧星”卫星电话电信公司一直没有进行信息共享,特别是没有就军火走私调查进行信息共享。

九. 定向制裁的执行情况

221. 2010 年 4 月 12 日, Fares Mohammed Mana' a(SOi.008)因违反安全理事会第 1844(2008)号决议第 8 段(其中包括有关违反武器禁运的标准)而被列入 1844 制裁名单。根据补充资料,列名理由简述指出, Mana' a 先生是一个“已知武器贩运者”。根据索马里制裁制度,须对 Mana' a 先生实施旅行禁令和资产冻结。

222. Mana' a 在巴西一起涉及从吉布提向也门转运武器的刑事案件中受到指控。检察官还指控 Mana' a 曾于 2015 年 1 月前往巴西,参观武器制造商 Forjas Taurus SA 拥有的一家工厂。¹⁵⁵ 也门问题专家小组指出,2015 年 1 月 Mana' a 曾用也门外交护照前往巴西、捷克、埃及和法国。Mana' a 还可能在 2016 年 10 月和 11 月去过两个非洲国家(见 S/2017/81, 第 117 段和图七)。也门问题专家小组(监测组继续与之开展合作)调查了 Mana' a 违反对也门武器禁运(同上,第 80 段和附件 41)的行为,包括可能构成不遵守资产冻结规定的交易行为。

¹⁵⁵ Lisandra Paraguassu, “Exclusive: Brazil’s Taurus sold arms to trafficker for Yemen war, prosecutors allege”, Reuters, 5 September 2016. 可查阅 www.reuters.com/article/us-brazil-arms-taurus/exclusive-brazils-taurus-sold-arms-to-trafficker-for-yemen-war-prosecutors-allege-idUSKCN11B1KM。

十. 建议

A. 对和平与安全的威胁

223. 监测组建议安全理事会：

(a) 确定关于挪用资金的列名标准(见第 2060(2012)号决议，第 2 段(c))适用于联邦成员州和联邦州内部的挪用行为；

(b) 鼓励索马里联邦政府、联邦成员州和联邦州缔结一项资源共享协议，界定资源分配并阐明它们在联邦制度内的权利和义务。

B. 武器禁运

224. 监测组建议安全理事会：

(a) 吁请会员国、索马里当局和私营部门为监测组的调查提供合作，包括提供有关出口到索马里的可能被用作制造简易爆炸装置助燃剂的化学品(如前体硝酸铵、氯酸钾、硝酸钾和氯酸钠)的海关和运输文件；

(b) 吁请索马里联邦政府、联邦成员州和联邦州在分发所有进口武器和弹药之前向监测组全面开放这些武器和弹药；

(c) 吁请索马里联邦政府、联邦成员州和联邦州为武器和弹药管理建立标准操作程序，包括旨在分发后跟踪所有武器的发送和接收系统；

225. 监测组建议委员会主席：

(a) 代表委员会写信给索马里联邦政府、非索特派团、联邦州和联邦成员州及相关国际合作伙伴，提醒其武器禁运义务，特别是安全理事会第 2111(2013)号决议第 11 段(a)，并附上第 2 号执行援助通知，供其参考。

C. 国际人道主义法

226. 监测组建议安全理事会：

(a) 请联合国人权事务高级专员办事处(人权高专办)就索马里发生的严重违反国际人道主义法行为和严重违反人权法行为开展摸底调查，并为此借鉴人权高专办 2008 年在刚果民主共和国和 2017 年在中非共和国进行的摸底调查先例。

D. 木炭禁令

227. 监测组建议安全理事会：

(a) 授权会员国根据本国立法，在其领水和港口没收已被证明违反索马里木炭出口禁令的船只，随后以公开拍卖方式处置这些船只，船员国籍所属会员国负责遣返船员。

E. 制裁名单

228. 监测组建议安全理事会：

(a) 考虑使用所有可用的列名标准，包括与青年党或伊黎伊斯兰国相关列名以外的新列名。

F. 取消关联

229. 监测组建议安全理事会：

(a) 考虑取消厄立特里亚制裁制度与索马里制裁制度的关联。¹⁵⁶

¹⁵⁶ 见监测组 2017 年关于厄立特里亚建议的最后报告(即将印发)。监测组注意到，索马里联邦政府已表示支持取消这两个制裁制度的关联。

Annex 1.1: Al-Shabaab procurement of weapons following attacks on AMISOM

Attack on UPDF base in Baledogle, Lower Shabelle with 120 mm mortar

1. On 23 April 2017, Al-Shabaab attacked a Uganda People's Defence Forces (UPDF) base in Baledogle, Lower Shabelle region. Photographic evidence from the scene shows the remnants of the tail of a 120 mm mortar round.¹

Figures 1 and 2: Round tail of a 120 mm mortar found in a crater at the scene of the attack on the UPDF base in Baledogle.



2. This is the first time the SEMG has established that Al-Shabaab has used a 120 mm mortar. Although Al-Shabaab has used 60 mm and 80 mm mortars since 2009, 120 mm mortars have the potential to cause much higher civilian casualties.² The SEMG has received multiple reports that Al-Shabaab acquired several 120 mm mortar launchers and projectiles from its attacks on 26 June and 1 September 2015 on Burundian and Ugandan AMISOM contingents based at Leego and Janale, respectively (see S/2015/801, para. 91).

¹ Photographic evidence from a security advisor to the Somali National Army on 12 July 2017.

² A 120 mm mortar is able to penetrate deeper into a building and can cause more damage than smaller mortars. It can also cause greater fragmentation over a wider area. "Military Systems Ground Mortars", GlobalSecurity. Available from <http://www.globalsecurity.org/military/systems/ground/mortars.htm> (accessed 20 July 2017).

Attack on KDF base in Kulbiyow on the Somalia/Kenya border

3. On 27 January 2017, Al-Shabaab detonated a vehicle borne improvised explosive device (VBIED) at the perimeter of a Kenya Defence Forces (KDF) camp at Kulbiyow, a base straddling Kenya and Somalia's Lower Juba region. The VBIED was followed by an armed attack of Al-Shabaab fighters armed with AK-pattern rifles and RPG launchers. According to an Al-Shabaab spokesperson, at least 67 KDF soldiers were killed and a number of others were taken prisoner. Among the significant items seized by Al-Shabaab were one OTO-Melara Mod 56, one 105 mm Howitzer, and one WZ-551 armoured personnel carrier. In addition, Al-Shabaab also captured an 81 mm mortar launcher, as well as an M240B heavy machine gun.

Figure 3: Still from Al-Kataib media wing of Al-Shabaab suggests a 105 mm L5 Pack Howitzer may have been captured at Kulbiyow.



4. The SEMG has been unable to find evidence of Al-Shabaab's use of the 105 mm artillery. The group may not have access to the required ammunition or may not possess the necessary technical knowledge to operate this type of weapon.³

Figure 4: Armoured Personnel Carrier WZ-551 captured at Kulbiyow.

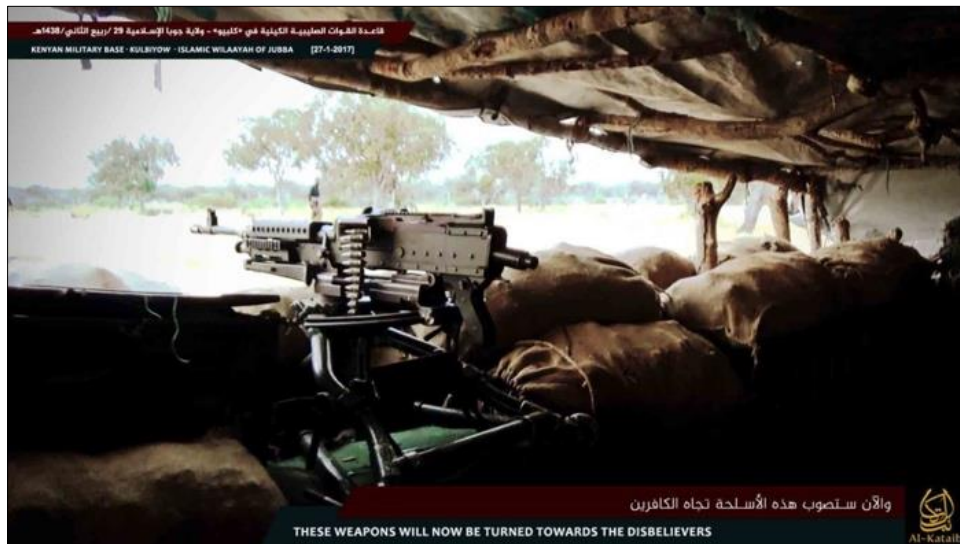


³ Interview with senior AMISOM official in Mogadishu, 26 April 2017.

Figure 5: 81 mm mortar launcher captured by Al-Shabaab at Kulbiyow.



Figure 6: M240B machine gun captured by Al-Shabaab at Kulbiyow.



Annex 1.2: Al-Shabaab use of improvised explosive devices (IEDs)
(STRICTLY CONFIDENTIAL)*

Annex 1.3: 2 January 2017 VBIED attack in Mogadishu

1. On 2 January 2017, two large vehicle-borne improvised explosive devices (VBIEDs) exploded near the perimeter of the Adan Adde International Airport complex.¹ The first VBIED, which was smaller in explosive size was detonated around noon, next to a checkpoint on the Jaale Siyaad road. The first explosion cleared the path for a large truck laden with explosives to pass through the checkpoint and detonate a few minutes later adjacent to the Peace Hotel. Estimates of the net explosive quantity (NEQ), or TNT equivalence, of the second explosion range from 200 kg to as much as 1,200 kg (see below).

Figure 1: Google Earth satellite imagery of the blast site.



¹ “Massive blast hits near Mogadishu airport”, Al Jazeera English, 2 January 2017. Available from <http://www.aljazeera.com/news/2017/01/somalia-massive-blast-rocks-mogadishu-airport-170102091229184.html>.

Figures 2 and 3: Images of the vehicle carrying the VBIED and of the blast.



Assessments by explosives experts

2. The SEMG has reviewed assessments by several independent explosives experts, some of whom were among the first at the scene following the VBIED explosion. These experts concluded that the NEQ of the blast was in the range of 800 kg, based on the dimensions of the crater and damage to the surrounding buildings.²

3. An independent explosives engineer consulted by the SEMG used a range of explosive engineering formulae and tools to estimate the explosive mass of the VBIED.³ This analysis was based on crater dimensions obtained by the SEMG, and data derived from witness reports and the available imagery. This specialist concluded that the NEQ of the blast was approximately 1,200 kg (TNT equivalent), as shown in Table 1, below.

Table 1: Summary of NEQ estimations

	<i>Methodology</i>	<i>NEQ (kg) estimate</i>	<i>Remarks</i>
1	US Homeland Security Table (Glazing Damage)	1,042	Based on damage to glazing at 480 m.
2	UK Building Damage Predictive Equations	1,255	Based on damage to buildings at 27 m and 54 m.
3	Italian Cratering Predictive Equations for Blast Loading of Concrete Paving Slabs	1,315	Based on the assumption that the distance between the road and the base of the truck was 0.45 m.
4	Mean of 1, 2, and 3	1,204	

² Report from independent explosives experts in Mogadishu received on 16 September 2017.

³ These findings were also peer reviewed and agreed by a UK-based qualified blast analysis engineer.

Figure 4: Blast crater.



UNMAS assessment

4. Experts at UNMAS reported to the SEMG their assessment that NEQ of the VBIED was between 200 kg and 500 kg.⁴ By the time UNMAS personnel accessed the scene, the crater dimensions and characteristics could not be properly assessed as the crater had been partially filled in. UNMAS stated that the damage to buildings close to the blast site required additional analysis, as it was not clear whether the damage was caused by the primary explosion or large pieces of fragmentation projected through the walls.⁵ UNMAS experts also suggested that a more detailed analysis of the damage to Peace Hotel is required, taking into account the original construction of the hotel.⁶

Figure 5: Damage to adjacent buildings.



⁴ Email received from UNMAS operations officer on 14 September 2017.

⁵ Ibid.

⁶ Ibid.

Annex 1.4: Puntland IED seizures

1. During this mandate, Puntland has witnessed an increased IED threat from Al-Shabaab, possibly as a response to the group's rivalry with the expanding ISIL faction in Bari region.
2. On 26 April 2017, five suspected members of Al-Shabaab were arrested on the outskirts of Bosaso with IED components hidden inside containers loaded on a Suzuki vehicle.⁷ The components included explosives, detonator cords, and a 12-volt vehicle battery alarm, to be used as a source of power for the IED. There was also a remote-control device, as well as electric detonators manufactured in India (see "C-DET electric detonators", in annex 1.2 (strictly confidential)). The three cylinders captured in the seizure are commonly used by Al-Shabaab in the construction of roadside IEDs (see figure 3, below).⁸

Figure 1: IED components seized by Puntland security forces on 26 April 2017.



3. On 6 June 2017, the SEMG conducted interviews with the five suspects at Bosaso Central Prison. Four of the men admitted to being members of Al-Shabaab.
4. The SEMG noted that four of the suspects were from Baidoa, the capital of Bay region, the surrounding area of which is an Al-Shabaab stronghold. They had been instructed to travel to Puntland's Galgala region between three and seven months prior to their arrest. During that time, they were based in different locations in the Golis Mountains. According to the suspects, they met for the first time by the roadside along the highway to Bosaso on 26 April, and according to one of the prisoners, they were given their instructions by an Al-Shabaab leader named Abdullahi Mohamed. None of the prisoners admitted receiving IED training. They claimed that they had not seen the IED materials before they were loaded onto the vehicle.

⁷ Information and photographs received via SMS from a journalist in Bosaso, 26 April 2017.

⁸ Interview with explosives expert in Mogadishu, 13 June 2017, and via Skype, 22 August 2017.

5. The items discovered in the seizure suggest that the plot was at an advanced stage, and all the necessary components for an IED attack were present.⁹ On 30 June, the five IED suspects were executed by Puntland authorities.¹⁰

Figure 2: Seizure of IED components near Bosaso, Puntland on 30 May 2017.



6. In a second incident, on 30 May 2017, Puntland security forces arrested two people and seized explosives as well as other materials hidden in a truck carrying vegetables, at a checkpoint near Bosaso. They discovered explosive materials in cylindrical containers, computer drives, at least 16 radio aerials, military fatigues, and vehicle number plates from Somalia and Somaliland. According to Puntland security forces, the seized vehicle originated from Belet Weyne in Hiran region.

7. The presence of radio aerials suggests that they were to be used as a means of communicating internally within the cell, during the planning and execution of attacks.¹¹ Alternatively, the radio aerials could also have been intended for use components in a radio-controlled IED attack.¹²

Figure 3: Cylinders seized by Puntland security forces on 26 April 2017.



⁹ Interview an UNMAS operations officer in Mogadishu, 13 June 2017.

¹⁰ "Somalia's Puntland executes 5 Al-Shabaab militants", Xinhua, 9 April 2017. Available from http://news.xinhuanet.com/english/2017-04/09/c_136194170.htm.

¹¹ Interview with an UNMAS operations officer in Mogadishu on 13 June 2017.

¹² Ibid.

Annex 1.5: Al-Shabaab financing in Bay and Bakool regions

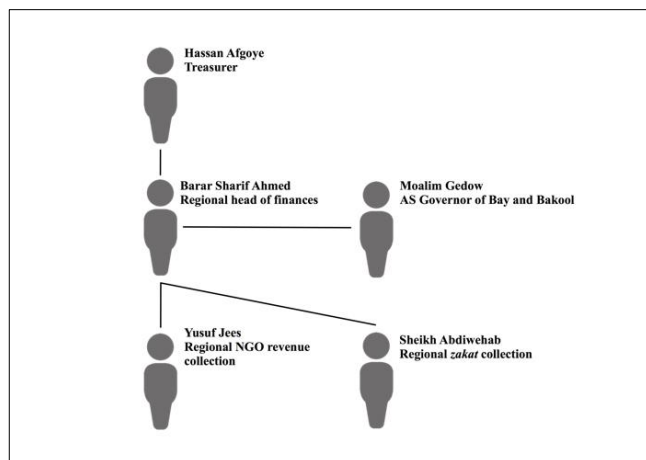
1. The following annex provides a snapshot of Al-Shabaab financing in Bay and Bakool regions, largely based on the testimony of a former Al-Shabaab senior finance officer, and partially corroborated by regional intelligence officials.

2. Al-Shabaab remains in control of considerable territory in Bay and Bakool regions. In addition, Al-Shabaab is currently running at least three training camps in the region.¹³ Al-Shabaab covers the costs of its regional operations in Bay — which includes paying salaries for soldiers, Amniyat operatives, and financial officers — through taxation at local markets and checkpoints. *Zakat* is also collected, once or twice a year.¹⁴ However, protection money paid by companies and NGOs is also transferred directly to the national-level Al-Shabaab Treasurer, Hassan Afgoye.¹⁵

Structure

3. Al-Shabaab has divided Bay and Bakool into five administrative regions: Baidoa, Berdale, Dinsor, Qansah Dere, and Burhakaba. Formerly, each administrative region had an autonomous financial officer, but significant defections during 2017 have prompted the centralization of Al-Shabaab's regional governance.¹⁶ Based on information from interviews conducted with Somali authorities and Al-Shabaab defectors, the financial structure of Al-Shabaab in Bay and Bakool is mapped in figure 1, as follows:¹⁷

Figure 1: Regional financial structure for Al-Shabaab in Bay and Bakool.



¹³ Intelligence report, 29 July 2017, on file with the Secretariat.

¹⁴ See S/2016/919, annex 1.6.

¹⁵ Interview with a defected Al-Shabaab financial officer, Baidoa, 30 August 2017.

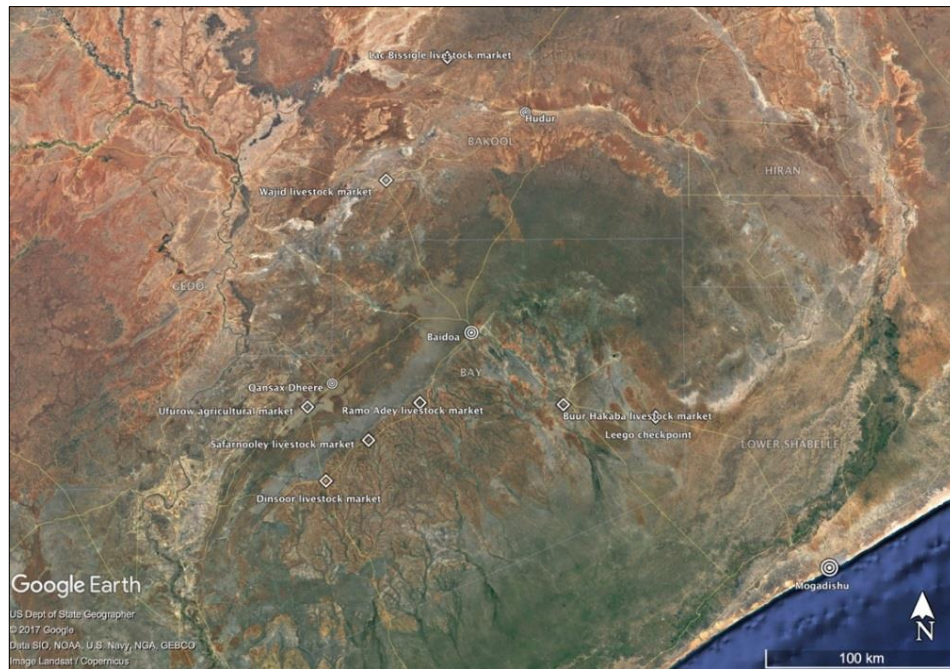
¹⁶ "Several al-Shabaab militants defect to government forces", Garowe Online, 24 July 2017. Available from <http://www.garoweonline.com/en/news/somalia/somalia-several-al-shabaab-militants-defect-to-government-forces>.

¹⁷ Interview with intelligence officer specializing in Al-Shabaab financing, Baidoa, 2 September 2017.

Revenue

4. Al-Shabaab derives significant revenue from taxation at local markets and checkpoints within Bay and Bakool regions. This includes revenue from livestock markets, agricultural exports, and checkpoint taxation of imported goods.¹⁸ For example, the checkpoint at Leego generates \$4,700 to \$5,000 per day taxing trucks arriving with goods from Mogadishu at a rate of \$800 each.¹⁹ The livestock market at Safarnooley generates an estimated \$30,000 to \$33,000 per week for Al-Shabaab, and the livestock market at Wajid generates an estimated \$17,000 per week for Al-Shabaab. Al-Shabaab also taxes trucks departing the agricultural market at Ufurow that are transporting local produce, such as maize and peanuts, for markets in Mogadishu.

Figure 2: Map indicating regional markets and checkpoints under discussion.



5. Major companies operating in Bay and Bakool are another source of revenue for Al-Shabaab. The Monitoring Group has received information regarding three companies, which pay Al-Shabaab a monthly sum of between \$25,000 and \$70,000 in exchange for the safety of their employees and security of their infrastructure.²⁰

¹⁸ Locations and Al-Shabaab revenue estimates provided by a NISA officer specializing in Al-Shabaab financing, interviewed in Baidoa, 2 September 2017; and locations and Al-Shabaab activities confirmed by another source in Baidoa, 4 September 2017.

¹⁹ This is marginally less than the typical rate of \$1,000 per truck at other checkpoints. Interview with intelligence officer specializing in Al-Shabaab financing, Baidoa, 2 August 2017; interview with intelligence officer, Baidoa, 1 September 2017.

²⁰ Interview with intelligence officer specializing in Al-Shabaab financing, Baidoa, 2 August 2017; and interview with an Interim South-West Administration official, Baidoa, 1 September 2017.

6. Al-Shabaab also extorts payments from NGOs operating in the region, and is increasingly generating revenue through kidnappings of NGO workers. On 8 August 2017, for example, four local staff members of a NGO were kidnapped in Burhakaba, Bay region. One was subsequently released while the other three were transported by the leader of the operation, Isaq Daliil, to Bulo Fulay, in Bay region. At the time of writing clan elders had started negotiations with Al-Shabaab on the release of the hostages. Al-Shabaab also conducted a number of abductions of local NGO staff during the mandate in Bay region, including where NGOs were fined for violating access agreements. Payments to secure the staff members' release have subsequently been negotiated between clan elders and Al-Shabaab.²¹

Expenditure

7. Revenues collected from local communities are primarily spent on the salaries of Al-Shabaab members working within the region. Tax collectors receive a salary of \$100 each month; soldiers receive a salary of between \$20 and \$150 each month; and Amniyat operators receive a salary of \$500 per month.²² A former Al-Shabaab operative whose responsibility was to distribute the salaries of Al-Shabaab forces within the region told the Monitoring Group that for local forces he distributed cash, and for troops further in the field he made payments using Taaj, a Somalia-based mobile money transfer service.²³

²¹ Interview with intelligence officer specializing in Al-Shabaab financing, Baidoa, 2 August 2017.

²² Interview with a defected Al-Shabaab financial officer, Baidoa, 30 August 2017.

²³ Ibid.

Annex 2.1: ISIL occupation of Qandala

1. On 6 March 2017, the SEMG conducted a day mission to Qandala by sea, facilitated by the Puntland President's Office and the Puntland Maritime Police Force (PMPF). From October to December 2016, Qandala had been the seat of the ISIL faction — and the first settlement in Somalia captured by the group — until it was retaken by Puntland forces in early December.
2. On 26 October 2016, between 80-90 ISIL militants swept into Qandala from the surrounding mountainside, declaring it the seat of the Islamic Caliphate in Somalia. According to local clan elders, a spokesman for the group urged residents to remain in the town and join the ISIL faction; one clan elder recalled the spokesmen boasting to the crowd that “we will capture Asia, Africa, and the whole world”.¹ However, representatives of the local inhabitants refused to assist the militants, telling them that they would vacate Qandala if ISIL remained. In response, the militants began ransacking the town, looting the police station, school, and the medical clinic, and torching residences. Prior to vacating Qandala in advance of approaching Puntland forces in December, the militants damaged the town's water reservoir with gunfire.
3. Residents of Qandala left the town during the ISIL occupation, and according to town elders many families remained displaced at the time of the SEMG's visit. Residents of Khooriga, a village just east of Qandala and a former arms smuggling hub, recounted that members of the group had threatened to kill anyone who did not agree with their interpretation of Islamic law, and reported a similar displacement of local inhabitants by ISIL militants.²
4. Residents of Qandala reported witnessing English-speaking foreign fighters among the group, including “whites”, but the SEMG has so far been able to confirm the presence of only a limited number of foreigners serving within the group.³ Identification of the militants was complicated by the fact that they covered their faces in turbans while in the town.

¹ Interviews with clan elders and other residents of Qandala, 6 March 2017. Residents identified the names of two spokesmen: “Asad” a.k.a. “Omar”, and “Usama” — almost certainly not their real names.

² Interviews with residents of Khooriga, 6 March 2017.

³ Interviews with clan elders and other residents of Qandala, 6 March 2017.

Figure 1: Arabic graffiti left by ISIL militants on the wall of the police station in Qandala, reading “The Islamic Caliphate on the path of the Prophet”.

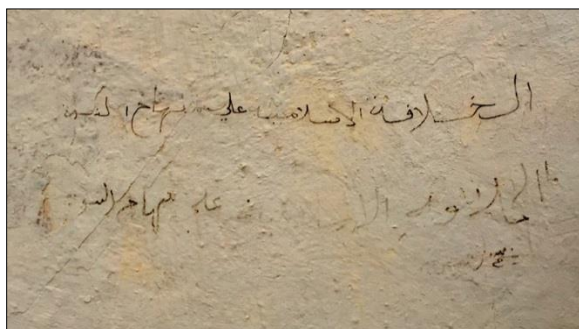


Figure 2: Residence used as a billet by ISIL fighters in Qandala, which they torched before leaving.



Isse Mohamoud Yusuf “Yullux”

5. At the time of the SEMG’s visit to Qandala, the bulk of the *Darawish* (Puntland regular forces) garrisoning the town — roughly 200 troops — were comprised of the militia of the former pirate and arms smuggler Isse Mohamoud Yusuf “Yullux”, a member of the dominant Ali Salebaan sub-clan and cousin of ISIL leader Abdulqader Mu’min.⁴ Prior to the offensive to retake Qandala, the Puntland administration had reached an agreement with “Yullux”, whereby his militia would be integrated into the *Darawish*; his forces subsequently participated on the frontlines of the offensive. However, the agreement later fell apart primarily due to a disagreement over pay, and “Yullux” retreated with his militia to his home town of Timirshe, where he has resumed his material assistance to the ISIL faction, including through the provision of arms and ammunition.⁵

⁴ Isse “Yullux’s” activities have been detailed in several previous SEMG reports; see, for instance, [S/2013/413](#), annexes 1.7 and 3.1.c.

⁵ Interviews with an intelligence and a security officer in Bosaso, 8 March and 11 April 2017; interview with a former associate of “Yullux”, Nairobi, 18 April 2017; interview with Abdinasir Sofe, Chief of Staff to the Puntland President, Nairobi, 29 August 2017.

Figure 3: Undated photograph of Isse Mohamoud Yusuf “Yullux”.



Captured weaponry⁶

6. By the time of the SEMG mission to Qandala on 6 March 2017, the weapons and ammunition captured from ISIL by Puntland security forces had already been redistributed. However, a local data collector from the UK-based organization Conflict Armament Research had previously photographed and documented six weapons and 161 rounds of ammunition captured from ISIL fighters in Qandala (see figures 4-7, below). Most of the weapons appear to be older legacy arms, which are difficult to trace. The bulk of the seized ammunition consisted of 12.7x108 mm rounds, likely intended for use with DShK heavy machine guns. According to intelligence sources in Puntland, as well as ISIL defectors interviewed by the SEMG, the majority of arms supplied to the ISIL faction originate in Yemen.

Figures 4: Several AK-pattern assault rifles, PK machine guns, 12.7x108 mm ammunition, and 7.62x39 mm ammunition. A rocket propelled grenade, and RPG munition.



⁶ Images in this annex courtesy of the UK-based organization Conflict Armament Research.

Figure 5: An RPG manufactured in Bulgaria (serial number IHH-17-56).



Figure 6: 12.7x108 mm ammunition; factory markings on the metal packaging indicate they were manufactured in the Russian Federation.

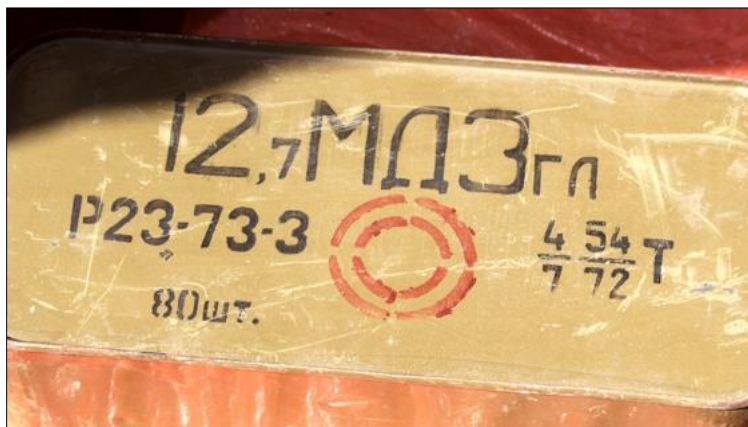


Figure 7: Norinco branded NP-34 pistol, a tracing request was sent to the relevant Member State on 3 July 2017 (S/AC.29/2017/SEMG/OC.81).



Annex 2.2: Leadership of the ISIL faction

1. Since its 2016 report (S/2016/920, annex 1.2), the SEMG has further developed its understanding of the Islamic State of Iraq and the Levant (ISIL) faction's membership and leadership structure, primarily through interviews with former members of the group facilitated by the Puntland administration.⁷ While the SEMG was able to confirm the names or *noms de guerre* of 14 ISIL leaders, their exact roles in the group are less clear; preliminary indications are that the ISIL leadership structure is less hierarchical and more fluid than that of Al-Shabaab, with individuals lacking rigid titles or functions.

- (a) Abdulqader Mu'min (Darod/Majeerteen/Ali Salebaan): Emir of the ISIL faction, former spiritual head of Al-Shabaab North-East (ASNE) in the Golis Mountains. Designated as a Specially Designated Global Terrorist by the U.S. Department of State in August 2016.⁸
- (b) Abdirahman Fahiye Isse Mohamud a.k.a. Ahmed Aden; Khalid; Yaqub; Burane (Darod/Harti/Deshishe): Deputy to Mu'min, second in command of the ISIL faction. Born in 1985 in Bosaso; former member of ASNE in the Golis Mountains. Identified by Puntland authorities as being the coordinator of the 23 May 2017 suicide bombing in Bosaso (see annex 2.5, strictly confidential).⁹
- (c) Mahad Moalim (Majeerteen/Ali Salebaan): cousin of Abdulqader Mu'min; previously reported to be Mu'min's deputy; current role may relate to preaching (*dawa*). Former member of ASNE in the Golis Mountains.
- (d) Abdihakim Dhuqub (Majeerteen/Ali Salebaan/Ismail Ali): Senior leader, aged 50-55 years; involved in the creation in 2004 of the first Bosaso cell of Al-Itihaad al-Islamiya (AIAI), an ideological predecessor to Al-Shabaab.¹⁰ Former member of ASNE in the Golis Mountains.
- (e) Abdiqani "Luqmaan" (Darod/Leelkase): Aged 25-30 years; lead commander in charge of military operations; former member of ASNE in the Golis Mountains.
- (f) "Abu Hafsa" (Hawiye/Galjaal): Deputy of "Luqmaan", aged approximately 30 years. Former member of Al-Shabaab from Hiran region; possible recruiter of fighters from southern Somalia in conjunction with an individual known as "Jabal".
- (g) Hamza Farey (Darod/Majeerteen): head of preaching (*dawa*) and orientation. Former member of ASNE in the Golis Mountains.

⁷ On 11 and 12 April 2017, the SEMG conducted interviews with 10 defected and captured ISIL fighters being held at Bosaso Central Prison.

⁸ U.S. Department of State, "State Department Terrorist Designation of Abdiqadir Mumin", press release, 31 August 2016. Available from <https://www.state.gov/j/ct/rls/other/des/266486.htm>.

⁹ According to information provided by a relative of Mohamud, he was born in 1985 in Bosaso, and joined the Al-Shabaab insurgency in the Golis Mountains in 2008 before switching his allegiance to the ISIL faction in October 2015 at the behest of his close associate Abdulqader Mu'min. He is described as 1.75 m in height and 70 kg in weight, light skinned, and bearded.

¹⁰ See S/2013/413, annex 1.7.

- (h) Abdibasid a.k.a. Mukhtar (Majeerteen/Ali Salebaan): aged approximately 30 years, but younger looking; possible role involves intelligence gathering and/or the procurement of weapons.

2. Other significant figures in the organization, identified through interviews with intelligence and security sources, as well as phone network analysis, include: Abdiweli Mohamed Aw-Yusuf “Walah” (Majeerteen/Ali Salebaan/Ismail Ali); Abshir Mahamoud Mire Mahamoud a.k.a. Abshir Gardhere; Jama Ismail Said Salah a.k.a. Jama Dhere; Ahmed Omar Ali “Beerdhagax” (a suspected arms supplier); Abdirahman Yusuf Mahamud Adan; and Mohamed Bile Gash Yusuf (see annex 2.3, strictly confidential, for a mobile phone network analysis of the ISIL leadership).

3. As noted in the SEMG’s 2016 report (S/2016/919, para. 28), the arms dealer and former pirate, Isse Mohamoud Yusuf, or “Yullux” (Darod/Majeerteen/Ali Salebaan), continues to provide material support, including arms and ammunition, to the ISIL faction.¹¹ “Yullux” had briefly integrated his 200-strong militia into the Puntland security forces, where they participated in the recapture of Qandala in November and December 2016. However, a dispute over pay with the Puntland administration led to “Yullux” to abrogate the agreement and withdraw his forces to his home area of Timirshe in May 2017, where he reignited his ties with ISIL leadership, including his cousin Abdulqader Mu’min.¹²

Phone network analysis of ISIL leadership

4. In contrast with the arms trafficking networks the SEMG has tracked in Puntland, phone network analysis of the ISIL faction presents a far greater challenge, inasmuch as ISIL leaders routinely change SIM cards to avoid detection and potential targeted kinetic action by local forces and Member States. Consequently, the SEMG’s analysis of ISIL phone records by necessity involves a more disjointed analysis across discrete, limited timeframes.

Abbas Mahamoud Yusuf

5. One such snapshot occurred between 10 November and 13 December 2016, during the ISIL faction’s occupation of Qandala. Abbas Mahamoud Yusuf, a local resident of the Qandala area, was forcibly recruited by the ISIL faction on 10 November, and tasked with supplying food, water, and other goods to the group.¹³ He reported his direct superior to be Abdiqani “Abu Sufiyan”, originally from Galkayo, and that “Abu Sufiyan” would regularly call him on his mobile phone, as did two other ISIL commanders.¹⁴ On 13 December, Yusuf was captured by Puntland forces in Qandala, and accordingly his phone activity ceased. Yusuf’s phone records, therefore, provide a useful window into ISIL mobile phone activity during the one month he worked for the group.

¹¹ Interviews with an intelligence and a security officer in Bosaso, 8 March and 11 April 2017; interview with a former associate of “Yullux”, Nairobi, 18 April 2017; interview with Abdinasir Sofe, Chief of Staff to the Puntland President, Nairobi, 29 August 2017.

¹² International agency security officer in Bosaso, 4 June 2017. The area around Timirshe remains a stronghold for the ISIL faction.

¹³ Interview with Abbas Mahamoud Yusuf in Bosaso Central Prison, 12 April 2017.

¹⁴ Ibid. Yusuf described “Abu Sufiyan” as approximately 40 years old, dark-skinned, with a large black beard and a bent little finger on his right hand. He believed “Abu Sufiyan’s” role within the ISIL faction involved preaching (*dawa*) and orientation for new recruits.

Annex 2.3: Mobile phone analysis of Abbas Mahamoud Yusuf and the ISIL faction (STRICTLY CONFIDENTIAL)*

Annex 2.4: ISIL attack on International Village Hotel

1. On 8 February 2017, two ISIL-affiliated gunmen stormed the International Village Hotel in Bosaso, in the first attack of its kind by the militant group. The likely target was the former governor of Bari region, Abdisamad Gallan, whose militia had joined with Puntland forces during the offensive to retake Qandala in November and December 2016.¹⁵ While the operation was poorly planned, it nonetheless demonstrated the group's ability and determination to carry out attacks in Puntland's economic capital.

Narrative of the attack

2. At 05:30 UTC +3 on 8 February, the two ISIL gunmen arrived at the main gate of International Village Hotel. According to a senior police official, one of the attackers was known to a hotel guard, which accounted for the guard's willingness to open the gate.¹⁶ Once the gate was open the attackers gunned down two hotel guards and entered the compound, proceeding along different routes towards Gallan's villa in a flanking manoeuvre.¹⁷

3. Gallan was protected by four bodyguards stationed outside his villa; presumably unknown to the attackers, a delegation of businessmen from the United Arab Emirates (UAE) was staying in a neighbouring villa, guarded by a detachment of six port police officers. The first attacker, who was in the courtyard without any cover, was killed by Gallan's bodyguards. Two of the bodyguards were also killed, and the remaining two were wounded. The surviving attacker then circled around the rear of Gallan's villa and was quickly shot and killed by the detachment of port police guarding the UAE villa.¹⁸ Additional Puntland police arrived at the hotel approximately 15 minutes after the assault had begun.

Analysis of the attack

4. While the attack demonstrated a higher degree of sophistication in intelligence-gathering than previously displayed by the ISIL faction, it lacked critical elements of planning. The attackers had obtained accurate intelligence on the villa at which Gallan was staying, and knew the identity of the guard on duty at the main gate. However, the planners committed a fatal tactical error in failing to account for the contingent of port police at the hotel, who, when combined with Gallan's bodyguards, meant the ISIL gunmen were outnumbered five to one while on a mission to penetrate a fortified compound.

5. Most critically, however, the attack demonstrated the ISIL faction's possession of a valuable resource: adherents willing to face a high or near certain risk of death while carrying out the group's objectives. A further demonstration of this asset occurred on 23 May 2017, when the ISIL faction conducted its first suicide attack in Somalia (see annex 2.5, strictly confidential).

¹⁵ Abdisamad Gallan had previously launched an armed insurgency against the Puntland administration in June 2016 following his dismissal as governor of Bari region, which the SEMG detailed in annex 8.10 of [S/2016/919](#).

¹⁶ Interview with senior Puntland police commander in Bosaso, 7 March 2017.

¹⁷ Interview with Abdisamad Gallan in Bosaso, 8 March 2017.

¹⁸ Ibid.

**Annex 2.5: May 2017 ISIL suicide bombing in Bosaso (STRICTLY
CONFIDENTIAL)***

Annex 3.1: Galkayo conflict: 7 October to 18 November 2016

1. In S/2016/919, the SEMG documented the outbreak of conflict between the Interim Galmudug Administration (IGA), the Puntland administration, and their allied militia in late 2016, and its impact on civilians.¹⁹ The most recent phase of the Galkayo conflict commenced on 7 October 2016.
2. The city of Galkayo has long been the site of tensions between the majority inhabitants of the north of the city — primarily Majeerteen/Omar Mohamud and Leelkase clans — and the south — Haber Gedir/Sa'ad.²⁰ Further to large scale conflict in 1991, the Mudug Agreement of June 1993 held relatively steadily for 22 years. The formation of the IGA in 2015, however, prompted renewed contestation for territories and resources.²¹ The conflict which erupted between the IGA, Puntland and their allied militia in November/December 2015 exacted a significant toll on the city's inhabitants, with 30 to 40 people killed, over 100 injured and the bulk of the population displaced.
3. The December 2015 agreement intended to prevent the reoccurrence of the conflict was poorly implemented.²² As noted by the SEMG in 2016,²³ by August 2016 a series of assassinations and attacks attributed to Al-Shabaab based in south Galkayo had reignited mistrust between the parties, with Puntland officials accusing actors in Galkayo of providing cover for the attacks. In the wake of a double vehicle-borne improvised explosive device (VBIED) attack on 21 August 2016 — which destroyed government offices and part of the hospital in north Galkayo — anger reached a crescendo.²⁴ Some in north Galkayo alleged direct collaboration between the south Galkayo administration and Al-Shabaab. Others asserted that the south Galkayo administration did not have the capacity to challenge Al-Shabaab and arrest the perpetrators of the attacks.
4. Puntland and the north Galkayo administration's response to the increasing insecurity was to impose severe restrictions on vehicle movements from south Galkayo, causing major disruptions to both commercial and humanitarian traffic.²⁵ The IGA responded with its own restrictions. Tensions deepened when 13 IGA-affiliated forces were killed in

¹⁹ S/2016/919, annex 7.4.

²⁰ See Interpeace and Peace and Development Research Centre, *Galkacyo Conflict Assessment, December 2016 – March 2017*, on file with the Secretariat (Galkayo conflict assessment); see also, Heritage Institute for Policy Studies (HIPS), *Galkacyo Conflict: Drivers, Contributors and Potential Solutions*, December 2016; and Zakaria Yusuf & Abdul Khalif, "Galkayo and Somalia's Dangerous Faultlines", available from <http://blog.crisisgroup.org/africa/somalia/2015/12/10/galkayo-and-somalias-dangerous-faultlines/> (accessed 22 September 2017).

²¹ For a description of the process which led to the creation of the IGA see S/2015/801, annex 1.1.

²² A Ceasefire Agreement was signed on 2 December 2015 between the Puntland and Galmudug administrations. It provided, inter alia, that displaced people would be facilitated to return home and that both administrations would facilitate humanitarian access.

²³ S/2016/919, para. 99.

²⁴ The attack killed 27 people and injured over 90. Interview with UN staff member, 2 July 2017, Galkayo; interview with staff of hospital in north Galkayo, 5 July 2017, Galkayo.

²⁵ The Puntland President issued two decrees setting out the ban and related procedures on 8 September and 16 September 2016. The ban was rescinded on 20 September, generating public outcry and a series of angry public demonstrations in north Galkayo. The Puntland Vice President, Abdihakim Abdullahi Amey, was one of the key drivers of the suspension, and later the construction of the livestock market — to facilitate management of the blockade — which was the trigger of the 2016 fighting.

a US airstrike on 27/28 September 2016 at Jeehdin.²⁶ The IGA-appointed Governor for Mudug accused Puntland authorities of complicity in the attack, calling for the Galmudug security agencies to “adopt measures to respond to the blatant aggression staged by Puntland militia who misled US forces with clan-motivated intelligence and logistical support”.²⁷

The conflict

5. Open conflict broke out in Galkayo on 7 October 2016. Once again it was a controversial construction project on the boundary in Garsoor neighborhood, this time a livestock holding area, which prompted the renewal of the conflict.²⁸ The fighting was subsequently concentrated in south Garsoor and Wadajir neighborhoods, with Horumar and Isaac neighborhoods also affected. While local militia were the first to engage, state-aligned regional forces joined the fray the following day, and the conflict continued sporadically for approximately one month.

*Weaponry deployed*²⁹

6. Both sides deployed heavy weaponry in the conflict, including:

- Zu-23 anti-aircraft artillery;
- Field artillery (85 mm);
- DShK and RPGs;
- B-10 recoilless rifles;
- Mortars.

7. Puntland authorities also deployed Type T24 tanks.³⁰

8. Although Puntland allegedly had a BM-21 “Grad” truck-mounted multiple rocket launcher deployed in Galkayo at the time, the SEMG does not assess it was used in the conflict.

²⁶ Galmudug officials told the SEMG that in addition to the 13 military personnel, seven civilians and livestock were also killed in the strike. They also noted that there had been a ground encounter between Puntland and Galmudug forces prior to the strike. Interview with security and administrative officials, south Galkayo administration, 4 July 2017.

²⁷ See “Galmudug State condemns aerial bombardment that killed, soldiers, civilians in central Somalia”, press statement, 30 September 2017, available from <http://www.qaranimo.com/news/2016/09/30/galmudug-state-condemns-aerial-bombardment-by-u-s-forces-that-killed-soldiers-civilians-in-central-somalia/>.

²⁸ The livestock holding area (6°45'19.78" N, 47°24'51.40" E) was intended to ease the impact of the restrictions on cross-boundary movement and the requirement that there be a vehicle change-over for goods and animals coming from the south. Many livestock had died during the early months of the imposition of the ban. Although the contract for the construction was given to a north Galkayo businessman, when he tried to share the contract with a southern partner there was strong pushback from the community.

²⁹ SEMG in-person and phone interviews with individuals present during the conflict in Galkayo, April to August 2017; examination of video footage available of the conflict on social media.

³⁰ See video posted by Horseed Media News, 14 October 2016, <https://www.youtube.com/watch?v=i8SHbmH5iEw> (accessed 22 September 2017).

9. The SEMG received a credible but unverified report that 300 AK-pattern rifles were distributed to Omar Mahmoud militia operating in South Garsoor directly from the Office of the President of Puntland.³¹

Key actors

10. For the IGA and south Galkayo, the military was led by Abdelaziz Abdullahi Abdi “Qooje Dagaari”.³² Colonel Hassan Farah Karshe was also in command. The main political actors supporting the engagement were the IGA Minister of Security, Cismaan Ciise Nuur, “Taar Dhuleed” and the IGA Minister of Ports, Burhan Warsame Igaal (Haber Gedir/ Sa’ad/ Abdalle).

11. In north Galkayo, the main fighting forces consisted of Mudug-based units of the Puntland *Darawish* (regular forces) under the command of Lieutenant Colonel Abdirashid Mohamud Ashkir “Qodhob”. A contingent of Garowe-based Darawish, under the command of Colonel Jimcale Jaamac Takar, and the Qardho-based commander Cabdiqaadir Cabdi Ciise “Caagadeyste”, were also deployed to provide further support.³³ General Said Mohamed Hersi a.k.a. “Sayeed Dheere”, Chief of the Puntland Defence Forces, was largely absent during the conflict, with lower-ranking officers on the ground reportedly by-passing his command.

12. South Galkayo authorities claimed that they had retrieved a Puntland Security Force (PSF) ID from the body of a dead combatant.³⁴ The SEMG was unable to verify this information and received no other information relating to the participation of the PSF, who have a base in Galkayo.³⁵

13. The Minister of Environment, Tourism and Wildlife, Ali Abdullahi Warsame (Majeerteen/ Omar Mohamud, and a Norwegian citizen) and the then Minister of Public Works, Housing and Transportation, Abdirashid Mohamed Hirsi (Lelkase), now Minister of Fishery and Marine Resources, were the main political actors driving the conflict on the Puntland side, appointing elders to muster the local community and mobilize clan militia and managing the financing of the war effort.³⁶ The Minister of Commerce Abdiweli Hersi Abdulle (Indhaguran) and Abdiqani Gelle Mohamed, the Minister of

³¹ SEMG phone interview with individual with knowledge of the fighting, 10 August 2017. See video of fighting involving militia at Garsoor village in Galkayo, date indeterminate. Available from https://www.youtube.com/watch?v=_E3DseWi3E4 (accessed 22 September 2017).

³² Commander Dagarri was later dismissed from his position by IGA President Ahmed Duale “Haaf”.

³³ See video footage of contingent of Puntland forces listing to speech by Colonel Jimale and receiving the welcome of the community at https://www.youtube.com/watch?v=_XX8AFhFAOQ (accessed 22 September 2017). Colonel Jimale assures his troops that they are well prepared and equipped and thanks the Puntland leadership for their support in terms of morale and logistics.

³⁴ SEMG interview with security and administrative officials, south Galkayo administration, 4 July 2017.

³⁵ Abdirahman Mahmoud Haji Hassan, the Director of the Puntland Maritime Police Force (PMPF) was in Galkayo for some of the conflict period, along with some of his forces and vehicles but there were no reports that they actively participated in the conflict.

³⁶ Reflecting their antagonistic stance towards the peace negotiations, Warsame and Hersi were ordered by President Abdiweli Mohamed Ali “Gass” to withdraw from Galkayo in June 2017, in order to facilitate the signing of the 22 June accord (see below). Hersi later engaged in the process, however, and was present at the September 2017 peace conference.

State for Aviation and Airports were also on the ground, although the former actively engaged in the peace negotiations.

Allegations of involvement of federal forces

14. During the 2015 phase of the conflict, Puntland had alleged that the FGS had provided weapons in support of IGA forces.³⁷ During the 2016 conflict, Puntland claimed that a unit of the National Intelligence and Security Agency (NISA) forces, based in Adado, participated in support of Galmudug. On 12 October Minister Ali Abdullahi Warsame presented two defected soldiers at a press conference in north Galkayo.³⁸ The defectors claimed to be NISA personnel, who had fought against Puntland under the command of NISA's Ali Dhere.³⁹

Non-governmental actors

15. In comparison with the 2015 phase of the conflict, the Galkayo business community was more actively involved in the fighting in 2016. While in 2015 the community had largely played a conciliatory role between the two sides, during the hostilities in 2016 key figures provided logistical support — including food and fuel — to the combatants.⁴⁰ Certain clan elders also energetically mobilized to prolong the conflict, including on social media.

Aggravating factors

16. The historically rooted origins of the conflict and the upheaval caused by the creation of the IGA which sharpened clan divisions, have been described above. There were three additional interlinked factors: the role of the media; the role of Al-Shabaab and its relationship with the parties to the conflict; and the conflict economy.

*Media*⁴¹

17. Both parties to the conflict deployed media outlets to leverage fears.⁴² Local media

³⁷ See, for example, “Somalia: Federal Govt delivers arms consignment to Galmudug”, Garowe Online, 27 November 2015, available from <http://www.garoweonline.com/en/news/puntland/somalia-federal-govt-delivers-arms-consignment-to-galmudug-report>.

³⁸ See video of the press conference at <https://www.youtube.com/watch?v=i8SHbmH5iEw> (accessed 22 September 2017).

³⁹ Unofficial translation of statements of Omsan Abdullahi Jama and Abdi Osman Mahmoud, on file with the Secretariat. The two Marehan soldiers identified themselves and described how they were NISA personnel based in Adado, where they had assisted with the securing the state formation process. Their involvement in Galkayo had begun when they had been told that there were being deployed to deal with clearing a roadblock on the Galinsoor-Galkayo road near Banderadley, but then found themselves taken to the city and ordered to fight. They then defected.

⁴⁰ Some who spoke to the SEMG linked the greater involvement of the business community to Al-Shabaab's increasing influence and control of the conflict dynamic.

⁴¹ For an overview of challenges to freedom of expression in Somalia and the role of the media, see UNSOM Human Rights, Report on the right of freedom of expression: striving to widen democratic space in Somali's political transition, available from http://www.ohchr.org/Documents/Countries/SO/UNSOM_FreedomExpressionReport_Aug312016.pdf (accessed 22 September 2017).

⁴² The levels of fear and mistrust between populations on either side of the line dividing Galkayo is such that some civilians opt never to venture to the other side, creating what has been described as an “*Isbaaro*

— particularly radio — were used to fuel tensions, circulate misinformation, and generate support for the prosecution of the conflict more broadly. These broadcasts contributed both to the virulence and length of the hostilities, and incentivized fundraising in support of the conflict. This was recognized in the 1 November 2016 agreement which halted the conflict: one of the five key provisions was an undertaking to “refrain from anything exchanged through the media that can create conflict”.⁴³

18. Social media, including chat groups, was also exploited. The SEMG documented how particular elders and others in diaspora fuelled the fighting — and later opposed peace efforts — using the tool.⁴⁴ In the context of the Puntland Vice President’s arrival in Galkayo for the September 2017 peace conference, for example, one elder told his community that the Vice President’s intention was to give their land to Galmudug and that they should be prepared to confront him. Evidence indicates that his words sparked mobilization of militia in north Galkayo. Social media was also used, including by individuals in diaspora, to incite attacks to impede the peace negotiations.

*Al-Shabaab*⁴⁵

19. Al-Shabaab operations and influence were strengthened by the outbreaks of conflict in Galkayo in 2015 and 2016. The 2015 hostilities created space for the group’s expansion into Puntland during 2016; the second phase enabled consolidation of those gains.

20. As in many parts of Somalia, Al-Shabaab in Galkayo cultivated a presence in all strata of society, from traditional elders and clan militia, to businessmen, to military and government officials.⁴⁶ Al-Shabaab thus became a party to, and resource used by parties to, the conflict. For example, the businessman Abdirisak Hussein Tahlil (Alol Geel) was one of those who prominently assisted the troops on the Galumudug side with logistic support during the conflict.⁴⁷ In late July 2017, he was arrested by Puntland and US forces and accused of involvement in Al-Shabaab operations.⁴⁸

21. Al-Shabaab in turn leveraged its influence and ability to intimidate within clan, business, military and political structures on both sides, in order to prolong the conflict. In addition to contributing to conflict operations, Al-Shabaab actively attempted to prevent resolution efforts: one individual with knowledge of the peace negotiations told the SEMG

waa Qalbi” or a “clan-defined roadblock”. The Galkayo conflict assessment found that, “the media are perceived as a key aggravating actor in north and south Galkacyo, igniting tensions and fueling conflict, yet present huge potential for resilience and positive impact”.

⁴³ Communiqué from Member States of the Federal Government of Somalia, Puntland, Jubbaland, South-West, Galmudug and HirShabelle, 1 August 2017, on file with the Secretariat.

⁴⁴ The SEMG reviewed copies of circulated material, details suppressed in order to safeguard interlocutors.

⁴⁵ Conversations with security and civil society experts in Galkayo and Nairobi, April to July 2017.

⁴⁶ The SEMG was provided with details of senior military and political figures connected with both administrations who were alleged to have close family or other links with named Al-Shabaab members, including allegations that a number were in close communication with Al-Shabaab throughout the conflict. The SEMG was not able to verify this information.

⁴⁷ Another prominent South Galkayo businessman, “Abass” — alleged to be allied with Al-Shabaab — was observed by some in the community wearing a military uniform during the fighting. SEMG phone interview with individual with knowledge of the conflict, 11 August 2017.

⁴⁸ See para. 18.

that in Galkayo throughout 2017 Al-Shabaab regularly called certain elders and directed them to sabotage the effort.⁴⁹ Payments were also made to induce collaboration.

Conflict economy

22. In previous inter-clan conflicts the SEMG documented how social media was used to raise money in the diaspora, not only for humanitarian support, but also to purchase logistics and weapons to support and prolong the fighting.⁵⁰ In Galkayo, diaspora funding facilitated the payment of medical treatment for fighters, and the procurement of fuel, weapons and ammunition. A recording of a conversation between an IGA commander and an individual in diaspora during the conflict, for example, includes expressions of thanks to those outside the country for their willingness to support the fighting.⁵¹ The SEMG received information on one instance in which military leaders in north Galkayo specifically sought funds from both the local population and the diaspora to “defend the community” and subsequently bought more heavy weaponry.⁵²

23. Credible allegations emerged late in the SEMG’s investigation, however, of an additional dimension: that certain individuals among the military, political and clan leadership deliberately created opportunities to profit from and prolong the conflict. Through a variety of social media platforms — including the messaging apps WhatsApp and Telegram — these actors warned of imminent threats against their communities, and the need for funds to counter them. Some of this money was simply diverted. In one instance documented by the SEMG, a group of elders requested funds to help mobilize a sub-clan which had not yet joined the conflict: funds were sent and subsequently appropriated for private gain.

24. The conflict was also funded from regional budgets: in Puntland it was claimed by one SEMG source that five per cent of revenue from Bosaso port — estimated at approximately \$20,000 per week — was allocated to the conflict during some of the period. There were credible but unverified allegations that some of these funds were embezzled by government officials.

⁴⁹ SEMG interview with NGO staff member, 24 April 2017, Nairobi.

⁵⁰ During its investigation into the Hawalde-Surre conflict in Hiran between 2013 and 2015, for example, the SEMG received evidence of fundraising for the parties in the UK. For an account of that conflict see S/2015/801, annex 6.3 (a) and strictly confidential annex (b).

⁵¹ See https://www.youtube.com/watch?v=JhuLb_10Z3Q (accessed 22 September 2017). The Commander expresses appreciation for the supplies which have been brought to the battlefield and promises that the apostates will be destroyed. Although the title of the recording indicates the speaker is the Commander of the IGA forces, General Daagari, the SEMG has been able to verify that it was not him, but another unnamed IGA commander.

⁵² SEMG phone interview with an individual from Galkayo with knowledge of the request and the outcome, 21 July 2017, Galkayo.

Impact of the conflict on the civilian population⁵³

25. In contrast with the 2015 phase of the conflict, in 2016 the fighting was largely concentrated away from the centre of the town.⁵⁴ Nevertheless the 2016 conflict had severe consequences for civilians in Galkayo.⁵⁵ Over 90,000 people were displaced — many for the second time since 2015, including all internally displaced persons in south Galkayo.⁵⁶ When the most violent phase of the conflict came to an end in early November 2016, the UN assessed that 45 people had been killed and 162 injured.⁵⁷ Other casualty estimates were much higher: one NGO calculated that 100 people were killed and over 200 injured between early October and late December 2016.⁵⁸

26. Significant civilian harm was caused by indiscriminate and disproportionate fire. The UN assessed, for example, that at least 88 civilian casualties were the result of indiscriminate shelling between Puntland and IGA forces.⁵⁹ Residential compounds in southern Garsoor, mostly deserted by civilians, were also damaged in the fighting. At the height of the conflict the hospital in south Galkayo was forced to move its patients to a location seven kilometres outside the town when a mortar shell landed 150 metres from the facility.⁶⁰ Officials in south Galkayo told the SEMG that 5 Star Hotel, the University of Galkayo and numerous civilian homes were damaged by shelling by Puntland forces.⁶¹

27. There were reports of other violations against civilians, including an increase in incidents of sexual and gender-based violence in the wake of rounds of combat, and abductions of civilians.⁶²

28. The conflict dangerously undermined community reserves in a time of drought with families forced to rent vehicles to flee and to forgo income-generating activities. Early in the conflict, for example, food aid was required for an estimated 60,000 people displaced

⁵³ See, Human Rights Watch, “Dispatches: Clashes in Galkayo, Somalia Harm Civilians -Tens of Thousands Displaced by Three Weeks of Fighting”, 25 October 2016, available from <https://www.hrw.org/news/2016/10/25/clashes-galkayo-somalia-harm-civilians>.

⁵⁴ One interlocutor suggested that international community statements on civilian harm at the end of the 2015 conflict impacted this decision, although few agreed with this analysis. SEMG interview with a humanitarian worker, 10 November 2016.

⁵⁵ SEMG interviews with UN and NGO staff members, 1-5 July 2017, Galkayo.

⁵⁶ For an assessment of the initial impact of the fighting on civilians, see, OCHA Somalia, “Flash Update #2 Humanitarian impact of fighting in Gaalkacyo”, 24 October 2016.

⁵⁷ By 10 November 2016 OCHA was reporting that 90,000 had been displaced 45 killed and 162 injured. See OCHA Somalia, “Flash Update #3 Humanitarian impact of fighting in Gaalkacyo”, 10 November 2016.

⁵⁸ Confidential NGO report on file with Secretariat. North Galkayo hospital, for example, recorded treating 60 wounded fighters and 11 wounded civilians during the October/November conflict period. Email from medical official, 22 July 2017.

⁵⁹ Internal UN report reviewed by the SEMG.

⁶⁰ SEMG interview with medical staff in south Galkayo, Galkayo, 4 July 2014.

⁶¹ SEMG interview with security and administrative officials, south Galkayo administration, Galkayo, 4 July 2017.

⁶² On 30 October 2016, for example, Sa’ad and Omar Mohamud elders exchanged four civilians who had been abducted by militia from both sides from the green line the previous week. Email from an NGO staff member, 1 November 2016.

from the north of the city.⁶³ Even when the conflict ended, many families were unable to send their children back to school due to the collapse of their livelihoods.⁶⁴

29. Beyond the community in Galkayo, the blocking of the Bosaso-Galkayo corridor — the main supply route for World Food Programme (WFP) supplies to Mudug, Galgaduud and Hiran regions — significantly increased the cost of delivery to beneficiaries in those areas. It also had an adverse impact on the cost of transporting commercial goods, further undermining drought resilience.⁶⁵

30. Due to the location, direction and intensity of the fighting, most of those killed or injured were combatants: the scale of these casualties was the most difficult to assess. One estimate provided to the SEMG by a humanitarian worker present during the conflict was that at least 80 fighters were killed on the Puntland side and likely more on the Galmudug side. A hospital in south Galkayo recorded 71 casualties on one day during the fighting in October — mostly combatants — of whom 10 died.⁶⁶

Responsibility for international crimes

31. Almost all those who offered suggestions for a resolution in Galkayo cited the need for action to be taken against those who commit international crimes.⁶⁷ As noted above, with widespread use of indiscriminate and disproportionate fire, targeting of civilian areas, and large-scale forced displacement, there was credible evidence that international crimes were committed on both sides during both phases of the conflict.⁶⁸

32. In a joint statement in the midst of the 2015 Galkayo conflict, key members of the international community came together declared that they would “not tolerate impunity and the continued needless killing of innocent civilians”.⁶⁹ They added that “[t]hose found

⁶³ For an overview of the immediate humanitarian impact of the conflict see OCHA, “Consolidated Inter-Cluster Rapid Assessment Report, Impact of Fighting in Gaalkacyo”, 19 October 2016.

⁶⁴ SEMG Skype interview with resident of Galkayo, 28 July 2017. Education results for local children deteriorated due to lengthy school closures. Email from a community leader, 21 July 2017. Both the 2015 and 2016 conflicts had a visible impact on the economy of Galkayo, with businesses closed or transferred to other cities. In Galkayo in July 2017 the SEMG met with a number of people who described how they had sent their families to live elsewhere in Somalia after the first round of the fighting.

⁶⁵ SEMG interview with a senior humanitarian official, 24 July 2017.

⁶⁶ SEMG interview with director of a south Galkayo hospital, 4 July 2017.

⁶⁷ The Heritage Institute recommended that, “[t]here should be no impunity for individuals fueling or allowing the continuance of the Gaalkacyo conflict. They should be held accountable for their actions. The killing and displacement of civilian population is a serious violation of national and international humanitarian law. The UN should take a leading role in the investigation of violations of human rights and humanitarian law committed in Gaalkacyo”. Heritage, *op cit* at footnote 2. For an analysis of the culture of impunity across different layers of political and social life in Galkayo which has contributed to the virulence of the conflict, see Galkayo Conflict Assessment, *op cit* at footnote 2.

⁶⁸ Somalia is not a party to the Additional Protocol II to the Geneva Conventions governing non-international armed conflicts. It is, however, a party to the four Geneva Conventions which it ratified on 12 July 1962. Common article 3 sets out the minimum standards which apply to conflicts “not of an international character”. There is also an extensive evolving body of customary international law governing the conduct of non-international armed conflict.

⁶⁹ “International community condemns renewed outbreak of fighting in Gaalkacyo”, statement issued on behalf of the United Nations, the African Union Mission in Somalia (AMISOM), the Inter-Governmental Authority on Development (IGAD), the European Union (EU), the United States, the United Kingdom, Sweden and Italy, 3 December 2015, available from <https://unsom.unmissions.org/international-community-condemns-renewed-outbreak-fighting-gaalkacyo>.

to be responsible [...] of the killing and displacement of civilians must be held accountable” and that “[a]ny deliberate shelling of civilian areas of Gaalkacyo may constitute crimes against humanity that must be fully investigated and vigorously prosecuted”.

33. No prosecutions ever took place. Further, when conflict did break out again in October 2016, despite multiple statements by UNSOM and international partners on the crisis in 2016, the issue of accountability was not addressed. Nevertheless, all the same factors, actors and elements of civilian harm were present.

Ceasefire and aftermath of the conflict

34. On 1 November, the parties announced that an agreement had been reached in Abu Dhabi. Both sides would enforce a ceasefire, refrain from inflammatory media statements, and appoint a joint committee to work on finding a lasting solution, with a meeting in Kismayo scheduled for 20 November 2016 for further discussions.⁷⁰ The November meeting never occurred. A ceasefire came into effect on 18 November with the creation of a 2 km long buffer-zone between both sides, and the establishment of an 18-member Joint Ceasefire Committee (JCC).⁷¹ Two key elements of the agreement — the complete withdrawal of forces to their original bases and the removal of roadblocks — were slow to materialize.

35. On 30 November, there was further exchange of fire between the parties, resulting in injury to civilians, and damage to a school and a community centre in north Galkayo and south Galkayo, respectively.⁷² Sporadic fighting continued during December 2016 including one incident in which a shell landed in a UN compound.⁷³

36. On 1 January 2017, the parties once again renewed their commitment to resolving the conflict with the signing of a new agreement in Mogadishu, including an undertaking to allow movement of vehicles and population between the two regions.

37. Despite continued assassinations of government and security officials in north Galkayo during February and March 2017,⁷⁴ Puntland finally agreed to remove checkpoints on the boundary on 30 March.⁷⁵ The IGA reopened the road to Hobyo but did not clear its most controversial roadblock on the road to Adado.⁷⁶

38. Assassinations in Galkayo in April and May continued to stoke tensions. On 22 April 2017, for example, Al-Shabaab claimed responsibility for the killing of a member of the Puntland Presidential Guard in Issrac neighbourhood. Encounters between Sa’ad and Omar Mohamud clan militia and civilians in rural areas continued periodically with an attack by one clan prompting reprisal by the other.

⁷⁰ Communiqué, “Member States of the Federal Government of Somalia, Puntland, Jubbaland, South West, Galmudug and Hirshabelle”, 1 November 2016, on file with the Secretariat.

⁷¹ The international community created a Gaalkacyo Ceasefire Team – Advisory Group (GCTAG) to support the JCC. Interview with UN official, 30 June 2017, Nairobi.

⁷² Email UN staff member, 31 November 2017.

⁷³ Security assessment reports and pictures of the shell and debris provided to the SEMG, on file with the Secretariat.

⁷⁴ On 8 March, for example, MP Abdul Qadir Farah Botan was seriously injured when an IED attached to his car exploded. He later died in hospital in Nairobi.

⁷⁵ SEMG interview with UN official, Galkayo, 2 July 2017.

⁷⁶ Some interlocutors asserted that the persistence of this roadblock was heavily influenced by Al-Shabaab.

39. The inauguration of a new IGA president, Ahmed Duale Gelle “Haaf”, on 29 May 2017 provided an occasion for renewed commitments to easing the conflict, including an undertaking by the IGA to open the Adado road.⁷⁷ Although inter-clan violence continued, negotiations between the administrations and local authorities finally culminated in a new agreement between the IGA and Puntland administration on 22 June 2017.⁷⁸ The agreement stipulated a new set of mechanisms and arrangements intended to deescalate the conflict, enhance security cooperation, and build inter-communal trust.⁷⁹ These included the establishment of a joint police unit to conduct monitoring of boundary areas and collaborate against terrorism; a guarantee of access to grazing areas for both communities; and the launching of awareness campaigns to restore community confidence. The agreement was negotiated by a 23-member joint ad hoc committee, consisting of a range of local and regional elements from both sides.⁸⁰

40. After protracted and fragile negotiations, the joint police unit was established in mid-July 2017.⁸¹ The graduation ceremony for 100 members of the unit was celebrated on 8 August, and a new joint base for the force declared. If successful, the joint patrol mechanism could serve as a model for tackling conflicts in other areas in Somalia. At the time of writing, however, there remained many threats to its success, ranging from deliberate sabotage by spoilers,⁸² to the risk of further insecurity prompting the withdrawal of forces by both sides, to the failure to find a sustainable funding instrument.⁸³

41. In early September a new peace conference, led by the IGA and Puntland Vice Presidents, was convened. The Communique adopted by the parties contained important new elements, for the first time directly addressing two key areas: accountability for

⁷⁷ The directive was not able to be put into effect. One interlocutor with close knowledge of the security dynamics in Galkayo alleged that the blockade is effectively operated and controlled by Al-Shabaab through clan militia, against which authority the local and regional administration is powerless.

⁷⁸ On 13 June 2017, four children aged between five and 16 years old and their mother, Shekaal clan, were killed, and another woman injured, by Sa’ad militia at Balibusle. The militia had mistakenly thought that the family belonged to the Omar Mohamud clan. The targeting of women and children however was a very unusual element. Interviews with UN and NGO staff in Galkayo, 1 to 4 July 2017.

⁷⁹ Communique, Galkayo, Puntland and Galmudug Administrations, 18 June 2017. Text of English translation on file with the Secretariat. The agreement was drafted and agreed on 18 June and signed on 22 June.

⁸⁰ The joint ad hoc committee which negotiated the agreement comprised 23 members each side: 11 elders and intellectuals, four security officials, four politicians, the governor, the mayor, and two representatives from the religious and business community. This committee replaced the 18 member JCC created by the November 2016 agreements. It has not met since the 18 July 2017 dissolution of the Puntland cabinet.

⁸¹ SEMG interview with UN staff members 1-6 July 2017, Galkayo. Violence escalated during the period of the negotiations appearing almost deliberately designed to create tensions between the parties. When the SEMG met with south Galkayo officials during the period, for example, they expressed serious concerns about the commitment of the community on the Puntland side. They described, for example, how on 24 June one woman was raped by a Puntland *Darawish* soldier outside Jexin, and the following day a woman was shot in the market in Galkayo. Interview with security and administrative officials, south Galkayo administration, 4 July 2017.

⁸² On 6 July, for example, an elder/businessman involved in the peace process, Abdirisak Musa el Nour “Jaxeere”, was killed by a IED attached to his vehicle. He had also been part of a committee responsible for fundraising for the Puntland military campaign against Al-Shabaab in March 2016. During July, inter-clan militia violence continued in the rural areas.

⁸³ The Puntland authorities undertook to fund the joint patrol — elements from both sides — for the first three months.

violence and challenging spoilers to peace. The new elements included: holding of a reconciliation conference within 90 days; decision making on accountability for incidents since the Balibusle killings,⁸⁴ and the drafting by the Peace Committee of a law to contain the criminal incidents. Finally, the agreement also provided that the parties would recognize spoilers and “jointly face” those “against the implementation of the peace and reconciliation between the brethren people of Galmudug and Puntland”.

⁸⁴ See footnote 81, above.

Annex 4.1: Currency management

1. The Monitoring Group investigated unregulated currency printing in Puntland during its previous mandate, concluding that counterfeit currency printed in the State Bank of Puntland without any regulation or approval from the Central Bank of Somalia had caused inflation and civil unrest on multiple occasions.¹ In resolution 2317 (2016) the Security Council expressed “concern at the generation and distribution of counterfeit Somali currency”.² The investigations conducted by the Monitoring Group during the current mandate indicate that counterfeit currency is still being distributed in Puntland, and the impact on peace and security has been significant. Puntland businessmen refer to the newly printed 1,000 shilling notes — which are often found in neat, plastic wrapped bundles and display sequential serial number — “Puntland money”.

Figure 1: “Puntland money” at currency market in Bosaso in March 2017.



2. On 10 January 2017, the Inji market in Garowe was shut down after a protest against fluctuations in the Somali shilling turned violent. A non-violent protest occurred on the following day at the Parliament building of Puntland. On 26 January, another demonstration in Inji market ended up with police dispersing the crowd by firing at it.³

3. On 6 February, Puntland Presidential Guards protested over unpaid salaries in Garowe. The cashier assigned to process the guards' salaries was abducted, but he was released later the same day. Another protest was held in Garowe on 26 February by the *Darawish* (Puntland regular forces). The protests ceased on 27 January at the same time as significant quantities of counterfeit Somali shillings appeared to the money exchange market in Garowe, strongly indicating that the Puntland forces had been paid in freshly printed money.⁴ Open source and confidential security reports from April and May 2017

¹ See S/2016/919, annex 4.1.

² See paragraph 18 of resolution 2317 (2016).

³ Confidential security report, 11 January 2017.

⁴ According to currency traders, it is often Puntland soldiers who bring counterfeit money to be exchanged. Phone interview with a Somali businessman in Garowe on 6 March 2017. “Puntland troops seize parliament HQ in Garowe over unpaid salaries”, Garowe Online, 26 February 2017. Available from <http://www.garoweonline.com/en/news/puntland/somalia-puntland-troops-seize-parliament-hq-in-garowe-over-unpaid-salaries>.

indicate that the security forces of Puntland were again on the brink of mutiny because of unpaid salaries.⁵

4. The unrest fuelled by “Puntland money” spread to Hiran region at the beginning of July. On 1 July, the members of the local business community in Belet Weyne refused to accept Somali shillings as a method of cash payment, insisting on US dollars.⁶ Demonstrations turned violent on 6 July, when a mob angered by the inflation started looting stores and *hawalas*. The market remained closed despite the efforts of the local authorities, who tried to enforce the validity of the Somali shilling. Dollar-based mobile payment services were shut down as well. The cabinet of Puntland issued a statement on 6 July accusing Al-Shabaab of banning the use of the Somali shilling, and demanding people not comply. A representative of the Puntland administration later told the SEMG that the crisis had been caused by “Al-Shabaab, and no one else”.⁷

5. Riots fuelled by the introduction of “Puntland Money” spread to Galkayo on 20 July. On 2 August, at least 15 people were injured when hundreds of violent protestors took to the streets of Bosaso, blocking the roads and looting stores. The demonstrations continued on the following day and the market remained closed. On 5 August, local businessmen were arrested for not accepting the Somali shilling, and on 6 August the governor of Bari region and the Minister of Finance of Puntland held a press conference declaring a fixed rate for the Somali shilling, and threatening anyone who would not comply, or who would not accept “old and new currency”, with arrest.⁸

6. Also in July, businessmen in Khatumo region gradually abandoned the Somali shilling and eventually only accepted US dollars and occasionally Somaliland shillings. The final decision to stop using the Somali shilling was made in a meeting of businessmen headed by the Somaliland governor of Sool region, Abdi Khayre Dirir, on 13 July. The representatives of the Khatumo business community informed the Monitoring Group that a vast shipment of counterfeit 1,000 Somali shilling notes had arrived from Garowe by road, and that the Somaliland troops manning the checkpoint at the border had let it pass uncontested. As a result, the Somali shilling became practically worthless and the markets and shops in Las Anod closed.⁹ By mid-September, the civil unrest had spread to other parts of Sool as well as Sanaag in Somaliland, and violent protests fuelled by the countermeasures taken by the local authorities — including mass detentions of currency

⁵ “Puntland soldiers stage mutiny, block main highway”, Garowe Online, 22 May 2017. Available from <http://www.garoweonline.com/en/news/puntland/somalia-puntland-soldiers-stage-mutiny-block-main-highway>.

⁶ Businessmen in Dhusamareb solved the problem by switching from the Somali shilling to the Ethiopian birr. Confidential security report, 12 July 2017.

⁷ Interview with the Puntland President’s Chief of Staff, Abdinasir Sofe, Nairobi, 29 August 2017.

⁸ The exchange rate was set at SOS 28,000 to 1 US dollar. See: “Bari Governor warns foreign exchange and business owners over rejecting shilling”, Raxanreeb, 3 August 2017. Available from <http://www.raxanreeb.com/2017/08/somalia-puntlands-bari-governor-warns-foreign-exchange-and-business-owners-over-rejecting-shilling/>.

⁹ Phone interview with a Khatumo-based businessman on 15 and 16 August. The events were covered by local media, see for example: “Somaliland oo gobolka Sool ka joojinaysa Lacagta Sh. Somali-ga”, Garowe Online, 14 July 2017. Available from <http://www.garoweonline.com/so/news/somaliland/somaliland-oo-gobolka-sool-ka-joojinaysa-lacagta-sh-somali-ga>.

traders refusing to comply with the fixed exchange rates introduced by the Minister of Finance of Puntland on 3 August — continued in Puntland.¹⁰

7. Though the President of Puntland, Abdiweli Mohamed Ali “Gass”, denied the existence of “Puntland Money” in a Parliament session held on 6 August, the Monitoring Group concludes the Puntland authorities continue to pay the salaries of the security forces by printing counterfeit money with a printing machine located in the State Bank of Puntland, Bosaso.¹¹ Both unregulated currency printing and the countermeasures taken by the Puntland administration against inflation not only endanger the peace and security in Somalia, but also promote the dollarization of the economy and complicate the goal of achieving an independent monetary policy in Somalia. The direct effect is most severe on the poorest consumers, who do not have access to US dollars.

¹⁰ Confidential security reports, 31 August, 5, 7, 11, and 13 September 2017. A phone interview with an FGS source, 13 September 2017. “Puntland faces worst Currency and Inflation crisis in its history”, Garowe Online, 23 August 2017. Available from <http://www.garoweonline.com/en/news/puntland/somalia-puntland-faces-worst-currency-and-inflation-crisis-in-its-history>.

¹¹ The former Deputy Minister of Finance, Ahmed Yassin, gave an interview to local media on 7 July 2017 admitting that his administration has a currency printing machines in Bosaso: “Money printing is important since there is a shortage of the current Somali banknotes in circulation. We have controlled a lot, but later we have noticed that it caused inflation in the exchange markets”. See also: “A member of Parliament accuses President Gaas of printing fake money”, Garowe Online, 7 August 2017. Available from <http://somaliamediamonitoring.org/august-7-2017-daily-monitoring-report/>.

Annex 4.2: Abdullahi Mohamed Nor

Jazeera Properties and the construction of a seaside hotel

1. Abdullahi Mohamed Nor's preferential access to public land dates back to 2013, one year prior to his obtaining the position of State Minister of Finance within the Federal Government of Somalia (FGS). In February 2013, Nor and his business partner obtained usage rights from the then-FGS Ministry of Public Works, Ports, and Transport for an 860 m x 400 m, or 3.44 km² (344 hectares) plot of prime seaside land in Mogadishu, adjacent to Aden Abdulle International Airport (see figure 1, below, for a demarcation of the plot). At the time of writing, Nor was proceeding with the construction of a 100-room hotel on the land.

Figure 1: Demarcation of the Jazeera land plot.



2. A 10 February 2013 agreement from the Ministry granted Nor's company, East Africa Brothers Company (EABCO), and Xalane Company — which is owned by former warlord and current Member of Parliament, Cumar Maxamed Maxamuud a.k.a. Omar "Finnish" — use of the land from 8 February 2013 to 10 February 2017 (see figure 4, below, for a copy of this agreement). The terms of the agreement required EABCO and Xalane to pay an unspecified amount of annual tax on the land. A tax receipt dated 23 November 2013 attests that for that year EABCO paid \$10,320 in taxes on the land, or just \$0.03 per square metre (see figure 2), which Nor claimed was in accordance with Somali tax law, adjusted according to the 1980s exchange rate of the Somali shilling to

US dollar.¹² While Nor claimed that he had paid taxes on the plot for the years after 2013, he was unable to produce the documentation, informing the SEMG that it had been lost during an office relocation.¹³

Figure 2: Receipt for tax paid by EABCO on the Jazeera land plot, 23 November 2013.

Form 10 A

Xaashida Sare
ORIGINAL

JAMHUURIYADDA SOOMAALIYA
XISAABIYAH GUUD EE DOWLADDA

No 195670

Lacag Qabasho Guud
(GENERAL RECEIPT)

Meesha W.H. Odeh
Waxaa laga qabay
Lacag dhan Sh. 10,320
Oo ahi 0.03 x 344,000

FAAH FAHIN

Midaxa	M-aga	Sh.	Sent
Caasiga dhan		10,320	
0.03 x 344,000			

Saahda Laga Odaya

Ministry of Finance - ORIGINAL
Min-Guud Dowladda - 2nd COPY
Bangor Ayaa ka Haysaa 3rd COPY

3. The agreement did not obligate EABCO or Xalane to pay rents to the FGS, which, according to Nor, is a standard arrangement for businesses of this kind.¹⁴ However, during his tenure as State Minister of Finance, Nor routinely sought to collect rents on public properties leased to private companies within the Adan Adde International Airport complex (see annex 4.2.1, strictly confidential).

4. Even though EABCO's contractual access to the plot expired on 10 February 2017, Nor told the SEMG that since the company had begun construction on the land prior to that date, it maintained rights to use the land in perpetuity.¹⁵ However, this interpretation appears to contrast with the terms of the contract, which states in Article 7 that the duration of the patent can only be extended by authorization of the Ministry.

5. On 20 April 2017, Nor and Omar "Finnish" incorporated Jazeera Properties — a holding company for the construction of their forthcoming hotel — taking a 70 per cent and 30 per cent stake, respectively (see figure 3 for the Articles of Association of Jazeera Properties).

6. Despite not paying rent on the land himself, Nor has attempted to lease out a portion of the Jazeera plot to a third party, in contravention of article 8 of the 10 February 2013 contract with the Ministry of Public Works. The SEMG has reviewed August 2017

¹² Interview with Abdullahi Mohamed Nor, Nairobi, 14 September 2017.

¹³ Ibid.

¹⁴ Interview with Abdullahi Mohamed Nor via SMS, 10 August 2017.

¹⁵ Ibid.

correspondence between Nor and the owner of an international private security contractor in Mogadishu, in which Nor offers for rent 24,000 square metres of the Jazeera plot adjacent to the UN Guard Unit.

Figure 3: Articles of Association for Jazeera Properties.

The figure shows three pages of the Articles of Association for Jazeera Properties. The first page is the cover sheet, featuring the Somali and English names of the company, 'Jazeera Properties', and the location 'Mogadishu - Somalia'. It also includes the company's registration number and a list of shareholders. The second page contains the company's details, including its name in Somali and English, its registered office, and a list of shareholders. The third page contains the company's financial statements, including a balance sheet and a profit and loss statement, and a list of directors.

Figure 4: 10 February 2013 agreement between EABCO and the then-Ministry of Public Works, Ports, and Transport granting access to an 860 m x 400 m plot of public land.

The figure shows a document titled 'Agreement between the Ministry of Public Works, Ports and Transport and the Ministry of Finance' dated 10/02/2013. The document is in Somali and English. It details the terms of an agreement between the two ministries regarding the use of public land. The agreement states that the Ministry of Finance has granted access to a plot of public land to the Ministry of Public Works, Ports and Transport for the purpose of constructing a port. The document also includes a list of the signatories and the date of the agreement.

Conflict with the Benadir Regional Administration

7. In a letter to the SEMG dated 18 August 2017, the FGS wrote:

On 10 August the Prime Minister requested relevant ministries to provide information on the plot of land adjacent to Halane airport that is purportedly in the name of the former Minister of State for Finance Hon Abdullahi Mohamed Nur. The Mayor of Mogadishu has asked MP Abdullahi Mohamed Nur for the agreement and to cease construction. The MP has refused to cooperate and the Mayor has referred the matter to legal authorities.

8. Multiple officials within the Benadir Regional Administration (BRA) have told the SEMG that Nor has refused to produce documentation asserting his rights to the land. Furthermore, they have asserted that Nor has mobilized Somali National Army (SNA)

soldiers personally loyal to his family to defy the Government's order.¹⁶ The SNA forces included those of Nor's brother, who commands troops in Jazeera district.¹⁷

9. Nor, for his part, has told the SEMG that the FGS has not supplied any legal justification for requesting him to cease construction on the Jazeera plot.¹⁸ He has furthermore alleged that the BRA has attempted to use police and National Intelligence and Security Agency (NISA) personnel to unlawfully occupy the plot, albeit unsuccessfully.¹⁹ Nor denied mobilizing SNA soldiers to enforce his claims to the land.²⁰

Kasram Trading Company Ltd.

10. On 24 May 2017, Kasram Trading Company Ltd. signed an agreement with the FGS to supply rations to the SNA, a contract worth approximately \$10 million annually (see figure 7, below). The contract was countersigned by Liban Abdi Mohamud on behalf of Kasram.

11. The Articles of Association of Kasram indicate that Abdullahi Mohamed Nor owns a one-third stake in the company (see figure 5, below). However, when contacted by the SEMG, Nor claimed that he had no relationship with Kasram and that he was not interested in "such kind of business".²¹ In a meeting with the SEMG in Nairobi on 14 September 2017, Nor again denied ownership in Kasram and claimed to be unfamiliar with Liban Mohamud.²² He criticized the procurement process for the SNA rations contract as "uncompetitive" and stated that the Parliamentary Committee of Financial Oversight of Public Institutions — which Nor chairs — had found serious fault with the process.²³

12. The bidding process for the SNA rations contract had indeed been fixed, in favour of Nor. Four companies took part in the bidding process for the SNA rations contract: Kasram, Sahal Enterprise Ltd., Fulcrum Company, and Wadajir Company (see figure 6, below, for the bidding document). The SEMG has determined, through examination of company documentation and correspondence, that both Sahal and Fulcrum, in addition to Kasram, are also part-owned by Nor. As of this writing the SEMG had been unable to determine the ownership of Wadajir Company.

¹⁶ Interview with a senior BRA official, 18 September 2017, and a second BRA official, 6 September 2017, as well as a former FGS cabinet minister in Nairobi, 25 July 2017.

¹⁷ Telephone with senior BRA official, 18 September 2017.

¹⁸ Interview with Abdullahi Mohamed Nor in Nairobi, 14 September 2017.

¹⁹ Ibid.

²⁰ Ibid.

²¹ Interview with Abdullahi Mohamed Nor via SMS, 11 September 2017.

²² Correspondence reviewed by the Monitoring Group demonstrated that Nor had been in contact with Mohamud on multiple occasions in September 2017.

²³ Interview with Abdullahi Mohamed Nor in Nairobi, 14 September 2017.

Annex 4.2.1: CADG Engineering Pte. (STRICTLY CONFIDENTIAL)*

Annex 5.1: Berbera port payoffs

1. On 9 May 2016, representatives of Somaliland and the Emirate of Dubai signed a Memorandum of Understanding concerning the port of Berbera, Somaliland. According to the contract, Dubai Ports World FZE (DP World) would develop a free zone in Berbera, invest and develop the port, and support the Somaliland authorities in building a road from Berbera to the Ethiopian border.²⁴ A preliminary document defining the shareholders' agreement indicates that DP World would have a 65 per cent share and the Berbera Port Authority would have a 35 per cent share of the joint venture, while five out of seven members of the board would be appointed by DP World, thus giving the company effective control over decision-making within the joint venture.²⁵ Another preliminary document regarding the concession agreement stipulates that DP World will be required to pay a \$15 million concession fee to Somaliland.²⁶

2. On 9 August 2016, the House of Representatives of Somaliland convened in Hargeisa. Seventy-three members were present, while nine members were absent for the session. The Chair informed the MPs that DP World had been chosen by the president of Somaliland to develop and manage the Port of Berbera. The MPs were also informed that DP World had already paid \$5 million as the first instalment of the \$15 million concession fee, routed through the Somaliland ambassador to the UAE, Basha Awil Omar, who is also the nephew of the president, to the Somaliland minister of finance, Zamzam Abdi Adan. It was further announced that all MPs supporting the joint venture would be paid \$15,000 each. In the ensuing vote, the motion was approved, with 69 votes in favour and four votes against. The members of Waddani, an opposition party, told the SEMG that they received their payoffs from Bashe Mohamed Farah, deputy speaker of the house of representatives of Somaliland.²⁷

Figure 1: Minister of finance of Somaliland, Zamzam Abdi Adan in the Bank of Somaliland with the \$5 million payment from DP World, 2 January 2017.



²⁴ “Memorandum of Understanding: Between the United Arab Emirates Represented by the Government of Dubai and the Government of the Republic of Somaliland Represented by the foreign minister of Somaliland”, 9 May 2016, copy on file with the Secretariat.

²⁵ “Term Sheet in respect of the Shareholders Agreement”, undated, copy on file with the Secretariat.

²⁶ “Term Sheet in respect of the Concession Agreement”, undated, copy on file with the Secretariat.

²⁷ Interviews with four Members of Somaliland Parliament, 27 February 2017 in Hargeisa, 22 March 2017 in Dubai, and 24-25 May 2017 in Hargeisa.

3. On 12 February 2017, the house of representatives and the *Guurti* (upper house), were assembled to discuss a UAE military based planned to be built in Berbera. The Chair of the *Guurti*, Suleiman Mahmud Adan, presided over the session. He informed the MPs present that the president of Somaliland was requesting their approval for the UAE military base. Prior to the vote, eight members of Waddani who had objected to the deal were physically removed from the parliament building by security guards. The ensuing vote was cast 144 in favour and two against. The MPs who voted in favour of the military base were paid \$10,000 each. Bashe Mohamed Farah again distributed payments to members of Waddani party.²⁸

²⁸ Ibid.

Annex 5.2: Fishing governance

Figure 1: Letter from the MFMR to Puntland.



Figure 2: Letter from the MFMR to Thailand.

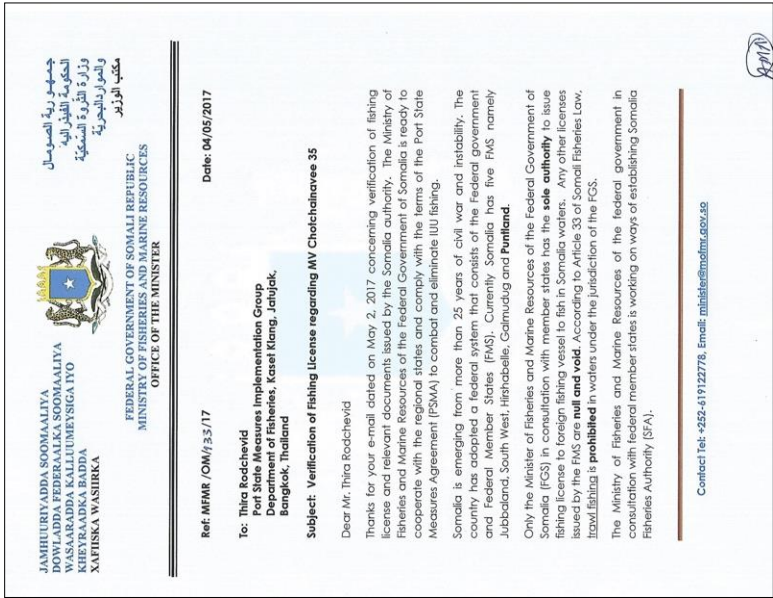


Figure 3: Puntland license for the fishing vessel Chotchainavee 35.

PUNTLAND STATE OF SOMALIA
Ministry of Fisheries and Marine Resources
Fishing Licence

This licence is issued under the provisions of the Somali Fisheries Law No. 25 of 19 November, 1988 and the Regulations made thereunder, and is valid for the specified period and for the specified waters within Puntland marine waters.

DURATION OF VALIDITY From: 27-2-017 To: 25/5/2017

VESSEL DETAILS

Vessel Name: *Chotchainavee 35*
Vessel Type: *Motor vessel*
Official No.: *6121421*
Port of registry: *Djibouti*
GRT/NET: *5.98/25*
Engines type and power: *Caterpillar 3507/44*
Other craft on board: *-*

FISHING AREAS & TARGET SPECIES
Designated fishing area: *Offshore waters*
Fishing methods & gear: *Hand net*

LICENCEE DETAILS

Species permitted: *Demersal fish*
Quota/tonnes permitted: *2,250 mt/ann*
Owner's Name: *SEEDLE ADEL*
Head Office: *Djibouti*
Fax: *-*
Agent in Puntland: *K. M. L. L. L.*
Telephone: *78942547*
E-mail: *-*
International cell site: *114416541*
Satellite phone: *-*
Normal transmitting frequency: *-*
Access code and No.: *-*
Type: *TRANSFERRABLE*
Code: *480*

OTHER EQUIPMENT

LOAN: *480*
OMEGA: *480*
DECCA: *480*
AUDIO BLOYS: *480*
EPIRB: *480*

Approved and signed by the Minister: *Abdullahi Elmi Ali Ibrahim*
Minister of Fisheries

Figure 4: Interim Agreement on Tuna Licensing, dated 7 May 2017.

FEDERAL REPUBLIC OF SOMALIA
Interim Agreement on Issuance of Licenses for Tuna and Tuna-like Species
in the Somali EEZ
May 7, 2017

Recognizing the need to conserve, manage and sustainably exploit highly migratory offshore fisheries resources;
Recognizing the risk posed by illegal, unreported and unregulated fishing on marine resources and for the livelihood of the Somali fisheries;
Recognizing the need for all Somali administrations to cooperate to secure our mutual interest;
Recognizing the need for Somalia to create a Federal Fisheries Authority with the mandate to conserve, manage and administer highly migratory offshore resources, including tuna and tuna-like species, in the Somali Exclusive Economic Zone (EEZ) as well as Somali flagged vessels fishing outside of Somali waters; and
However, acknowledging that the creation of an Authority through a Federal Somali law will require time, and that should not prevent Somalia to benefit from its fisheries and generate revenue through licenses issued to foreign fishing vessels, all parties agreed to the following:

- All the parties agreed that, the Federal Government of Somalia may issue licenses to fish for tuna and tuna-like species (species under the management mandate of the Indian Ocean Tuna Commission - IOTC) in the Somali EEZ from 50km to 200km from the baseline, only after prior consultation with, and agreement by the Federal Member States of the Federal Republic of Somalia, i.e. Puntland, Galmudug, Hi-Shabelle, South-West, and Jubbaland.
- All parties agreed that fisheries within 50km of shore shall be under the management of the Federal Member States of the Federal Republic of Somalia. Establishment of the National Committee on Offshore Licensing.
- As agreed by all parties, a National Committee for Offshore Licensing is established, hereafter the Committee.
- The Committee shall be comprised of:
 - the Minister responsible for Fisheries of the Federal Government of Somalia,
 - the Minister responsible for fisheries of the Puntland State of Somalia,
 - the Minister responsible for fisheries of the Galmudug State of Somalia,
- The Committee shall be chaired by the Minister responsible for fisheries of the Federal Government of Somalia.
- The Committee will review and approve offshore fishing license applications submitted for tuna and tuna-like species by foreign fishing vessels willing to operate in a legal and transparent fashion in Somali waters, as per the procedure described in Annex 1.
- Licensing fees shall be deposited in a designated account in the Central Bank of Somalia named "Revenue from Licenses for Tuna and Tuna-like Species" and administered by a committee consisting of the Ministers of Finance of the Federal Member States and chaired by the Federal Minister of Finance. The account will be over seen by the Financial Governance Committee. The funds in the designated account will be kept until such a time that the Federal Government of Somalia and all Federal Member States agree on revenue sharing.
- Revenue sharing will be decided by the President of the Federal Republic of Somalia and the Presidents of the Federal Member States.
- A statement of the account shall be sent by the Central Bank of Somalia to all members of the Committee on a quarterly basis.
- Licensing conditions will be drafted by the Federal Ministry responsible for fisheries and reviewed and agreed upon by the Committee.
- Criteria for setting license fees will be agreed by the Committee and individual licenses will be regulated by the Federal Ministry responsible for fisheries and the applicant(s) in accordance with those criteria.
- A real-time list of all licenses delivered shall be published on the website of the Ministry responsible for fisheries of the Federal Government of Somalia, and will include fees deposited in the account. Each time the list is updated, all members of the Committee will be notified by email.
- The Federal Government and Federal Member States will continue to work towards a revenue sharing scheme for income generated by foreign licenses for tuna and tuna-like species.
- All parties agree that the Federal Fisheries Law does not yet fully provide the adequate framework for fisheries management in Somalia, and that the Federal government and the Federal Member States will work towards revision and amendment of that law.
- All parties agree that the Federal Government and Federal Member States will also work towards harmonization of existing and future Federal and State fisheries legislation and regulations.
- In the meantime, Federal regulations for tuna and tuna-like fisheries shall be established by the Federal Ministry responsible for fisheries in consultation and agreement with the Federal Member States.
- This agreement in no way sets a precedent or precludes future negotiations and agreement on the assignment of responsibilities for management of long marine resources within Somali waters through federal law.
- Once signed, any unilateral change to this agreement will void this agreement.
- This is an interim arrangement valid until December 31, 2019. All licenses issued under this arrangement will expire with this arrangement.

Abdullahi Omar Ashir
Deputy Minister of Fisheries
Federal Republic of Somalia

Kulmiye Abdullahi Jama
State Minister of Fisheries
Puntland

Hassan Mohamed Waname
Minister of Fisheries
Galmudug

Hassan Mohamed Khalil
Minister of Fisheries
Hi-Shabelle

Mohamed Hussein Aliyow
Minister of Fisheries
South-West

Abdullahi Elmi Ali Ibrahim
Minister of Fisheries
Jubbaland

Abdullahi Sheikh Ali Ibrahim
Deputy Minister of Finance
Federal Republic of Somalia

Muhammed Ahmed Farah
Deputy Minister of Finance
Galmudug

Muhammed Mohamed Abdulle
Minister of Finance
Hi-Shabelle

Hassan Ibrahim Hassan
Minister of Finance
South-West

Abdullahi Ibrahima
Minister of Finance
Jubbaland

Annex 5.3: Oil governance

Resource sharing agreement

1. As noted by the SEMG in its previous report (S/2016/919, para. 148), a resource sharing agreement among the FGS and federal member states should be implemented before any further oil contracts. In 2016, then Prime Minister Omar Abdirashid Ali Sharmarke signed an “Interim Petroleum Sharing Agreement” with the president of the Interim Galmudug Administration (IGA) and with the president of the Interim Southwest Administration (ISWA), but not with Puntland and the other interim administrations. Even though the terms of these agreements are identical, the risk of conflict over natural resources would be lower if resource sharing was negotiated collectively among the FGS and the regions rather than bi-laterally. Furthermore, any sector-specific resource sharing agreement among the FGS and federal member states should be made explicitly on an interim basis, subject to compatibility with an overall resource sharing framework derived through the constitutional review process. Important issues for the constitutional review process to clarify are not only the distribution of revenue among the FGS and federal member states, but also control over the resources (i.e. who has authority to agree contracts with companies). This currently remains subject to dispute as the FGS cites authority under the 2008 Petroleum Law, while Puntland and certain interim administrations cite authority under the 2012 Provisional Constitution.

Model Production Sharing Agreement

2. A production sharing agreement (PSA), rather than a joint venture, has become the most common structure for contracts with oil companies. In a press release dated 28 December 2015, the MPMR announced that the law firm IMMMA Advocates, a member of the DLA Piper Africa Group based in Dar es Salam, Tanzania, had been engaged through the African Legal Support Facility of the African Development Bank to develop a model PSA. Mohamed Mukhtar Ibrahim, then Minister of Petroleum and Mineral Resources, stated, “It is only after finalizing this model along with other ongoing political and legal issues that Somalia will be able to enter into PSA agreements”.²⁹ An initial draft of the model PSA was sent to the Financial Governance Committee (FGC) for confidential review, and the FGC’s recommendations have been incorporated by the MPMR into a revised model PSA. The FGC further recommended that the model PSA should be the basis for any specific PSAs, which should then also be approved by the Interim National Procurement Board and the Cabinet.³⁰ However, it remains unclear when the model PSA itself will be formally approved.

Petroleum Law

3. The MPMR, with the assistance of two World Bank consultants, has revised and updated the 2008 Petroleum Law in the form of a draft 2017 Petroleum Law to be submitted to Parliament.³¹ The draft states that income from petroleum will be distributed

²⁹ Ministry of Petroleum and Mineral Resources, Press Release: The Federal Government of Somalia engages international legal counsel to support it in the development of a model Production Sharing Agreement, 28 December 2015.

³⁰ Financial Governance Committee, *Financial Governance Report*, March 2017.

³¹ Federal Republic of Somalia, Ministry of Petroleum and Mineral Resources, Petroleum Law Draft 2017.

in accordance with the Federal Constitution of Somalia (Article 4), although the constitution has yet to be adopted. The text articulates the role of MPMR and establishes and outlines the functions of the Somali Petroleum Authority (SPA) (Articles 11-13). The draft 2017 Petroleum Law defers establishment of the Somali National Oil Company (SONOC) to another subsequent law (Article 14). It establishes a Petroleum Registry, including a provision allowing for public access to information (Article 16). The draft 2017 Petroleum Law further includes transparency-related content regarding public access to SPA information and obligations to disclose and publish payments, including those made by SONOC (Articles 38-39). The proposed legislation also stipulates that contracts with the Somali Democratic Republic up to 30 December 1990 can be converted into PSAs within a timeframe of one year from the law coming into force (Article 44). At the time of writing, it remains unclear when the draft 2017 Petroleum Law will be submitted to the Parliament for consideration.

Registry of concessions

4. The MPMR does not have complete, comprehensive information regarding existing concessions. Compiling a central registry of concessions has been a priority of the MPMR, but little progress has been made (S/2016/919, para. 84). The MPMR dispatched letters to oil companies during the previous mandate, with an uneven response rate. According to a letter from the MPMR to the SEMG dated 18 August 2017, some companies have terminated their *force majeure* claims, while others have not replied to the MPMR. One obstacle remains incomplete MPMR records regarding the pre-1991 *force majeure* claims. Another obstacle is a lack of transparency and MPMR access to information regarding oil contracts that have been agreed by Somaliland and Puntland. According to the MPMR, there are seven oil companies operating in Somaliland and Puntland without the consent of the FGS.³² Meanwhile, there remains a need for a central registry of concessions, as stipulated in Article 16 of the draft 2017 Petroleum Bill. Among other functions, this could help mitigate against situations arising where there are conflicting claims made by different oil companies — backed by different political entities — which pose a risk of armed conflict.

Public Financial Management

5. Ineffective management of natural resource revenue would increase the risk of misappropriation of public finances and impede much needed economic development. The FGC has recommended that a section on natural resource revenue management be included in the Public Financial Management Bill. Among other points, this section could include: creating dedicated sub-accounts under the Treasury Single Account at the Central Bank of Somalia (CBS) for each type of natural resource; a requirement for the FGS and federal member states to reach agreement on natural resource revenue sharing; transparency for the dedicated sub-accounts, including annual reporting by the Minister of Finance; drawdowns from the dedicated sub-accounts requiring inclusion in the Federal Budget and parliamentary appropriation; with the agreement with federal member states, fiscal rules establishing an annual proportion of natural resource revenue that must be saved; and federal member state approval for how natural resource revenue

³² Letter from the MPMR to the SEMG, 18 August 2017.

savings would be subsequently invested and expended.³³ In a 16 June 2017 letter to the Managing Director of the International Monetary Fund, the Minister of Finance, Abdirahman Duale Beileh, and the Governor of the CBS, Bashir Issa Ali, committed to including within the Public Financial Management bill a clause establishing principles for natural resource revenue management.³⁴

Ministry of Petroleum and Mineral Resources

6. Both the 2008 Petroleum Law and the draft 2017 Petroleum Law correctly differentiate the policymaking functions of the MPMR from the operational functions of the Somali Petroleum Authority (SPA), which include responsibility for granting and regulating concessions. In the absence of an established and functional SPA, the MPMR has gone beyond its role as a political entity tasked with establishing Government policy to also the *de facto* technical role of negotiating and implementing agreements. However, by its own admission, the MPMR is ill-equipped for the task of negotiating oil contracts. In response to a letter from the SEMG received 26 August 2016, the MPMR acknowledged the need for further technical capacity to engage in negotiations, including a petroleum economist, contract negotiator, and an accountant. To the knowledge of the SEMG, these gaps in the MPMR's technical capacity have not yet been addressed. Furthermore, in May 2017 the MPMR declined to renew the contracts of two World Bank consultants, who had been instrumental to updating the 2008 Petroleum Law and revising the model PSA.

Somali Petroleum Authority

7. Although the 2008 Petroleum Law provides for the establishment of a Somali Petroleum Authority (SPA), in practice this regulatory body for the oil industry does not yet exist. The draft 2017 Petroleum Law proposes an SPA comprised of nine members, with three members appointed by the FGS and the other six appointed by federal member states (Article 13). However, until passage of the 2017 Petroleum Law and “when the Federal Government of Somalia determines that the SPA has the capacity to carry out its mandate”, the MPMR will continue to assume the responsibilities and powers of the SPA.³⁵ The MPMR's gaps in capacity for negotiation of oil contracts raise reasonable questions regarding its capacity for implementation of oil contracts, which would require meeting an even higher technical threshold for tasks that are more appropriately assumed by a regulatory authority. Moreover, the assumption of regulatory functions by a political institution, the MPMR, increases the risk of conflicts of interest and associated contention within the oil sector.

Somali National Oil Company

8. Technically, the 2008 Petroleum Law established a national oil company, referred to as Somali Petroleum Corporation, but for all practical purposes it has existed in name only. The draft 2017 Petroleum Law, intended to supersede the 2008 Petroleum Law, defers establishment of the Somali National Oil Company (SONOC) as a commercial

³³ Financial Governance Committee, “FGC Advisory Note: strengthening the draft Public Financial Management Bill, May 2017”.

³⁴ International Monetary Fund, *Somalia: second and final review under the staff-monitored program and request for a new staff monitored program*, 22 June 2017.

³⁵ Letter from the MPMR to the SEMG, 18 August 2017.

entity owned by the Federal Republic of Somalia to participate in oil operations (Article 14). SONOC would be entitled to participate in PSAs up to a 20 per cent share, while federal member state-owned contractors would be entitled to participate in PSAs up to a 10 per cent share (Article 29).³⁶ However, Somalia would be unable to fully realize the economic benefits of commercial participation within the country's oil sector should the MPMR conclude new oil deals prior to the establishment of a functional national oil company.

³⁶ This is consistent with the terms in the model PSA (Article 16 and Schedule 3).


Annex 5.4: Strategic Natural Resource Management & Consultants Inc.

1. On 8 August 2017, the Monitoring Group wrote to the Federal Government of Somalia (FGS), including the Ministry of Petroleum and Mineral Resources (MPMR), requesting clarification regarding certain withdrawals by the MPMR from the Central Bank of Somalia (CBS). The CBS accounts reflect withdrawals by the MPMR of \$135,000 on 6 September 2016, \$135,000 on 28 September 2016, \$90,000 on 26 December 2016, and \$30,000 on 13 February 2017, with the descriptions listed as either “Strategic Natural Resource Management” or “Strategic Natural Resource”. The SEMG specifically requested information regarding which individual at the MPMR was responsible for the withdrawal of a total of \$390,000 from the CBS and for what purpose these funds had been applied.
2. The FGS replied with a letter from the MPMR dated 16 August 2017, stating that the expenditure of \$390,000 had been authorized by the previous Minister of Petroleum and Mineral Resources, Mohamed Mukhtar Ibrahim, for a study of the Somalia oil sector by Strategic Natural Resource Management & Consultants Inc. (SNRM). However, the attachments regarding the agreement between the MPMR and SNRM and the withdrawals from the CBS were missing. In a letter dated 23 August 2017, the SEMG requested a copy of the agreement between the MPMR and SNRM, a copy of the report produced by SNRM, and clarification regarding which individual was responsible for the withdrawals from the CBS. On 5 September 2017, the FGS replied, transmitting a copy of the report by SNRM, invoices from SNRM (see figure 1), and payment authorizations by the MPMR (see figure 2), but stating that the MPMR was not able to locate a copy of the agreement with SNRM.
3. The Monitoring Group is unaware of any public tendering process having been conducted by the MPMR for the award of a contract for \$390,000 to SNRM, and as such the SEMG remains unable to determine the basis on which SNRM was selected. To put the contract in perspective, it represents an expenditure equivalent to more than half of the annual budget of the MPMR.³⁷ The SEMG has been unable to verify the identity of Abdirahman Hussein, who is named within the report and on a payment authorization from the MPMR as the Director of SNRM. Likewise, the SEMG remains unable to confirm any details regarding SNRM. Raising further doubts regarding the author of the report, the back cover indicates a different name, Somali Centre for Natural Resource Management, which also does not have an online presence and is similarly unknown to experts on the Somalia oil sector. At the time of writing, a request from the SEMG to Trust African Bank in Mogadishu regarding identification of the individual beneficiary of SNRM’s account remained pending.
4. In addition to the qualifications of the report’s author and the process of its production remaining ambiguous, the quality of the report does not correlate with the MPMR’s high expenditure. According to a former World Bank consultant, the report represents an “unnecessary and voluminous re-hash of previously existing data sources that draws no new, precise or useful conclusions, and comes at a seemingly high cost to a tightly constrained Ministry budget”.³⁸

³⁷ The authorized budget for the MPMR in 2016 was \$680,000.

³⁸ Email from a former World Bank consultant, 16 September 2017.

Figure 1: invoice from Strategic Natural Resource Management & Consultants Inc.



**STRATEGIC NATURAL
RESOURCES
MANAGEMENT
& CONSULTANTS
INC.**

To: The Ministry of Petroleum and Mineral Resources **INVOICE NUMBER:** 01059
Villa Somalia **Date:** 15-Aug-2016
Mogadishu, Somalia

PROJECT: Somalia Oil and Gas Sector Rapid Assessment on Policy, Legal, And Regulatory Framework & Market Survey, Mapping and Capacity Assessment Study of the Oil and Gas Sector

Kind Attention: Minister of Petroleum and Mineral Resources

For services for the mobilization stage of implementation in relation to the Somalia Oil and Gas Sector Rapid Assessment on Policy, Legal, And Regulatory Framework & Market Survey, Mapping and Capacity Assessment Study of the Oil and Gas Sector.

Total Due **US\$ 135,000**
(in words): USD ONE-HUNDRED AND THIRTY-FIVE THOUSAND


Strategic Natural Resources Management and Consultants Inc. (SNRM)

Our Banker's details for remitting funds:
Bank Name : Trust African Bank
Current A/c No. : 8105-858
Beneficiary : SNRM Inc.

Please quote our Invoice Number when remitting funds.
Please remit full invoice amount. Any bank charges relating to the payment are to your account.

[Signature]
Authorized

Figure 2: authorization for payment by Ministry of Petroleum and Mineral Resources


Jumhuuriyadda Federaalka Soomaaliya
Wasaaradda Batroolka & Macdanta
Ministry of Petroleum & Mineral Resources
Tix-raac: WBM/XW/00506/00360/2016 **Tamshikh:** 30/08/2015


Ku: Bangiga Dhaqa ee Soomaaliya **-Mogadishu-**

**UJEEDDO: FASAX WAREEJIN LACAG SHIRKADDA STRATEGIC NATIONAL
RESOURCES AND MANAGEMENT AND CONSULTANTS INC.
(SNRM)**

Wasaaradda Batroolka iyo Macdanta waxay ka codsanaysaa Bankiga Dhaqa iyo u wareejiyaa shirkadda nagaasada la yiraahdo Strategic Natural Resources Management and Consultants Inc. (SNRM) laag cadadooda ay dhan tahay \$135,000 (Borqi saddan iyo shan kun dollar keliya).

Faahfaahinta accountka lagu wareejiyo.
Bank Details: Trust African Bank
Currency A/c No: 8105-858
Beneficiary: SNRM Inc.

Wada shaqeyn wacan



Mohamed Mukhtar Ibrahim
Wasiirka Wasaaradda Batroolka & Macdanta

Email: info@snrm.org **Website:** www.snrm.org **P.O.Box:** 119 Mogadishu - Somalia

Annex 6.1: The Abdikarim Salah Mohamed a.k.a. Aw Koombe network and the hijacking of the *Aris 13* (STRICTLY CONFIDENTIAL)*

Annex 7.1: Puntland arms smuggling networks

1. In its 2016 report ([S/2016/919](#), annex 8.10) the Monitoring Group detailed a network of Puntland-based arms smugglers and illegal fishing agents, many of whom belong to what the Group has referred to as the Qandala-Hafun network. During the present mandate, the SEMG has confirmed that many of these individuals remain active; a list of these individuals is presented below.
2. Active members of the Qandala-Hafun network referred to in [S/2016/919](#):
 - (a) Mahad Isse Aden “Laboballe” (Majeerteen/Ali Salebaan)
 - (b) Said Gul Ismail (Majeerteen/Ali Salebaan)
 - (c) Isse Mohamoud Yusuf “Yullux” (Majeerteen/Ali Salebaan)
 - (d) Mohamed Mire Ali Yusuf “Soodareeri” (Majeerteen/Ali Salebaan)
 - (e) Abdirisak Ali Said Hussein “Shahdon” a.k.a. Shahdon Ali Yare (Majeerteen/Ali Salebaan)
 - (f) Mohamed Abdi Muse (Majeerteen/Osman Mohamud)
 - (g) Abdimalik Mohamed Abdi Muse
 - (h) Abdilatif Yusuf Barre (Deshishe)
 - (i) Abdifatah Hayir (Majeerteen/Ali Salebaan)
 - (j) Hussein Said Yusuf
 - (k) Liban Yusuf Mohamed a.k.a. Liban Dheere (Majeerteen/Ali Salebaan)
 - (l) Mohamed Hussein Said Yusuf
 - (m) Faiso Said Hasan Ismail
3. Individuals identified during the current mandate:
 - (a) Abdi Mohamed Omar “Dhofaye”: Associate of Mahad Isse Aden “Laboballe” and a known arms supplier to the Islamic State of Iraq and the Levant (ISIL) faction in Puntland’s Bari region;
 - (b) Buruj Mohamed Ali Farah (Majeerteen/Ali Salebaan/Ismail Ali): skiff operator, associate of Abdi Mohamed Omar “Dhofaye” and Mahad Isse Aden “Laboballe” and known ISIL arms supplier;
 - (c) Mohamud Mohamed Ali a.k.a. “Gaagale” (Majeerteen/Isse Mohamud): a police officer and arms broker based in Garowe; owner of Gaagale Company;
 - (d) Abshir Mohamed Barre (Darod/Jambeel): arms supplier on for the Puntland administration; affiliated with Bosaso-based auto parts dealer Bahaya Spare Parts;
 - (e) Ahmed Isse Yusuf Mahamud (Majeerteen/Ali Salebaan): son of Isse Mohamoud Yusuf “Yullux”.

Figure 1: Phone network analysis of Puntland arms smugglers, October 2016-June 2017.¹

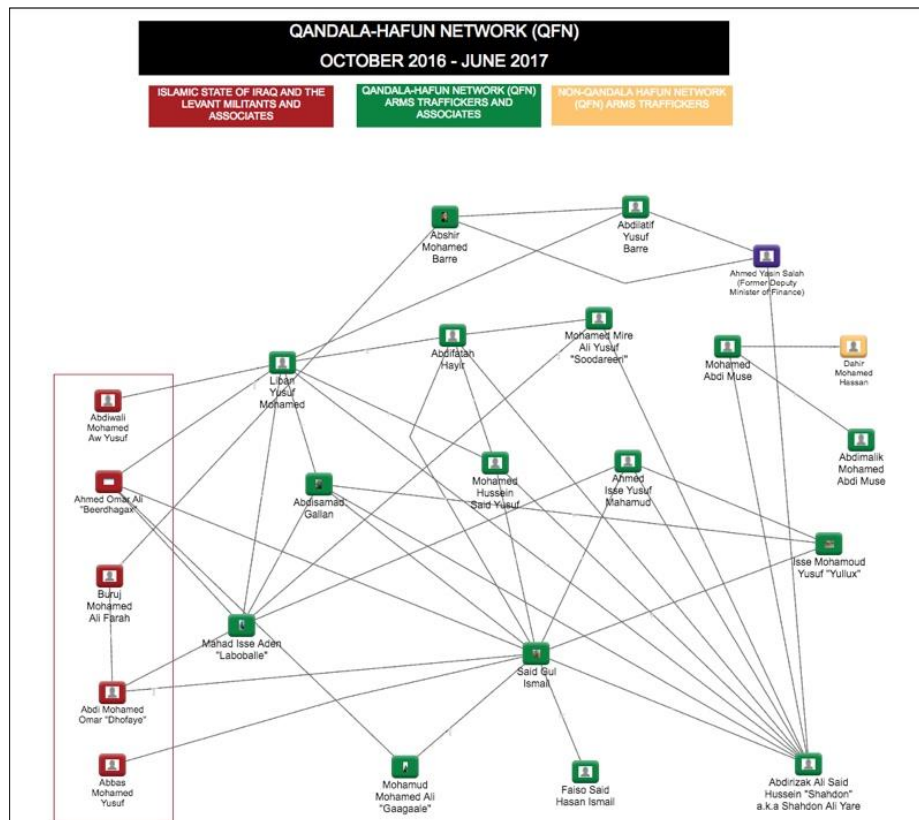


Figure 2: Said Gul Ismail in Qandala, 6 March 2017.



¹ The Monitoring Group is grateful to the Center for Advanced Defence Studies (C4ADS) in Washington DC for its assistance in conducting network analysis on Puntland arms smugglers.

Abshir Mohamed Barre and Bahaya Spare Parts

4. The SEMG is aware of multiple small arms shipments from Yemen brokered by Abshir Mohamed Barre in October and November 2016 on behalf of the Puntland administration, in partnership with Ahmed Yasin Salah, the former Puntland Deputy Minister of Finance.² The reason for the surge of arms shipments at that time was to replenish stocks depleted during the fighting between Puntland and Galmudug forces in Galkayo, which reached its highest intensity from 7 October to 1 November 2016 (see annex 3.1). One of these shipments took place on 25 October, and Barre met with senior Puntland officials in Bosaso to organize delivery and receive payment.³

5. On the night of 29 November — when members of the SEMG were on mission in Bosaso — Barre was arrested in Marero, an illicit smuggling point roughly 15 km east of Bosaso, in connection with a small shipment of ammunition and PKMs that had arrived the same night. However, Puntland authorities released Barre shortly thereafter, apparently because they discovered that shipment was destined for the Puntland government.⁴ An SEMG request to Bosaso port police to inspect the seized weapons shipment was denied on the grounds that the investigation was ongoing.

6. Barre's mobile phone activity corroborates his involvement in arms smuggling over this period. Between late October and mid-November 2016, Barre exchanged 179 calls with a phone number belonging to a Yemeni arms dealer, who is also an associate of prominent Puntland arms smuggler Abdi Mohamed Omar "Dhofaye" (see "Case study: the *Fatah Al Khayr* and ISIL arms procurement", below).

Bahaya Spare Parts

7. Barre is affiliated with the company Bahaya Spare Parts, a major supplier of automotive spare parts in Puntland, with at least three locations in Bosaso and additional branches in Garowe and Galkayo (see figure 4, below, for a photograph of the flagship store in Bosaso). Bahaya is owned by a parent company based in Dubai, Bahaya General Trading Co. LLC, of which Barre's father and brother, Ahmed Mohamed Barre and Mahamoud Mohamed Barre, are part owners (see figure 5).

8. Figure 3, below, displays the mobile phone activity for Abshir Mohamed Barre from December 2016 to June 2017. Over that period, Barre had numerous contacts with his arms trafficking partner, Ahmed Yasin Salah, the former Puntland deputy minister of finance. Barre's link chart also shows contacts with other known arms smugglers, including Buruj Mohamed Ali Farah and Said Yusuf Timowayne Mohamed a.k.a. Said Atto (see "Case study: the *Fatah Al Khayr* and ISIL arms procurement", below), as well as another reputed arms dealer, Mohamed Bayre (Darod/Harti/Deshishe). Barre also shows contacts with three members of the Qandala-Hafun arms smuggling network: Abdilatif Yusuf Barre, Said Gul Ismail, and Abdifatah Hayir (see S/2016/919, annex 8.10).

² Salah served as the Deputy Minister of Finance from February 2014 until May 2017, when he was removed from his post by Puntland president Abdiweli Mohamed Ali "Gass".

³ Interviews with Puntland intelligence officer, a former Puntland minister, and a UN security source, 28-30 November 2016.

⁴ Information provided by a Puntland intelligence officer, a former Puntland minister, and two UN security sources, 29 and 30 November 2016.

Figure 3: Phone network analysis of Abshir Mohamed Barre, December 2016-June 2017.

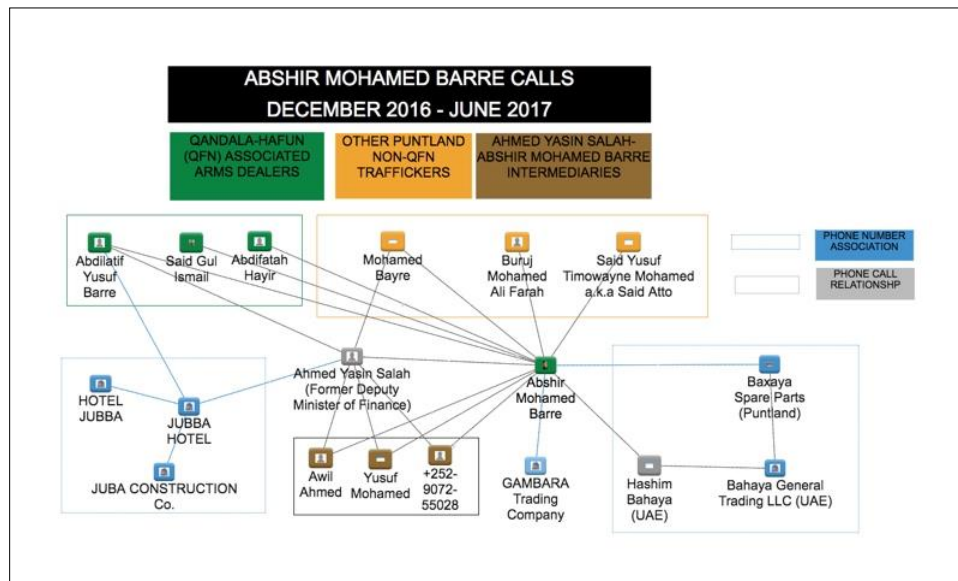


Figure 4: Bahaya Spare Parts flagship store in Bosaso, 8 March 2017.



Figure 5: Ownership of Bahaya General Trading, Dubai, the parent company of Bahaya Spare Parts.

Company Credit Report		24 May 2017 17:49
BAHAYA GENERAL TRADING CO (L.L.C) [CRIS No AEP43137323]		
SHAREHOLDERS		
Name	Mr. Ahmed Mohammed Barry [CRIS No AEP44623090]	%
Nationality	Somali	15.00 %
Name	Mr. Mahmoud Mohammed Barri [CRIS No AEP44879629]	
Nationality	Ethiopian	20.00 %
Name	Mr. Aadan Mahmoud Abdullah Mohammed Marzouqi [CRIS No AEP44592291]	
Nationality	UAE National	51.00 %
Name	Mr. Hashem Mahmoud Mohammed [CRIS No AEP44749691]	
Nationality	Ethiopian	14.00 %
Total:		100.00%
OPERATION		
Activities Details		
General Trading		
Standard	UK SIC 2003	
Activity	[51.9] - General dealer (wholesale) (Primary)	
UNITED ARAB EMIRATES (THE) COUNTRY REPORT SOCIO ECONOMIC AND POLITICAL OVERVIEW		
The United Arab Emirates UAE is a federation of seven emirates (equivalent to principalities), each governed by an Emir. The emirates are Abu Dhabi (capital), Ajman, Dubai, Fujairah, Ras al-Khaimah, Sharjah, and Umm al-Qaiwain.		
Cedar Rose Int. Services Ltd, P.O. Box 50751, 3609 Limassol, Cyprus		3 / 5

Case study: the *Fatah Al Khayr* and ISIL arms procurement

9. On 28 April 2017, the Somali-registered general cargo dhow *Fatah Al Khayr* arrived at Bosaso port from Mukalla, Yemen, carrying a cargo of illicit pistols. Prior to arriving at port, the vessel had been interdicted at position 11 26N, 049 32E — approximately 1 km from the Somali coast — by the USS *Hué City*, which subsequently conducted a routine flag verification boarding. However, no contraband was discovered (see figure 8, below).⁵

10. On 30 April, the intended recipient of the arms shipment, Abdi Hassan Ali, arrived to collect it, leading the Puntland port police to initiate a full search of the vessel.⁶ Police subsequently discovered 16 illicit pistols and 2,030 rounds of 7.62x25 mm pistol ammunition concealed in cartons of dates and bags of rice.⁷

11. A subsequent investigation by the SEMG found that the material discovered at Bosaso port was only one part of a larger arms shipment that had been loaded by skiffs in Shabwa Governorate, Yemen, and subsequently transported to the towns of Mudiye and Habo on Puntland's north-east coast. A component of that shipment — which included AK-pattern rifles and PK machine guns — was subsequently delivered to the Islamic State of Iraq and the Levant (ISIL) faction near the town of Unuun in Bari region sometime between 1 and 3 May 2017.

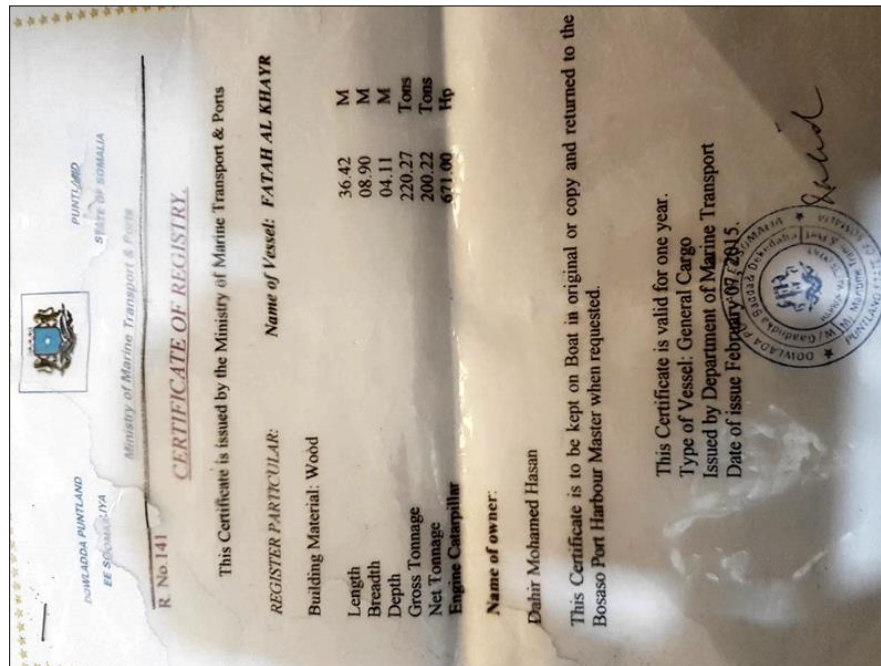
12. The arms shipment was supplied by Yemeni national Khaled Ahmed Ahmed Al-Sand (see figure 6, below, for Ahmed's passport image) and his partner Farah Ismail Ali, a Somali national living in Yemen. On the Somalia side, the shipment was brokered by known arms dealers belonging to the Qandala-Hafun network: Abdi Mohamed Omar "Dhofaye" (Majeerteen/Ali Salebaan/Ismail Ali) and Mahad Isse Aden "Laboballe" (Majeerteen/Ali Salebaan).⁸ Buruj Mohamed Ali Farah (Majeerteen/Ali Salebaan/Ismail Ali), a subordinate of "Dhofaye", subsequently transported the shipment by skiff from Mukalla to the Puntland coast.

⁵ Details of the boarding were provided to the SEMG by the Combined Maritime Forces (CMF) on 29 August 2017. Additionally, Abdimajid Samatar, Director General of the Puntland Ministry of Ports and Marine Transport, reported that Puntland authorities had been tipped off about the potential arms shipment by information provided by US naval forces. Interview with Abdimajid Samatar in Bosaso, 5 June 2017.

⁶ Interview with a senior port police officer in Bosaso, 6 June 2017.

⁷ Ibid.

⁸ See S/2016/919 annex 8.10 for a description of the Qandala-Hafun network and its prominent members.

Figure 1: Certificate of registration for the dhow *Fatah Al Khayr*.

Approximate timeline of the *Fatah Al Khayr* shipment

1-7 April: The *Fatah Al Khayr* arrives in Mukalla port, Yemen. It offloads a cargo of livestock and takes on foodstuffs for the return journey to Somalia.

7-9 April: A skiff piloted by Buruj Mohamed Ali Farah travels from Shabwa governorate at Mukalla with a cargo of pistols supplied by Yemen-based Somali arms dealer Farah Ismail Ali. Buruj Farah subsequently rendezvouses with the *Fatah Al Khayr* and transfers the pistols. Farah then returns to Yemen to load heavier weapons, including AK-pattern rifles and PKMs, destined for the ISIL faction, along with a second skiff piloted by an unknown individual.

21 April: The skiff piloted by Buruj Farah arrives in Mudiye, while the second skiff arrives at Habo.

28 April: The *Fatah Al Khayr* is boarded and searched by the USS *Hué City* while en route from Yemen to Somalia, but no contraband is discovered. The same day, the *Fatah Al Khayr* docks in Bosaso port with a legitimate cargo of foodstuffs plus 16 illicit pistols and 2,030 rounds of pistol ammunition destined for sale on the Bosaso black market.

30 April: Abdi Hassan Ali attempts to retrieve the consignment of pistols from the *Fatah Al Khayr* but is arrested by Puntland port police and subsequently transferred to Bosaso Central Prison.

1-3 May: From Mudiye, the bulk of the arms consignment is transported inland to the village of Unuun (11°10'40", 50°25'58"), approximately 50 km south, where it is received by ISIL militants.

13. The *Fatah Al Khayr* presents an illustrative case study of the modalities of a typical arms smuggling operation from Yemen to northern Somalia, which tend to involve small shipments but occur frequently, perhaps as often as several times per month. Phone record analysis of the relevant subjects indicate that the two components of the shipment — the 16 pistols seized at Bosaso port and the ISIL consignment — were brokered by distinct smuggling networks; consequently, the two cases are treated as distinct below.

The Bosaso pistol shipment

14. When the SEMG requested to inspect the captured weaponry on 6 June 2017 in Bosaso, the port police informed the Group that the material had been transferred to Garowe and was therefore unavailable.

15. Abdi Hassan Ali, who was arrested attempting to retrieve the shipment, claimed to represent a consortium of livestock traders who had agreed to exchange their livestock transported aboard the *Fatah Al Khayr* (at a value of approximately \$22,000) for pistols in Yemen.⁹ According to Ali, the pistols were intended to be sold at an illicit market in Bosaso operated by Said Yusuf Timowayne Mohamed a.k.a. Said Atto, a claim corroborated by an analysis of phone records (see figure 7, below). Bosaso port police reported that they had captured 16 pistols; however, Ali told the SEMG that the consignment had originally consisted of 22 pistols. Ali's account is consistent with the \$22,000 he claimed the consortium had paid for the pistols.¹⁰

16. The *Fatah Al Khayr* is owned by Bosaso-based businessman Dahir Mohamed Hassan and captained by Mohamed Hassan Isaq Osman. Dahir Hassan claimed to have had no knowledge of the smuggling activities of his vessel or captain.¹¹ However, phone records show that preceding and during the smuggling run Hassan was in frequent contact with Abdi Mohamed Omar "Dhofaye", one of two brokers of the ISIL component of the *Fatah Al Khayr* arms shipment. Notwithstanding, the SEMG does not currently assess that Hassan was directly involved in procuring the ISIL shipment.

Figure 2: Pistols, packaged in plastic, seized by Puntland port police from the Fatah Al Khayr on 30 April 2017.



⁹ Interview with Abdi Hassan Ali in Bosaso Central Prison, 6 June 2017.

¹⁰ The pistols would have sold for approximately \$1,500 each on the Puntland black market, meaning that the consortium and its partners could have expected to earn a profit of roughly \$11,000 on the deal.

¹¹ Interview with Dahir Mohamed Hassan in Bosaso, 7 June 2017.

17. The pistol seizure consisted of what appear to be 14 NP-42 pistols, as well as two Type 59 copies of the Russian-model Makarov pistols, which can be identified by their brown handgrips. The NP-42s sell for approximately \$1,400 in the illicit arms markets in Bosaso; the Makarovs copies, between \$1,200 and \$1,300.¹² On 3 July 2017, the SEMG sent a tracing request to the relevant Member State for one of the Type 59 pistols seized from the *Fatah Al Khayr* (serial number D07741), but did not receive a reply.

18. Bosaso port police also claimed they seized 29 cardboard boxes of pistol ammunition, containing a total of 2,030 rounds of 7.62x25 mm ammunition.¹³ The Monitoring Group identified the markings on the ammunition boxes as Pobjeda Gorazde ammunition plant in Bosnia and Herzegovina, the former Yugoslavia, produced in 1957.

*Figure 3: 1 of the 29 ammunition boxes seized off the Fatah Al Khayr by Bosaso port police on 30 April 2017.*¹⁴



Figure 4: 7.62x25 mm round manufactured at Kilmovsk – 711 factory in the former Soviet Union.



¹² Interview with a senior port police official in Bosaso, 6 June 2017, and a journalist with access to arms markets in Puntland, 8 August 2017.

¹³ Interview with a senior port police official in Bosaso, 6 June 2017.

¹⁴ The SEMG photographed sample rounds of ammunition from both boxes, and established that they were manufactured in the former Soviet Union.

Figure 5: 7.62x25 mm round manufactured at Kouskovo – 304 factory in the former Soviet Union.



19. However, the fact that this the ammunition contained in the boxes did not match the packaging, as well as the considerable age of the ammunition, make these munitions particularly difficult to trace.

The ISIL arms shipment

20. Following the delivery of pistols to the *Fatah Al Khayr*, Buruj Farah returned to Shabwa with his skiff and loaded additional arms, predominantly consisting of AK-pattern rifles and PKMs supplied by Yemeni national Khaled Ahmed Ahmed Al-Sand (see figure 6, below, for a redacted copy of Ahmed’s passport) and his Somali partner Farah Ismail Ali.¹⁵ On 21 April, Farah arrived with the shipment at Mudiye on Puntland’s north-east coast; a second skiff, piloted by an unknown individual, proceeded to Habo with an additional consignment of arms. From 1-3 May, part of the consignment was transported inland from Mudiye to the village of Unuun, where ISIL militants took possession. The remainder of the consignment was brought to Bosaso, to the storehouse of Mahad Isse Aden “Laboballe” a prominent Bosaso-based arms dealer who was named in the SEMG’s 2016 report as one of two brokers responsible for a shipment into the Qandala area on 2 May 2016 (see [S/2016/919](#), annex 8.10).

21. Phone network analysis and cell tower location data corroborate the involvement of the triad of “Laboballe”, Abdi Mohamed Omar “Dhofaye” and Buruj Farah in the shipment. For instance, cell phone activity for Buruj Farah ceases from 9 to 14 April and again from 16 to 30 April, consistent with him being at sea for prolonged periods during the month.

¹⁵ Information on the *Fatah Al Khayr* consignment was provided by a former Puntland intelligence officer, 9 May 2017, and corroborated by the SEMG through phone network analysis.

Figure 6: Redacted passport image of Khaled Ahmed Ahmed Al-Sand, the Shabwa-based supplier of the arms delivered to the ISIL faction.



22. It is not known what amount, if any, the ISIL faction paid for the shipment. One possibility is that the ISIL leadership demanded a percentage of the shipment in exchange for allowing it free passage. This scenario would be consistent with the Monitoring Group's assessment that the recapture of Qandala by Puntland forces in December 2016 has pushed the arms trade further east, necessitating that arms smugglers conduct their trade through territory controlled, at least partially, by the ISIL faction.

23. Figure 7, below, presents a network chart of the mobile phone activity in April 2017 for the key individuals involved in the *Fatah Al Khayr* arms smuggling operation. Over this period, Abdi Hassan Ali was in frequent contact with Said Yusuf Timowayne Mohamed a.k.a. Said Atto, supporting Ali's claim that Said Atto was the intended reseller of the pistols smuggled into Bosaso on board the *Fatah Al Khayr*. Said Atto is also shown to be in contact with Ahmed Omar Ali, who has been identified as an arms dealer potentially affiliated with the ISIL faction.¹⁶

24. Abdi Mohamed Omar "Dhofaye" is also shown to be in frequent phone contact with both Buruj Mohamed Ali Farah and Mahad Isse Aden "Laboballe" in April, corroborating their central role in importing the arms shipment.

¹⁶ Information supplied by a former intelligence officer in Puntland. While the SEMG has not confirmed Ahmed Omar Ali's involvement in any illicit arms shipment, his phone activity strongly demonstrates that he is a member of Puntland arms smuggling networks.

Figure 7: Phone network chart of the key individuals in the Fatah Al Khayr arms smuggling operation, April 2017.¹⁷

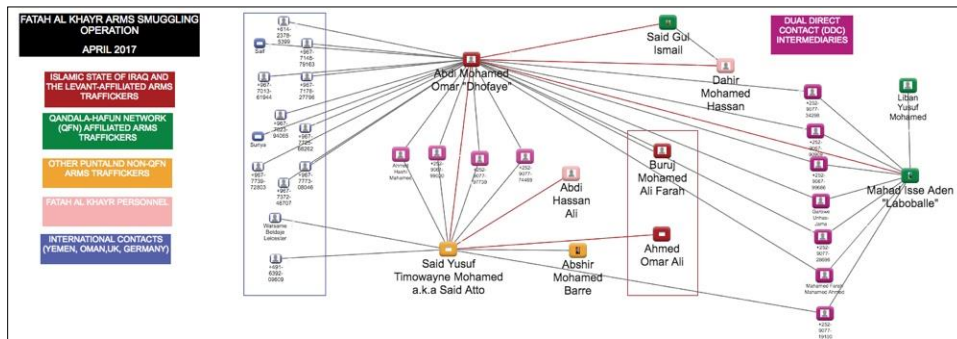
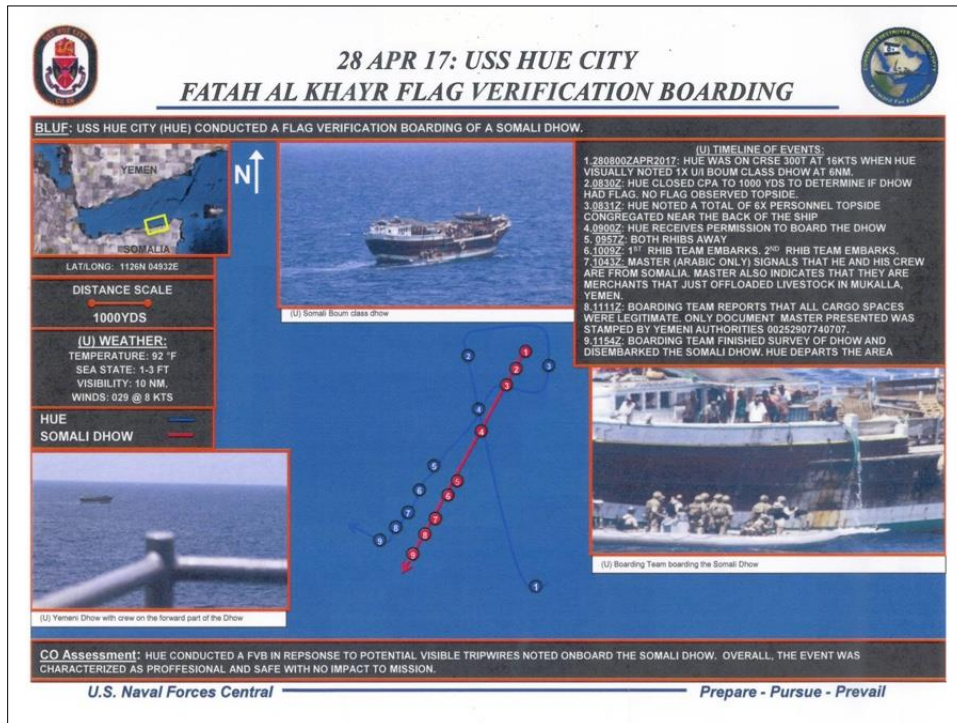


Figure 8: Storyboard of the flag verification boarding of the Fatah Al Khayr by the USS Hue City on 28 April 2017.

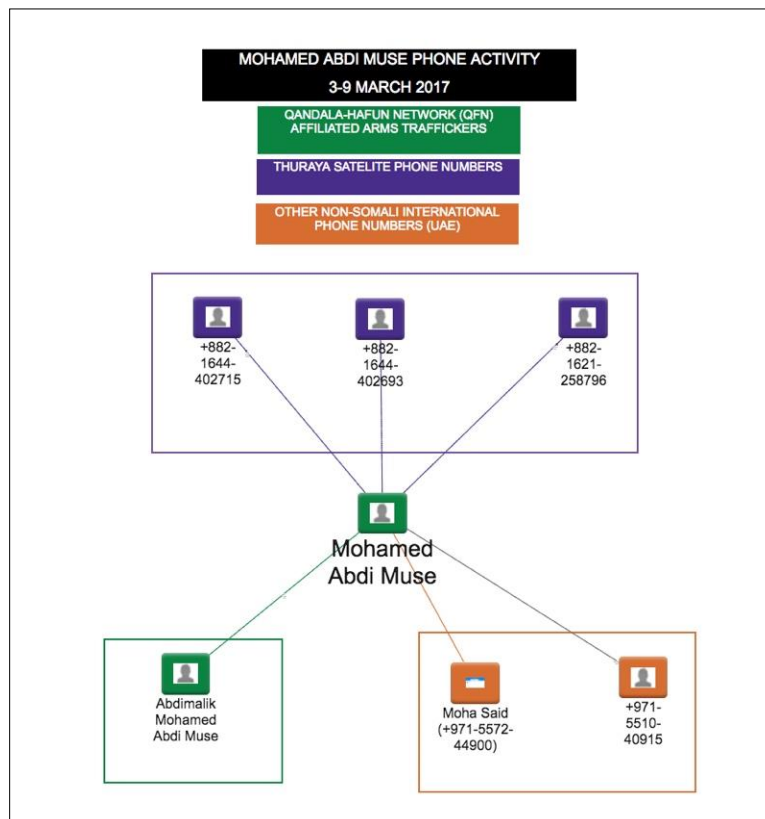


¹⁷ The Monitoring Group is grateful to the Center for Advanced Defence Studies (C4ADS) in Washington DC for its assistance in conducting network analysis on the *Fatah Al Khayr* smuggling operation.

March 2017 Alula arms shipment

25. Figure 1, below, displays Mohamed Abdi Muse's relevant mobile phone activity from 3 to 9 March 2017, the time leading up to the Alula shipment. During this window, Muse made a total of 16 calls to three distinct Thuraya satellite devices, which the SEMG believes were on board the three dhows of Iranian origin delivering the shipment. Muse also shows phone contacts with a member of the Qandala-Hafun arms smuggling network, Abdimalik Mohamed Abdi Muse. Abdimalik Muse, like Mohamed Abdi Muse, had previously been in telephone contact with arms smugglers on board the Iran-registered dhow *Nasir*, which was interdicted en route to Somalia by the Australian naval vessel HMAS *Melbourne* on 24 September 2015 while carrying a cargo primarily comprised of 75 anti-tank missiles (see S/2016/919, annex 8.10). The above strongly suggests that Abdimalik Muse remains part of a network based in the Alula/Habo area with connections to arms smugglers in Iran.

Figure 1: Mohamed Abdi Muse's relevant mobile phone communications, 3-9 March 2017.¹⁸



¹⁸ The Monitoring Group is grateful to the Center for Advanced Defence Studies (C4ADS) in Washington DC for its assistance in conducting network analysis on Mohamed Abdi Muse's phone records.

Annex 7.1.1: Puntland interdiction of arms from Yemen

Figure 1: Skiff carrying arms en route from Yemen to Somalia, 22 September 2017, navigated by Buruj Mohamed Ali Farah.



Figure 2: Position of the skiff at 15:30 UTC +3 on 22 September 2017.

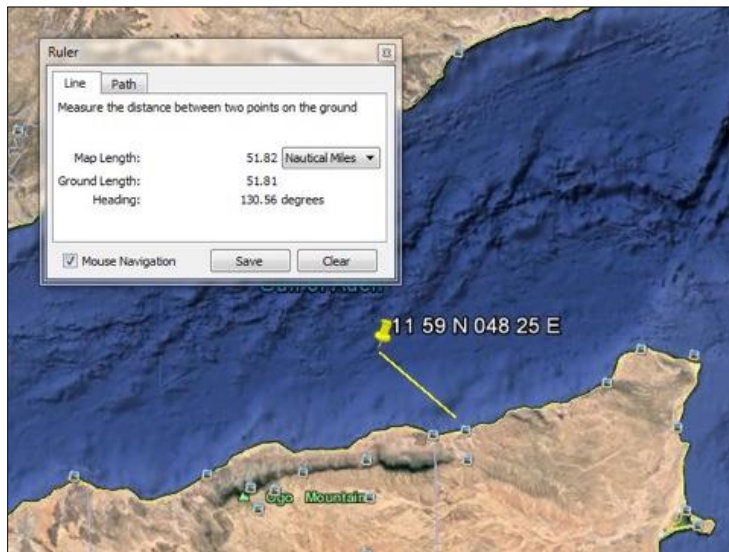


Figure 3: Arms seized by Puntland forces near Bosaso, 23 September 2017.



Annex 7.2: Maritime seizure of arms in March 2016 by *La Provence*

1. On 20 March 2016, the French naval vessel *La Provence*, operating as part of the Combined Task Force 150 of the Combined Maritime Forces, stopped and boarded a stateless dhow (tilly plate: 4/3972) approximately 150 km north-east of Alula, Puntland, which was heading toward Somalia. The dhow bore the markings of the shipping company “Al Mansoor CO SA”, and of “Konarak Iran” as home port. The captain was identified as “Sajed Arjamand” (see figure 1, below). A subsequent search of the vessel revealed a cargo of assault and sniper rifles, machine guns and anti-tank missiles.

2. Between 7 and 9 March 2017, the SEMG was granted access to weapons storages in France in order to conduct a thorough inspection. The SEMG has established the following facts with respect to this arms seizure:

Assault rifles

3. The 2,000 assault rifles had characteristics consistent with Iranian-produced KLS 7.62 mm assault rifles, though no factory markings were observed. Their appearance suggested that they were newly manufactured. Many serial numbers among the 2,000 appear in sequential order, which raises the possibility that the rifles originated from state weapon storage (see figure 2, below).

Sniper rifles

4. The 64 sniper rifles documented in the seizure had characteristics consistent with Iranian-produced SVD sniper rifles (Hoshdar-M), though no factory markings were observed.¹⁹ Their appearance suggested that they were newly manufactured. Most of the serial numbers appear in sequential order, which raises the possibility that the originated from state weapon storage (see figure 3, below).

Anti-tank guided missiles

5. The nine anti-tank guided missiles documented in the seizure had characteristics consistent with Russian-produced 9M133-1 Kornets, manufactured in 2008 and assembled by the Konstruktorskoe Buro Priborostroeniya (KBP Instrument Design Bureau) in Tula, Russian Federation (see figure 4, below). On 1 June 2017, the SEMG sent a letter to the Russian Federation seeking additional information about the missiles, including copies of end user certificates.²⁰ The SEMG’s letter included box, missile, and assembled box serial numbers for each of the nine missiles, as well as 16 photographs of missile components. On 30 August 2017, the SEMG received a response indicating that “the information and documents provided by the SEMG do not unfortunately allow to identify the aforementioned missiles and answer the questions”.²¹

Machine guns

6. The six light machine guns have characteristics consistent with Type 73 light machine guns designed and manufactured in the Democratic People’s Republic of Korea

¹⁹ Hoshdar-M sniper rifles manufactured by the Defence Industries Organization in Iran could also appear under the name “Nakhjir sniper rifles”.

²⁰ S/AC.29/2017/SEMG/OC.73.

²¹ Email from the Permanent Mission of the Russian Federation to the UN, 1 June 2017.

(DPRK). According to a defence analysis publication, the Islamic Republic of Iran appears as the only country to have an army equipped with the Type 73, apart from the DPRK.²² According to the intelligence consultancy Armament Research Services (ARES), “Iran received the Type 73 GPMG [general purpose machine gun] from North Korea, likely during the late 1970s to mid-1980s, and employed these weapons during the 1980-88 Iran-Iraq War. Iran has continued to employ the Type 73 GPMG in a reserve role in recent years”.²³

7. On 3 May 2017, the SEMG sent a letter to the Democratic People's Republic of Korea to obtain information about the possible export of Type 73 machine guns.²⁴ No response had been received as of this writing.

8. For photographs of the Type 73 machine guns, see figure 5, below.

Optical sights

9. The optical sights discovered in the same seizure were intended to be used with the SVD sniper rifles. The SEMG has obtained evidence that they were manufactured between 2014 and 2015 and were subsequently exported to an Iran-based company (see annex 7.2.1 (strictly confidential)).

10. During an SEMG mission to the Islamic Republic of Iran from 18-21 September, Iranian authorities assured the Group that they would investigate the case.

SEMG mission to the Islamic Republic of Iran

11. During an SEMG mission to the Islamic Republic of Iran from 18-21 September, Iranian authorities strongly denied any state involvement in the shipment of weapons to Somalia, adding that Iran had no strategic interests in Somalia. The authorities informed the Group that the owner of the company associated with the dhow that was boarded, Al Mansoor CO SA, had previously fled Iran owing approximately \$750,000 in unpaid taxes. They added that most Al Mansoor manufactured dhows had been resold to private individuals, with many sold to Pakistani nationals.

12. Iranian authorities also questioned the Group's assessment that the assault rifles seized were Iranian-manufactured KLS-7.62 mm rifles, and asked whether a Member State would make the mistake of including weapons with sequential serial numbers if it were involved in the smuggling of such weapons. They indicated that certain Member States were seeking to attribute the shipment to Iran.

13. Finally, the Iranian authorities assured the Monitoring Group that it would investigate the Iran-based company associated with the optical sights seized from the dhow.

²² IHS Jane's, “Iran-Army”. Available from <https://janes.ihs.com/Janes/Display/1767012> (accessed 18 September 2017; subscription required).

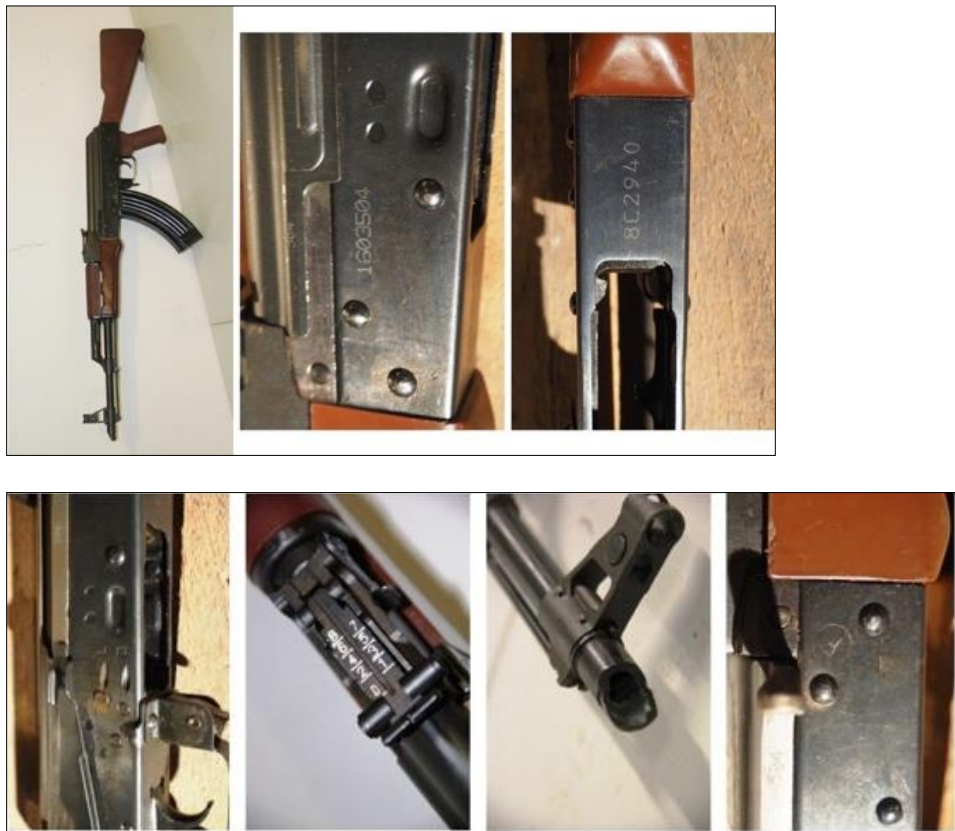
²³ Armament Research Services (ARES), “North Korean Type 73 GPMGs in Iraq, Syria & Yemen”, available from <http://armamentresearch.com/north-korean-type-73-gpmgs-in-iraq-syria-yemen> (accessed 18 September 2017).

²⁴ S/AC.29/2017/SEMG/OC.59.

Figure 1: Redacted copy of identity document belonging to Captain Sajed Arjamand of the stateless dhow boarded by La Provence on 20 March 2016.



Figures 2: KLS 7 assault rifles seized by La Provence.²⁵



²⁵ Serial numbers of the assault rifles are on file with the Secretariat.

Figure 3: SVD sniper rifles (Hoshdar-M) seized by La Provence.²⁶



²⁶ Serial numbers of the sniper rifles are on file with the Secretariat.

Figure 4: Photographs of anti-tank guided missiles (9M133-1 Kornet) seized by La Provence.²⁷



Figure 5: General-purpose machine guns (Type-73) seized by La Provence.²⁸



²⁷ Box generic serials, missile serials and assembled box serials are on file with the Secretariat.

²⁸ Serial numbers are on file with the Secretariat.

Annex 7.2.1: Belarus sights (STRICTLY CONFIDENTIAL)*

Annex 8.1: Halane Central Armoury inspections, 26 April and 29 August 2017**26 April 2017 inspection**

1. On 26 April 2017, the SEMG was given access to the Halane Central Armoury (Halane) located within the greater airport complex in Mogadishu. The SEMG surveyed all weapons and ammunition in the facility, as well as other non-lethal military equipment stored at the site.

2. The SEMG identified the following weapons and ammunition from a delivery of military equipment from the Arab Republic of Egypt in July 2016:²⁹

- 6 Tokarev 9 mm pistols;
- 58 AK-47-type assault rifles;
- 3 M91 sniper rifles;³⁰
- 4 signal pistols (with 320 red and white 26.5 mm flares);
- 3 RPD machine guns;
- 7.62x54 mm ammunition;³¹
- 7,200 rounds of 7.62x39 mm ammunition.

3. Most of the weapons notified to the Committee had been recorded as marked and registered in the logbooks by the SNA. Nevertheless, the SEMG noted several discrepancies:

4. First, although 61 AK-47s had been notified as due for delivery, only 58 had been registered at Halane.³² Second, the shipment had been notified to the Committee as including 113,200 rounds of 7.62x39 mm ammunition. There was, however, no registration of ammunition from the shipment in the logbooks. The SEMG conducted its own count of this calibre of ammunition in the facility and noted 7,200 rounds. It was unclear therefore what quantity of ammunition had arrived at the facility, or had been distributed.

5. In addition to the materiel from the July 2016 Egypt shipment, the SEMG identified other materiel from previous consignments notified to the Committee:

- 9 mm ammunition identified as part of a previous notified shipment;³³

²⁹ Advance delivery notification sent on 17 May 2016, reference: S/AC.29/2016/NOTE.30, and post-delivery confirmation sent on 22 July 2016, reference: S/AC.29/2015/NOTE.38.

³⁰ Officials at Halane informed the SEMG that they were unable to mark these weapons as there was no space to do so.

³¹ The SEMG was unable to distinguish between the quantities of 7.62x54 mm ammunition in Halane originating in the 2016 Egypt consignment and that which formed part of a previous 2014 Egypt consignment.

³² It remained unclear whether these weapons had either not arrived with the consignment, or had already been distributed without registration or documentation.

³³ UAE shipment notified in 2014, S/AC.29/2014/NOTE.48 and a second UAE shipment notified in 2015, S/AC.29/2015/NOTE.29.

- 7.62x25 mm ammunition for Tokarev pistols;³⁴
- 7.62x54 mm ammunition;³⁵
- 23 optical sights for Type 77 12.7 mm anti-aircraft machine guns;³⁶

6. The SEMG also identified some obsolete material and ammunition already documented by the Group in 2011 and 2012 as materiel received from AMISOM and the former Transitional Federal Government (TFG):³⁷

- 25 obsolete 60 mm mortar launchers;
- 29 obsolete RPG-7 launchers manufactured in 2010;
- 25 obsolete RPG-2 launchers;
- Obsolete 81 mm mortar launchers;
- Obsolete B-10 recoilless rifles;
- 14.5x114 mm ammunition;³⁸ and
- 12.7x108 mm ammunition.

29 August 2017 inspection

7. The SEMG accessed Halane again on 29 August 2017 and conducted a second limited survey of weapons and ammunition, as well as non-lethal military equipment, stored on site.

8. The last notified shipment of military equipment recorded in the Halane weapons and ammunition logbooks was from Djibouti, which had arrived in June.³⁹ By the time of the SEMG's visit, most of the consignment had already been distributed. The SEMG documented approximately 30 boxes of AK-47 ammunition in white wheat bags, which were still in Halane.

9. The majority of the weapons and ammunition in Halane observed during the visit were from a consignment — according to correspondence sent by the FGS to the Committee⁴⁰ — from the People's Republic of China, which had arrived in Mogadishu on 7 August 2017. Officials at Halane informed the SEMG that they were in the process of marking and registering the weapons from the shipment. While the Group was unable to undertake a full inventory of the items due to time constraints, and the fact that the boxes were sealed, it was able to document and photograph the following items:

- DShK / Type 85 12.7 mm anti-aircraft weapons, including mounts;
- Type 67-2 heavy machine guns;

³⁴ Egypt shipment notified in 2014, S/AC.29/2014/NOTE.67.

³⁵ Ibid.

³⁶ Ibid.

³⁷ S/2013/413, annex 6.1, paras. 52 to 55. Colonel Ahmed Moalim suggested to the SEMG that some of this stock might have been transferred by AMISOM to the facility during the TFG period, before the partial lift of the arms embargo.

³⁸ Material subject to Committee approval further to paragraph 7 of resolution 2111 (2013).

³⁹ Advance delivery notification S/AC.29/2017/NOTE.24.

⁴⁰ Letter from the FGS to the Committee, SOM/MSS /177/17, 21 August 2017.

- AK-47s pattern assault rifles;
- 38 mm automatic anti-riot grenade launchers;
- 38 mm tear gas cartridges;
- 7.62x39 mm ammunition;
- 12.7 mm ammunition;
- Type 69 40 mm HEAT projectiles (rocket-propelled grenades); and
- a large quantity of PKM machine gun ammunition rounds.

10. The SEMG noted with concern that, on the day of the visit, there was only one officer engaged in marking the materiel which had arrived from China. General Ahmed Ibrahim Mohamed explained that the marking team had been reduced from 12 to five personnel which had affected the pace of the marking and registration process.

Annex 8.2: Registration and distribution procedures at Halane

1. Distribution of weapons and ammunition is authorized by the Chief of Defence Force (CDF) of the Somali National Army (SNA). If the CDF is not available, the second in command may authorize distribution. The key documents generated during the process are:

- (a) Distribution order: the CDF issues a signed distribution order that includes the type, quantity, purpose, and receiving unit of the weapons and ammunition to be distributed. A copy of the distribution order must be kept at Office the CDF, another at Halane armoury, and a third with the Office of the National Security Advisor (ONSA).
- (b) Distribution voucher: vouchers are issued and signed by the Commander of Halane armoury or his deputy, based on receipt of a distribution order. A copy is kept at Halane, one is sent to the CDF, and a third to the receiving unit.
- (c) Logbook: the logbook template was designed by the Joint Verification Team (JVT) to allow for entry and exit of an item to be recorded on the same line for ease of tracking. There are two separate logbooks for weapons and ammunition, which are signed by the officer-in-charge.

Figure 1: Logbook template designed by the Joint Verification Team (JVT).

BUUGA DHIWAAN GALINTA HUBKA WEAPONS LOGBOOKS							BUUGA DHIWAAN GALINTA HUBKA WEAPONS LOGBOOKS							
RECEIPT=GELID							ISSUE=BINID							
No	Taariikhda Ilgashay	Tomaso Taliyaha CDF	Noska Hubka iyo Culaska Rasmiga	Shaqadaha Hubka	Lamarriga Magaca iyo Dagadaha	Cadadka La Wareegay	No	Taariikhda La Wareegay	Bicayaha Magaca iyo Dagadaha	Taariikhda Bicayaha	La Wareegay Magaca iyo Dagadaha	La Wareegay Lambadaha Aqoonsiga	Cadadka La Wareegay	Dagadaha Culaska La Wareegay
	Date of entry	CDF order reference number	Weapon model & Accessories	Serial No. & Lot number	Receiving officer rank and name	Receiving Unit Location		Date received	Issuing officer rank and name	Date issued	Receiving officer rank and name	Receiving officer ID number	Receiving unit Location	
1							1							
2							2							
3							3							
4							4							
5							5							
6							6							
7							7							
8							8							
9							9							
10							10							
11							11							
12							12							
13							13							
14							14							
15							15							
16							16							

Ammunition distribution procedures

2. During its visit to Halane on 26 April 2017, the SEMG observed that the correct procedure was generally being implemented with respect to distribution of ammunition. An example of a correctly implemented distribution procedure is provided below, though the distribution order lacked specification to the unit level.

Figure 2: Distribution order dated 14 August 2016, authorizing Halane to deliver 8,640 rounds of AK-47 ammunition, 4,000 rounds of PKM ammunition and 640 rounds of DShK ammunition to SNA Sector 12.

نائب قائد الجيش الوطني
 الصو مالي لا مور الاداريه
 (اللو جيسكيه)
 رقم:
 تاريخ:

Taliska Ciidanka Xoogga
 Dalka Soomaaliyeed
 Ar.Xabbat/XDS/94/16
 Taariikh: 14/08/16

DEPUTY COMMANDER OF SNA FOR LOGISTICS AND
 ADMINISTRATION
 Office of the Deputy Commander

KU:-HOOGAANKA HUBKA IYO RASAASTA X.D.S = MUQDISHO=
 Ujeeddo: - Bixin Rasaas
 Hooggaanka Hubka iyo Rasaasta waxaa lafarayaa in uu siiyo Taliyaha
 Qeybta 12.APRIL Rasaasta hoos ku qoran:
 1. Rasaas

NO	Nooca Rasaasta	Tirada Sanduuqa	Tirada
1	Rasaasta AK47	8640 sideed kun lix boqol iyo afartan xabaddood	8640
2	Rasaasta PKM	4000 afar kun	4000
3	Rasaas DSHK	640 lix boqol iyo afartan xabaddood	640

S/Guuto
 Kusimaha Taliyaha X.D.S ahna Abba-duulaha Ar.Taakuleynta iyo
 Maamulka X.D.S
 Cabdulqaadir Macalim Nuur



 Tel: +252-61 5836892/0695002024
 Email: ddsna@gmail.com

Figure 3: Completed distribution voucher signed by the Halane commander.

TALISKA CIIDANKA XOOGGA DALKA SOOMAALIYEED
 HOGGAANKA HUBKA IYO RASAASTA
 Taariikh: 16/8/16

Boonada Amar Bixinta Rasaasta
 Maqaasiinka Dhexe: HALANE waxaa lafarayaa in aad Urarto Colka Q.B. 12 April
 Hubka Hoos ku Qoran:

I/T	Taariikh	Nooca	Tirada	Culeyska	Fiiro gaar ah
1.	16/08/2016	AK-47	8640		
2.		PKM	4000		
3.		D.S.H.K	640		
4.					
5.					
6.					
7.					

Saxiixa Qaataha
 G/Abdulkariim

Saxiixa Madaxa H.Hubka & Rasaasta
 G/Sare Axmed Macalim

Weapons distribution procedures

4. The Group was given access to the weapons logbooks which included records of the receipt of weapons supplied by the Arab Republic of Egypt in August 2016.⁴¹ The logbooks showed accurate registration of all six 9 mm Tokarev pistols and 58 AK-47s received in the shipment. However, three AK-47s listed in the advance delivery notification had not been registered in the logbook.

5. The SEMG also reviewed a logbook dedicated to RPG-7s, containing only two entries. Key fields had been left unfilled in the two entries, such as the date of arrival, the shipment of origin, the CDF distribution order reference, the original serial number, and the SNA marking numbers.

Figure 6: RPG logbook entries.

RECEIPT

Log entry number	Date of entry	CDF order reference number	Supplier country	Weapon model	Weapon serial number	Rack / stock number	SNA marking database number	Receiving officer rank and name	Date received	Issuing officer rank and name	CDF order reference number	Issued number
1	22-6-2016	185/12		RPG-7		36						
2												

ISSUE

SNA marking database number	Receiving officer rank and name	Date received	Issuing officer rank and name	CDF order reference number	Issue voucher number	Date issued	Receiving officer rank and name	Receiving unit	Receiving unit location
			Col Ahmed Mohamed	185/12	051	02/10/2016	Sgt H. A. A. A.	9.12.2016	9.12.2016
			Col Ahmed Mohamed	185/12	052	19/11/2017	Sgt H. A. A. A.	9.12.2017	9.12.2017

⁴¹ Advance delivery notification was sent to the Committee on 22 July 2016 (S/AC.29/2016/NOTE.38). No post-delivery confirmation was sent to the Committee.

**Annex 8.3: Review of paperwork related to ammunition distribution from
Halane (STRICTLY CONFIDENTIAL)***

Annex 8.4: Review of paperwork related to a shipment of weapons and ammunition from Djibouti (STRICTLY CONFIDENTIAL)*

Annex 8.5: Diversion

1. In paragraph 8 of resolution [2182 \(2014\)](#), the Security Council prohibited the sale, transfer or use of weapons sold or supplied for the development of the security forces of the FGS to or by any individual or entity not in the service of the FGS security forces. Since the partial lifting of the arms embargo, the Monitoring Group has documented diversion of weapons and ammunition from Government stockpiles, in its 2014 and 2015 reports.⁴²
2. During the current mandate, the SEMG again documented cases of weapons from FGS stockpiles found in possession of individuals or illicit arms dealers in Mogadishu.

FGS weapons in the possession of arms dealers in Mogadishu

3. The SEMG documented seven weapons found in possession of arms dealers in Bakara market and near KM5 roundabout, both in Mogadishu, between November 2015 and April 2017 (see sample images below). The weapons — assault rifles and pistols — bore the markings of the Somali Police Force (SPF), the National Intelligence and Security Agency (NISA), private security companies (PSC) and Government officials.
4. The SEMG requested information from the FGS on the initial distribution of these weapons, including logbook extracts demonstrating the origin of each weapon, and to which individuals and security agency — and where appropriate, brigade and battalion — or private security company to which the weapons were assigned, as well as the dates of distribution. A first informal request was made on 11 July 2017 to the Office of the FGS National Security Advisor. On 7 August 2017, the SEMG received a reply stating that the Ministry of Internal Security (MoIS) had in turn requested the information from PSC, SPF and NISA.⁴³ On 22 August 2017, the SEMG sent official correspondence to the FGS, but had not received a reply as of this writing.⁴⁴

Figure 1: AKM-PM md. 63, 7.62x39 mm with FGS marking SOPSC16/6385 seized during FGS stabilization operations in June 2017.



⁴² See, for example, [S/2014/726](#), annex 6.2, and [S/2015/801](#), annex 7.1.

⁴³ Email from the FGS Office of the National Security Advisor, 7 August 2017.

⁴⁴ S/AC.29/2017/SEMG/OC.114.

Figure 2: Type 56-1, 7.62x39 mm with FGS marking SOPSC16/7529 seized during FGS stabilization operations in June 2017.



FGS weapons captured during Mogadishu stabilization operation

5. The SEMG documented seven other FGS-issued weapons during its visit to the SNA headquarters at Villa Gashandiga on 11 July 2017 to investigate weapons seized during the Mogadishu stabilization operations led by joint Somali security forces (see sample images below). Seven assault rifles among the 45 total weapons seized bore the markings of the FGS: five with PSC markings, and two with SPF markings. The SEMG was informed that these rifles had been seized from individuals in Mogadishu, without further explanation.

6. The SEMG noted positively that most of the captured weapons had been registered in a dedicated logbook. The SNA subsequently proceeded to distribute 16 weapons to SNA units, however, without marking. The SEMG also found discrepancies between the logbook and the weapons the SEMG inspected. Four of the 45 captured weapons had not been registered in the logbook, while another weapon which had been registered — with SNA markings — was not among the weapons on site. The FGS explained these discrepancies by the fact that the Gashandiga armoury team had yet to receive any training on the logging procedures, with training pending.⁴⁵

Figure 3: Type 56, 7.62x39 mm with FGS marking SONISA0178 found in possession of an arms dealer near Bakara Market, Mogadishu, in February 2016.



Figure 4: AKM, PM md. 63, 7.62x39 mm with FGS marking SO-CBS-0510-16 found in possession of an arms dealer near KM5, Mogadishu, in May 2016.



⁴⁵ Email from the FGS Office of the National Security Advisor, 7 August 2017.

Annex 9.1: Establishment of a United Arab Emirates military base in Berbera

Figure 1: Satellite imagery of coast north of Berbera Airport, 23 December 2016.



Figure 2: Satellite imagery of coast north of Berbera Airport, 21 September 2017.



Annex 10.1: Marginalized communities and humanitarian access¹

1. As a result of social, political and economic exclusion, marginalized communities were less able to cope with the impact of the famine in 2011-2012. Their status affected ability to access external lifelines, such as diaspora remittances, but also humanitarian assistance.² As beneficiary populations, marginalized groups often have little power to negotiate effectively for their needs.³ Members of marginalized groups are also generally missing from the architecture of humanitarian response, including control and staffing of UN humanitarian entities and international and local non-governmental organizations (NGOs).

2. It is too early to assess the humanitarian response to the 2016-2017 drought and its impact on marginalized communities and exclusion. In the interim, the SEMG compiled snapshots of three marginalized communities. Each experience of humanitarian obstruction reflects a different facet of marginalization in Somalia, and a different approach to challenging it.

Displaced Shiidle communities in Jowhar, Middle Shabelle⁴

3. The Shiidle, who farm in the riverine areas around Jowhar and Balad, are a Jareer clan indigenous to the region. Their rivals for power are the primarily pastoralist Abgaal who have traditionally held sway in government and security positions, both at the district and regional level.⁵ In terms of control of humanitarian operations, in 2017, for example, the position of humanitarian coordinator was moved from under the authority of the District Commissioner — usually Shiidle — to the Regional Governor — Abgaal — reaffirming the dominant interest. Almost all the humanitarian entities operating in the area, whether local or international, are staffed at senior level on the ground by Abgaal, although there are some exceptions. The Abgaal are also the dominant clan in the Somali National Army (SNA) contingents based around Jowhar and Balad, monopolizing the instruments of Government force.

¹ The SEMG defines marginalized communities as groups — defined by clan, culture (pastoralist vs farmer), physical appearance, or perceived ethnicity or caste — which are excluded from power and resources either on the basis of identity, or because the group is a minority in a particular geographic area.

² A recent study conducted for the World Bank confirmed that remittances were concentrated within certain lineages. The most vulnerable communities — Rahanweyn and Bantu — had relatively few members in the diaspora, or in urban and business sectors. See, Nisar Majid, with Khalif Abdirahman and Shamsa Hassan, *Remittances and Vulnerability in Somalia, Assessing sources, uses and delivery mechanisms* (Rift Valley Institute, May 2017). See also Daniel Maxwell and Nisar Majid, *Famine in Somalia, Competing Imperatives, Collective Failures, 2011-12* (Hurst, 2016).

³ Humanitarian inputs are rarely simply offered but are negotiated with the beneficiary community, including the percentage split of profits from the engagement.

⁴ This account is based on a series of interviews with elders from the Shiidle community, internally displaced persons (IDPs), and farmers, some conducted on behalf of the SEMG, and discussions with NGO and UN humanitarian workers and African Union Mission in Somalia (AMISOM) officials between February and August 2017.

⁵ Despite some attempt to share administrative power — the position of District Commissioner, for example, is usually held by a Jareer — the Deputy will be Abgaal and wield considerable power alongside the Governor (also Abgaal).

4. The struggle for control of land and power between the Shiidle and the Abgaal has frequently spilled over into armed conflict. As reported by the SEMG in S/2014/726, annex 8.2 (strictly confidential), in November 2013 over 5,000 members of Shiidle/Walamoy communities from 20 villages north-east of Jowhar were displaced by attacks by the SNA — primarily comprised of Abgaal personnel — and Abgaal militia forces. Most of those who found their way to Jowhar for safety were still displaced during the current mandate, afraid to go home in the absence of any final resolution of the dispute over farmland which had sparked the attacks.⁶ Again, in April 2017, over 5,000 Jareer/Shiidle/Bare were displaced from three villages near Balad further to Abgaal militia attacks, supported by elements of the SNA.⁷

5. In 2013, assistance to the displaced persons was initially provided by AMISOM and the humanitarian community, but by 2015, the local authorities began to actively prevent provision of assistance to the group settled at Bula Rahma near the AMISOM camp.⁸ In April 2015, for example, one NGO assessed community needs and prepared nutrition supplies for delivery; ultimately, however, the organization was informed by the local administration that they could not return to Jowhar to provide the assistance. As a result of this obstruction, until mid-2017 the camp did not receive support from the formal humanitarian sector, surviving with the assistance of the diaspora and the host Shiidle community, even as its population grew: as of July 2017, there were 2,733 Shiidle families at the camp, hosting not just the original group, but Shiidle displaced from the drought and the April 2017 attacks.

6. In May, an internal UN report seen by the SEMG noted that AMISOM was concerned that 16,600 people at its forward operating base at Bula Rahma — also sometimes called Towfiq — were in desperate need of protection and assistance as the local administration had been actively blocking anyone who tried to assist them. The change of governorship of the HirShabelle Interim Administration (HIA) in February 2017 facilitated some relaxation of the *de facto* ban on assistance: in mid 2017, for example, the community reported that a humanitarian agency had registered 700 families for a cash input and remitted one payment of \$200 to 300 families in July 2017.⁹

7. More broadly, due to their lack of representation in the humanitarian structures, the Shiidle were generally less able to negotiate with humanitarian agencies to ensure that aid reached the ground, and to challenge diversion. Nevertheless, in mid-2017, elders in four Shiidle villages refused to participate in a cash for work scheme, as the organization involved was offering only \$1.5 per metre of water channel dug as opposed to the \$3 which was paid to other communities.

⁶ A small number of Shiidle farmers did return home. The SEMG confirmed that in one village — name on file with the Secretariat — in mid 2017, farmers were receiving part of a mixed cash and foodstuffs input, due to an agreement between the NGO and traders.

⁷ See annex 11.1.

⁸ SEMG interviews with IDP representatives and AMISOM officials present at the time in Jowhar, August 2017.

⁹ The agency confirmed the registration and single payment — but to just over 500 families.

Dir/Surre/Fiqi Mohamed and Jareer/Gabaweyne communities in Bohol Garas and Qoney, Gedo ¹⁰

8. In S/2016/919, annexes 7.8 and 7.8.1 (strictly confidential), the SEMG documented how the Interim Jubba Administration (IJA) minister for security, Abdirashid Hassan Abdinur (Darod/Marehan) controlled humanitarian operations in Dolow, Gedo region. Operating directly, and through proxies, he diverted and manipulated the direction of humanitarian assistance in the district, and to a lesser extent in Belet Hawo and parts of Luq.¹¹ One outcome documented during this mandate was consistent attempts to deny humanitarian access to non-Marehan communities on the east bank of the Juba river, comprising parts of Dolow and Luq districts.¹²

9. Among the historically marginalized communities living on the east side of Dolow across the river are the Dir/Surre/Fiqi Mohamed and Jareer/Gabaweyne.¹³ The Surre are a minority due to geography, as they are a Dir sub-clan in a Darod/Marehan dominated area. The Gabaweyne are marginalized due to their exclusion from the lineages of the four dominant clans. The Surre have had some access to external support through diaspora and business ties, but the Gabaweyne have few links to power and resources. The latter have also been the continuous target of land-grabbing and displacement since the 1990s from the riverine areas where they once formed the majority population.

10. The local administration and NGOs with an interest in denying or manipulating humanitarian inputs, restricted access to the area through a variety of means: denial of travel permission on security grounds; arrest of humanitarian workers who sought to present proposals relating to provision to the area; classification of sub-villages — resided in by the minority but dominant clan — as the main village, in order to attract services and support; and control of NGOs to manipulate humanitarian access and restrict monitoring.¹⁴ At the same time, where access was permitted, local communities found themselves in a weak negotiating position, unable to demand effective project delivery and prevent diversion.

11. During early 2017, local efforts to negotiate access to the flows of aid coming to Gedo under the drought response got underway, supported by international partners. External humanitarian experts provided support to local Members of Parliament (MPs) to

¹⁰ This account was compiled further to interviews with national and international staff of local and international NGOs operating in Dolow in 2017 or in previous years, and with UN staff and humanitarian and human rights experts between January 2017 and August 2017.

¹¹ See S/2016/919, annex 7.8 and strictly confidential annex 7.8.1. See also annex 11.3 and 11.3.1 (strictly confidential) for an update on investigations into Abdinur's responsibility for violations of international law involving targeting of civilians and obstruction of humanitarian assistance.

¹² In 2012, there was an effort to re-create the districts of Bohol Garas and Qooney, which had existed under the Siad Barre regime, to allow for both greater control by, and power-sharing between, the two communities. The revived district arrangement was, however, not been recognized at the federal level, and the area continues to come under the control of the Dolow and Luq authorities.

¹³ Other clan families present in the area were the Gassaregude, the Hawiye/Shekal, the Jejele, the Laysan and the Mirifle/Ashraf.

¹⁴ Specific cases of such obstructions were documented and verified by the SEMG but not provided here for reasons of security of interlocutors. There were also physical barriers to access such as few river crossing points and a lack of infrastructure, including as a result of the persistent underdevelopment of the area.

develop proposals to break the impasse around humanitarian access. The MPs later met with the IJA minister of security Abdinur and other representatives of the regional and local administration in Dolow, but no specific undertakings were made.

12. Meanwhile, in early September 2017 the UN reported that General Acute Malnutrition (GAM) rates during June/July for both riverine and pastoralist communities in northern Gedo were between 15.7 and 17.5; rates of above 15 are considered critical.¹⁵

SEMG assessment of humanitarian inputs

13. The SEMG conducted a brief assessment of the main humanitarian inputs received by communities living in, and in villages surrounding, the towns of Bohol-Garas and Qooney — approximately 7,000 households — between late 2015 and July 2017.¹⁶ Information was gathered from local communities on the projects purportedly run by five different organizations in order to better understand the forms of denial of access and diversion faced.

- (a) **NGOs without connections to the IJA/Dolow administration:** Where permitted to operate, this category of NGO was only able to conduct modest activities, such as distribution of water, sanitation and hygiene supply (WASH) kits, vaccines, acute watery diarrhea (AWD) treatment, provision of primary health care in two facilities, or engagement in hygiene promotion.
- (b) **NGOs connected with the IJA/Dolow administration:** These organizations were permitted to seek and receive funding from external partners, including the UN, for potentially significant infrastructure and other projects in the area. Their activities generally had minimal impact, with scant implementation on the ground, indicating likely diversion of funds. Even following the implementation of a water and sanitation project in Bohol Garas in 2016, for example, the community still relied on water donkeys in 2017, with those who could not afford the service forced to fetch water from the river or shallow wells. In Qooney, an NGO was also funded to implement water and sanitation infrastructure improvements: water services were still not functioning in July 2017. During the 2017 drought response, however, a second administration-proxy NGO did manage to distribute child nutrition supplies sporadically to approximately 90 children from at least January to July 2017.
- (c) **International NGOs or internationally supported local NGOs:** During the mandate, some international entities began to more effectively challenge obstruction from the local administration, including in partnership with local NGOs. Despite sometimes serious consequences for staff, these efforts did have modest success. One local community reported, for example, that a cash for work project in 2017 reached over 300 beneficiaries, albeit with half the salary amount promised. Another direct food relief input — pulses, starches and oil — in mid-2017 was accessed by over 1,000 beneficiaries. Finally, a food voucher

¹⁵ See Famine Early Warning Systems Network, *2017 Somalia Post Gu Seasonal Food Security and Nutrition Assessment: Key Findings*, 5 September 2017.

¹⁶ Details of these projects are on file with the Secretariat, but key identifiers are suppressed for reasons of security. There are 44 sub-villages connected with Bohol Garas and Qooney.

program supported over 489 families, with relatively small rates of diversion compared to those usually experienced in the area.

The Madiban community in Galkayo¹⁷

14. The Madiban community is one of Somalia's minority clans.¹⁸ They are found throughout Somalia, but particularly in the north, and suffer severe discrimination on grounds of caste exclusion.¹⁹ There are no statistics available on the population of Madiban in Somalia: in Galkayo and its surrounding villages, Madiban claim that they make up as many as 35 per cent of the area's residents.²⁰

15. With most humanitarian entities are controlled by dominant clans in Galkayo — almost exclusively Darod/Majeerteen in north Galkayo — the community had always found itself both sidelined from access to humanitarian assistance, and discriminated against in the main camps. As the drought created pressure on all communities in late 2016 Madiban IDPs arriving into the town began to be simply turned away by those in control of the settlements. With the support of a few members in diaspora, the Madihan host community in Galkayo organized and managed to purchase a plot of land on which to settle the arriving IDPs. Danwadaag camp was founded in October 2016, and by August 2017, over 700 families were living there. The camp had one hand-dug well with no pump, no medical facilities and rudimentary shelter with dwellings constructed of branches, cardboard, rags and plastic bags.²¹ Of all the Galkayo IDP camps, however, Danwadaag camp residents were the only ones who held a lease to their land.²²

16. Although no agency conducted formal nutrition assessments, the level of need, however, was assumed to be very high.: in June/July 2017 GAM rates in Galkayo IDP camps were assessed at 21.6 — critical — although Danwadaag camp was not included in the data set. Local elders told that SEMG that 19 children and five adults from the Madiban IDP community died from malnutrition related causes in Danwadaag camp between January and July 2017, but this could not be confirmed.

17. By early September 2017, the camp had managed to secure aid from three humanitarian NGOs which provided weekly child malnutrition support, basic medical

¹⁷ This account was compiled based on the SEMG's visit to Galkayo between 2 and 7 July 2017, interviews with members of the Madiban community, experts in diaspora, and engagements with humanitarian agencies.

¹⁸ The name is often used to englobe other occupational minorities such as the Tumul and the Yibro under a common banner. See, Martin Hill, *No redress: Somalia's forgotten minorities* (Minority Rights Group, 2010), available from <http://minorityrights.org/wp-content/uploads/old-site-downloads/download-912-Click-here-to-download-full-report.pdf> (accessed on 22 September 2017).

¹⁹ Even in exile strict divides are maintained: in 2016, the SEMG interviewed Madiban community leaders from Kakuma refugee camp who described how their children were not allowed to sit near children of other clans in refugee schools. Even school materials unintentionally touched by Madiban children would be thrown away.

²⁰ Areas around Galkayo which were described to the SEMG by the community as almost exclusively Madiban include: Xero Jaale; Dabridka; and Waniiqle. Others with a significant population include: Bacaaadweyn; Buursaalax; Buuryoqab; Deyro; and Goldogob.

²¹ The community built a two-room school of iron sheets: the children sit outside due to the heat.

²² In August 2017, the Tumul community, another occupational minority, decided to follow the lead of the Madiban and set up their own camp along the same lines.

supplies, and cash inputs for three months for around 250 families. These inputs were shared out between the whole community.

18. The SEMG also documented how critical nutrition inputs in Galkayo — plumpy nut provided by the World Food Program and intended for malnourished children, and grains/pulses, oil, etc. — were being sold openly in the market (see figures 1 and 2).

Figure 1: Plumpy nut (child malnutrition supply) being sold in the market in Galkayo, photograph taken on 10 September 2017 on behalf of the SEMG.



Figure 2: Grains, oil and dried food being sold in the market in Galkayo. Photograph taken on 10 September on behalf of the SEMG.



Measures to challenge exclusion

19. In comparison to the 2011/2012 famine, during the mandate, donors and humanitarian organizations demonstrated a greater awareness of the challenge of access to marginalized communities, including achieving small successes, as noted in the cases above. Devising strategies to effectively tackle the deep roots of the phenomenon was difficult. In early 2017, the United Kingdom's Department for International Development (DFID) commissioned the Centre for Humanitarian Change to work with its humanitarian partners to infuse awareness of exclusion of marginalized populations in programming during the drought. The project included pilot activities where advisors worked with partners and local communities to challenge specific experiences of exclusion. Within the UN, the Deputy Humanitarian Coordinator made the issue a theme of his initiatives and the SRSB convened a round table discussion on exclusion which is intended to lead to a permanent discussion forum. More broadly, the FGS convened discussion around the development of a National Inclusion Action Plan and the setting up of a National Council for the Development of Somalia Minorities, but these initiatives are in their early stages.

20. At the programme level, however, there is a need for greater awareness of the specific experience of marginalized communities to be explicitly integrated in project design and monitoring. Risk assessments might include an analysis of clan and other potential markers of exclusion, both with respect to the identity and perception of the organization providing the inputs, and the beneficiary community. As a condition of funding, organizations could potentially be asked about the specific strategies which would mitigate these risks.

21. In terms of challenging the balance of power within the humanitarian community itself, the UN Country Team could consider how to encourage marginalized communities to participate in the formal structures of humanitarian response, including with respect to UN staffing.²³ Another option is the operation of small grants schemes targeted at assisting new organizations to build capacity to join the system.²⁴

²³ Inclusion of the voice of marginalized groups in national fora on accountability and reconciliation is a much larger issue, including in terms of addressing inequalities in access and control of livelihoods, assets and land.

²⁴ In addition to facing threats from those who dominate the humanitarian business, marginalized communities often find it difficult to generate the initial investment required to become part of the system — whether to pay for registration, succeed in capacity assessments, or be approved within the grant cycle.

**Annex 10.2: Involvement of a Lower Shabelle NGO in inter-clan conflict
(STRICTLY CONFIDENTIAL)***

Annex 11.1: Destruction of Shiidle villages near Balad, Middle Shabelle¹

1. On 4 April 2017, and for three days after, the villages of Jameeco-Misra, Kulmis-Yarrow and Maqdas were the site of armed conflict between Hawyie/Abgaal/Wacbudan/Eli and Jareer/Shiidle/Bare militia, augmented by elements of the Somali National Army (SNA). The battle resulted in the displacement of almost all the inhabitants of the villages and the burning of homes and assets. As of 10 September, most of the community were still displaced.

2. This case study highlights three challenges: the continued use of SNA power, personnel and assets to progress clan business; the need for genuine inter-clan reconciliation and power sharing at regional and district levels; and the importance of reform of the security sector to remove individuals committing repeated abuses and to build a force more reflective of the population.

Background to the conflict

3. The conflict was triggered when cattle belonging to the Abgaal/Eli community entered onto Shiidle/Bare community farms and the Bare demanded compensation for the damage done their crops. Further to return of the livestock, Eli militia returned to the land at the centre of the dispute and killed two of the owners.² Although the movement of cattle onto the farming land was the overt cause of the conflict, the SEMG identified additional exacerbating factors including an interest in taking control of the cannabis crop which Shiidle sub-clans in some areas had increasingly begun to farm.³

4. Shiidle/Bare militia and Abgaal/Eli militia were the main participants in the fighting. Most of those claimed, however, that alongside the Abgaal/Eli militia, Abgaal elements of the SNA, and SNA assets were deployed in support of the attack. In particular, they pointed to the presence of the SNA Captain Saney Abdulle Nur (Abgaal/Owbakar Gabane).⁴ A number of people stated that they had recognized two vehicles being used during the attack as belonging to Captain Saney.⁵ An internal UN report seen by the SEMG noted “the active participation of security forces in the attacks”.

5. Some of those interviewed also claimed that at least one new technical and weapons had been “sent from Mogadishu” by Hassan Mohamed Hussein “Mungab” (Abgaal/Eli) the former Mayor of Mogadishu and Governor of Benadir region, to assist with the takeover. The SEMG could not confirm this report. They also claimed that the

¹ This account was prepared by assessing the testimony of Shiidle elders and community members displaced to Mogadishu and consultation with Shiidle and Rer Shabelle diaspora in Kenya. The SEMG also arranged for interviews to be conducted people displaced from the conflict in Jowhar and Balad. Information was corroborated with UN officials, staff of local and international NGOs, local security actors and AMISOM.

² An internal UN report seen by the SEMG confirmed the killing of two Bantu men near Balad on 5 April 2017, Maxamuud Axmed Qaali, 40, and Abuukar Cumurey, 23.

³ Trade in hashish is allegedly on the rise, not just for use by Somali security forces but also as an export trade to countries in the Middle East.

⁴ Captain Saney was attached to Battalion 23 in Middle Shabelle. He is currently based near the AMISOM camp at Jowhar.

⁵ They also noted that Captain Saney was known to have control of four technicals, one of which had been burned during an attack on Towfiq village earlier in the year.

Middle Shabelle Governor Ahmed Meyre Makaran bore responsibility for supporting the military elements which augmented local militia.

6. As testified by women displaced from the attack to Jowhar, also joining the Abgaal attacking force was Jelani Mohamud Sheikh “Jelani”. Jelani is a Shiidle/Bare militia leader who frequently operates with Captain Saney. Prior to the conflict in the three villages, Jelani participated in an attack launched by Captain Saney on the village of Towfiq, another Shiidle village. Heavy weaponry was used in an attack against the family home of General Mohamud Haji Ahmed Ali “Shegow” (Jareer/Rer Shabelle).⁶

7. The attack came as part of a longer running dispute between the two men. The tensions related to the General’s role in an SNA military campaign to disrupt illegal checkpoints run by rogue SNA units in Lower Shabelle in 2015, including those run by Saney.⁷ In January 2017, in Middle Shabelle, Captain Saney and his men had erected an illegal checkpoint on the Mogadishu Jowhar road at Khalimow village near Balad for two weeks until the FGS ordered him to withdraw.⁸ It is not clear whether General Shegow was part of the operation to disrupt the latter checkpoint but Captain Saney’s attack on the village of Towfiq occurred shortly afterwards. Eventually General Shegow had to request AMISOM to evacuate him from his position as he was unable to rely on support of the Abgaal-dominated SNA in Middle Shabelle to safely withdraw from the area.

8. The Abgaal force was heavily armed including with RPGs and DShKs, supported by technicals. Witnesses alleged that some of the attackers wore military uniform while others were in civilian dress.⁹ Grenades were used to set on fire homes and other structures.¹⁰ The Shiidle were mostly armed with AK-pattern rifles.¹¹

Impact of the conflict

9. The centre of the villages of Jameeco-Misra, Kulmis-Yarrow and Maqdas were almost completely destroyed by fire. One humanitarian worker who interviewed those displaced to Jowhar described how she was told that wells and water pumps were targeted for destruction and looting and that “an ice factory” in one village had been vandalized.¹²

10. A report provided to the SEMG by Shiidle elders in the diaspora claimed that 10 civilians from the Shiidle community had been killed during the fighting, including a 10-

⁶ General Shegow is a former member of Al-Shabaab who defected to the government in 2012, joined the SNA and was awarded the rank of Brigadier General.

⁷ Conversation conducted on behalf of the SEMG with General Sheegow and transmitted by email, 30 July 2017. The SEMG also interviewed a humanitarian worker based in Nairobi with knowledge of the area who confirmed that an attack on Towfiq occurred targeting the home of General Shegow. Interview with a humanitarian worker, 17 July 2017, Nairobi. The SEMG also received a report from an NGO staff member with knowledge of the security context in Middle Shabelle, that on 20 January an SNA soldier under the command of General Sheegow had killed a male civilian in Jowhar, accusing him of spying for Jeylani.

⁸ Interview with local journalist from Jowhar, 12 August 2017.

⁹ Interview with elders displaced to Mogadishu from Jameeco, Mogadishu, 2 May 2017.

¹⁰ See figures 1 and 2, below, for photographs of the aftermath of the attack.

¹¹ The Shiidle militia in the Balad area are reported to have 10 PKMs but it is not known if these were deployed. SEMG Skype interview with journalist in Jowhar, 21 August 2017.

¹² Interview with humanitarian worker, Nairobi, 12 June 2017.

year-old boy. In an interview with the SEMG, an elder from Jameeco displaced to Mogadishu also described how Eli militia “burned the houses and killed the children”.¹³ There were no reports, however, of female casualties, indicating that the fighting occurred primarily between armed actors: between militia, SNA personnel and those defending their homes. The SEMG was unable to confirm the deaths of civilians beyond the two farmers whose killing sparked the attacks, and the young boy.¹⁴

11. Most of the inhabitants of the three villages fled the area. A humanitarian worker told the SEMG that approximately 1,200 households were displaced from Jameco-Misra; 280 from Maqdas; and 272 from Kulmis-Yarrow.¹⁵ Some sought safety in the surrounding villages of Baqdaad, Basra, Mukidheere, Maandhere, Bacaadley, Boodaale, Xawaadley, Shamlo, and Dhagaxow.¹⁶ The AMISOM Sector 5 camp at Balad received many of those displaced: between 700 families or 5,700 individuals. A smaller number fled to Jowhar.¹⁷ A Bantu Member of Parliament approached AMISOM shortly afterwards requesting support for 5,400 IDPs camped around Balad, reporting that 753 homes had been destroyed by fire.¹⁸

12. Others fled to Mogadishu. On 24 April, an internal UN report noted that an NGO had visited two IDP camps — Alcadaa and Gunspre — and identified 95 households newly arrived from Jameco-Misra, displaced by clan conflict”.¹⁹ Shiidle elders informed the SEMG that up to 550 households had been displaced from the three villages to Burako/Mashala in Mogadishu, although it is not clear if all had arrived further to the attacks.²⁰

Aftermath

13. With the authority of the HirShabelle Interim Administration (HIA) still in formation at district level and unable to project power to resolve the crisis, the conflict continued sporadically, primarily between militia defending their positions on the ground around the villages.²¹ On 29 April, for example, there were clashes at Jameco-Misra when Shiidle/Bare militia attacked the Abgaal/Eli militia who were occupying the area. Somali media reported that three fighters had died in an encounter that involved the use of “automatic weapons, heavy machine guns and rocket-propelled grenades”: NGO reports received by the SEMG, however, indicated one dead and two wounded.²²

14. Civilians were also attacked due to the unresolved conflict:

¹³ SEMG interview with elders displaced to Mogadishu from Jameeco, Mogadishu, 2 May 2017.

¹⁴ An NGO with knowledge of the security situation in Jowhar confirmed the killing of two Shiidle civilians in the attacks. Email NGO staff member, 5 April 2017. The SEMG confirmed the name of the boy as Abukar Omar Abdirahman.

¹⁵ SEMG interview with humanitarian worker, Nairobi, 12 June 2017.

¹⁶ On 16 April, for example, a local NGO reported that the displaced communities who had fled to Mandhere village were facing “dire conditions”. Email from NGO staff member, 16 April 2017.

¹⁷ See discussion of the humanitarian response to those who fled to Jowhar in annex 10.1.

¹⁸ Internal confidential UN report reviewed by the SEMG.

¹⁹ Internal confidential UN report; email from humanitarian worker, 18 July 2017.

²⁰ SEMG interview with elders displaced to Mogadishu from Jameeco, Mogadishu, 2 May 2017.

²¹ Pictures taken on behalf of the SEMG in Maqdas, for example, show the presence of a Shiidle militiaman. See figure 3, below.

²² See, “Clan Clashes Claim Three Lives In Middle Shabelle”, Goobjoog News, 30 April 2017, available from <http://goobjoog.com/english/clan-clashes-claim-three-lives-middle-shabelle/>.

- On 7 June, a group of five Shiidle men — including both Isse and Bare sub-clans — were executed near Hawadley village, taken from a vehicle in which they were transporting vegetables to Mogadishu and shot.²³ Two accounts collected by the SEMG from local journalists attributed the killings to Gaaljal militia, as revenge for the killing of a Gaaljal man.²⁴ Shiidle elders claimed, however, that Abgaal militia were behind the murders and that it related to the April conflict: UN sources also received similar information. There was no investigation by the local administration into the incident. The SEMG was unable to make a determination.
- On 19 July, a Shiidle/Bare man was shot and killed by an Abgaal militiaman near Xawaadley village.²⁵ Displaced to Mogadishu by the 4 April conflict, he had returned home to check on his land.

15. The April attacks occurred against the background of long-running tensions between Abgaal and Shiidle communities in Middle Shabelle which have regularly erupted into violence. These have been characterized by the use of Government forces and assets in support of Abgaal objectives. In 2014, for example, the SEMG investigated a series of attacks in November 2013 on 20 villages inhabited by the Shiidle/Wallamoy community north-east of Jowhar town during which at least 60 civilians were killed, homes burned, and assets looted. Most of the inhabitants of the villages were forced to flee.²⁶ The attacks were launched by Abgaal/Mohamed Muse militia, bolstered by federal forces — 1st Brigade with the assistance of the 3rd Brigade (60th Battalion).

16. The involvement of state forces on these occasions complicated the response to the conflict, including as the local administration was perceived as being unable to act as an honest broker in inter-clan dialogue. The Governor of Middle Shabelle, Ahmed Meyere Makaran and the Vice President of the HIA — and former Governor — Ali Gudlawe Hussein, for example, were considered complicit as their respective sub-clans participated in, or supported, the attacks. In May 2017, a delegation led by the State Minister of Internal Affairs and Reconciliation, together with regional officials, travelled to the three villages and met with local elders promising support for reconciliation. In early August, a new Balad district administration was appointed which included greater representation of local communities. Bolstered by their new legitimacy on the ground, officials immediately called together the Bare and Eli elders and warned that if even “one bullet” flew in further conflict, all would be arrested. Although the situation has since remained calm, by 1 September talks about the return of the community to their homes and the question of compensation, had not yet commenced.²⁷

²³ The SEMG has identified the six Shiidle men as: Ciiley (Ismail) Maxamed Daa’uud, 20 (Ise); Xintir Maxamed, 27 (Bare); Maaji Maxamed, 20 (Bare); Yuusuf Xabad, 25 (Bare); and Meyle Cabdikariin, 21 (Bare).

²⁴ Email from NGO staff member, 8 June 2017. Interview with a Middle Shabelle-based journalist, 25 July 2017.

²⁵ Email from NGO staff member, 20 July 2017.

²⁶ S/2014/726, annex 8.2 (strictly confidential).

²⁷ Talks have however begun in Jowhar around resolution of the inter-Abgaal conflict in Adale in Middle Shabelle.

Figure 1: Photograph of Jameeco-Misra village after the attacks taken by an SEMG source four days after the fighting.



Figure 2: Photograph of Kulmis-Yarrow after the attacks taken by an SEMG source four days after the fighting.



Figure 3: Photograph of Maqdas village after the attacks taken by an SEMG source four days after the fighting — note the presence of a Shiidle militiaman.



Annex 11.2: Child recruitment and use

Harakaat al-Shabaab al-Mujaahidiin²⁸

1. In its final report on Somalia of 2016 (S/2016/919, annex 7.2), the SEMG recorded a spike in Al-Shabaab recruitment — in particular of young children — a few months prior to major operations by the militant group in Puntland in March 2016. Nevertheless, during the mandate, despite an increase in anti-Al-Shabaab operations, overall reported instances of child recruitment fell between September 2016 and June 2017.
2. In the Juba Valley, for example, preparations for Operation Safari Hunter got underway in earnest towards the end of 2016. Although in late 2016 Al-Shabaab continued to target children in rural areas, by the first half of 2017 there was a significant fall-off in efforts to recruit. An Al-Shabaab-affiliated source assessed that child recruitment in early 2017 had reduced to as little as a third of previous levels.²⁹
3. The fact that military operations by anti-Al-Shabaab forces had restricted the movement of fighters, coupled with the desire not to antagonize local community relations as a major confrontation approached, likely affected the recruitment campaign. Further, large numbers of children were already embedded in Al-Shabaab's madrasa system, a ready-made recruitment channel for the group (see below). The greater emphasis placed in 2017 in Middle Juba on the training of East African foreign fighters may also have impacted the pattern of local recruitment.³⁰
4. By July 2017, however, the trend was reversing. In June 2017, in Hiran, Galgadud and Mudug regions, Al-Shabaab began a new round of aggressive child recruitment, accompanied by a campaign of threats and violence against local communities. On 7 August, the District Commissioner of Adale in Middle Shabelle region announced that over 500 children had arrived into the town having fled forced recruitment in Galgadud, Hiran, and Middle Shabelle.³¹ It was too early to assess in September 2017 whether these large-scale recruitment efforts were being undertaken by Al-Shabaab in anticipation of planned anti-Al-Shabaab offensives in the Juba valley: it is possible that Al-Shabaab

²⁸ This section was compiled based on interviews with: community elders in Baidoa, Kismayo, Mogadishu, and in the diaspora; staff of national and international NGOs; officials of UN agencies, district and regional authority and security officials; and interviews conducted on behalf of the SEMG with individuals currently and formerly associated with Al-Shabaab, between November 2016 and August 2017. References in the text to "UN protection monitors" are to staff members of UN agencies involved in child protection activities and to contributors to the UNICEF-facilitated Monitoring and Reporting Mechanism for Grave Violations of Child Rights (MRM in Somalia).

²⁹ Interview conducted on behalf of the SEMG with Al-Shabaab mid-rank fighter, location redacted, 28 July 2017.

³⁰ The SEMG received single source but credible information that an increasing number of young male recruits arrived from East Africa into Middle Juba during early 2017 and received short training programs. Al-Shabaab assigned specific responsibility for external recruitment and transportation of these individuals, reflecting the apparent importance of the strategy.

³¹ See, "Somali Children Flee Al-Shabaab Recruitment", VOA, 7 August 2017. Available from <https://www.voanews.com/a/somali-children-seek-refuge-al-shabab-coastal-town-adale/3975825.html>.

intended to avoid alienating families on whom it relied for support during operations, and reduce desertion,³² by planning to deploy children from other areas in those encounters.

Impact of the drought

5. The arrival of the drought in 2016 created a fertile environment for child recruitment in Al-Shabaab areas. In districts around Hudur, for example, local officials described how families were forced to leave children behind when they fled to government-held areas for humanitarian assistance. When supplies dwindled, children were turned to Al-Shabaab for help: in Tiye glow district, for example, several boys who had defected from Al-Shabaab in early 2017 were forced to re-join the group.

6. As an inducement to recruitment, Al-Shabaab in parts of Bay region promised children that they would receive food, clothes, education — including IT training and driving skills — and health services. For older boys, Al-Shabaab undertook to pay dowry when the time came for them to marry. In some cases, boys were told that they would not have to fight.

7. Pressure was also brought to bear collectively on communities. In three locations in Al-Shabaab's Bay heartland — Rama Cadeey, Bulo Fulay and Bush Madine — the group called a meeting at the height of the drought and demanded that 300 children be sent to its madrasa. Families who initially refused were fined \$50 per child when they were eventually forced to attend.³³

Education as a recruitment strategy

8. Building on trends observed by the SEMG since 2015, in 2017 Al-Shabaab intensified its involvement in education — both for children and adults — as a strategy for early indoctrination and training, and for encouraging allegiance by specific sub-clans in areas of oscillating influence.

9. In April 2017, Al-Shabaab announced that it had developed a new school curriculum which it would launch in July 2017. Over the following months, the group rolled out a series of activities — many constituting violations of international law — intended to ensure that schools both within and beyond its areas of control were prepared to implement its edict. These involved:

- (a) forced closure of schools to facilitate re-training of teachers;
- (b) prevention of teachers' freedom of movement;³⁴

³² It is noteworthy that Al-Shabaab fighters from communities in Middle Juba — in particular, Mai Mai-speaking Bantu — were defecting in significant numbers from their bases in different parts of the country during this period. The SEMG documented one group of 29 defectors from this community, for example, who had arrived in Kismayo between May and July 2017 and connected them with UN agencies.

³³ Interview with individual with knowledge of Al-Shabaab's recruitment practices in Bay, 14 May 2017 and a follow up email, 13 June 2017.

³⁴ In areas around El Adde in Gedo in June, for example, Al-Shabaab ordered schools following the Somali curriculum to close and announced a period of teacher re-training. Some teachers left the area, while others were prevented from fleeing.

- (c) summoning teachers living in government-controlled areas to travel to Al-Shabaab strongholds and be schooled in the new curriculum;³⁵
- (d) occupation of schools;³⁶ and,
- (e) abduction of children who participated in FGS approved government examinations.³⁷

10. These measures were part of an increasingly aggressive strategy to force children into Al-Shabaab-controlled madrasas (see below).

11. In areas where Al-Shabaab came under direct military pressure, recruitment efforts waned, as did emphasis on control of the education sector. In July 2017, in one rural village in Middle Juba, for example, the community was permitted — for a fee of \$1,200 — to open its own school and follow its own curriculum, including the teaching of English.³⁸

12. In Bakool, Lower Shabelle, and Middle Juba regions, Al-Shabaab reinforced its child recruitment education strategy by providing clan elders with specialized religious and ideological training. Reflecting Al-Shabaab's increasing use of clan as a vehicle for tracking and ensuring allegiance, in Awdheegle in July, Al-Shabaab issued identity cards with a clan marker to elders who had received training.³⁹ Elders were subsequently instructed to ensure each community obeyed the group's stipulations on recruitment: one to three boys, proportional to the number of children in each family — although guns could be provided *in lieu*.

Al-Shabaab's madrasa system

13. Since 2015, Al-Shabaab has been instituting a long-term strategy to build a cadre of deeply ideologically committed fighters, in which the madrasa system is a key component.⁴⁰ One of the first acts of Al-Shabaab, for example, when it retook control of Tiyeeglow, Bakool region, was to call elders and parents and order attendance of all boys and girls at the two new madrasas that they had opened.

³⁵ On 11 July 2017, seven teachers in Middle Shabelle were arrested in Jowhar and accused of collaboration with Al-Shabaab further to their return from Al-Shabaab-controlled Gambole village, where they had been called to discuss the new curriculum. Email from UN staff member, 12 July 2017.

³⁶ On 6 July, for example, Al-Shabaab occupied five schools in El Bur district in Galgaduud, in Elqoxle, Elgaras, Hindhere and Digdher villages. In parallel Al-Shabaab abducted tens of elders from around El Bur town in order to force the community to provide 150 children for training.

³⁷ In mid-July 2017, 25 children — between 10 and 16 years old — were detained by Al-Shabaab in Moqkoor village, Hiran region, reportedly for having taken part in FGS-approved school examinations. Email from UN staff member, 23 July 2017. Although the children were eventually released on 26 July, they were taken out of the area for safety. Other families also chose to leave. Email from UN staff member, 28 July 2017.

³⁸ The SEMG reviewed videos of the school operating: that filming was permitted was unusual.

³⁹ Al-Shabaab also began providing information on the clan lineage of its “martyrs” during the mandate and targeted certain clans with education programs to encourage or cement their loyalty. See, for example, “Daawo Sawirro: Arday Beesha Jiidle oo loosoo Xiray Machad Ay Ku Barten Cilmiga Sharciga Ah”, *Somalimemo*, (“The Jidou clan students completed their study of sharia”, informal translation by the SEMG), 6 February 2017, available from <http://somalimemo.net/articles/6443/Daawo-Sawirro-Arday-Beesha-Jiidle-oo-loosoo-Xiray-Mach>. Jidou clan militia had been supporting AMISOM in the Qoryoley area in late 2016 and early 2017.

⁴⁰ In Bakool, one expert claimed that the madrasa system was also a way of identifying girls for marriage.

14. The madrasa system in Middle Juba, Al-Shabaab's core stronghold, provides an example of the scale of the effort. During the mandate seven madrasas operated in Jilib, each with approximately 600 students between the age of 15 and 20 years old attending the facilities. In Sakow there were six madrasas, with the same number of students per facility, with many under the age of 15.

15. Attached to the madrasa was a second level of elite facilities to which children demonstrating potential were transferred for more intense, specialized training.⁴¹ Individuals identified for grooming as suicide operatives, for example, received special treatment to reinforce their commitment.⁴²

Forced recruitment of children

16. As noted above, since 2014 the SEMG has reported on the use by Al-Shabaab of detention, physical violence and threats of death of family members to force child recruitment. A new phenomenon which emerged during the current mandate, however, was the use of violence to collectively punish members of a community resisting child recruitment, either by refusing to hand over children or sending them out of the area.⁴³

17. A series of incidents in El Bur in Galgadud in June and July provide a snapshot of the intense nature of these practices. El Bur has been highly contested between Al-Shabaab and anti-Al-Shabaab forces: Ethiopian National Defence Forces (ENDF) withdrew in March 2017. In May, it was reported that 70 families had fled the area to protect their children from forced recruitment. On 21 June, Al-Shabaab ordered local elders to prepare 150 children between 9 and 17 years old to be handed over to the group for training after Ramadan. When the children were not delivered as demanded, 45 elders were rounded up by Al-Shabaab. They were later released on condition that the community provide 150 children for the group. Between 26 and 30 July, Al-Shabaab abducted 300 children between 6 and 17 years- old from Elqoxle, Hamarjadid, Gondey, Goni and Hindhere villages and took them to the Ali'Jimale centre madrasa.⁴⁴

18. Alongside this new phenomenon of abductions of community and family members, the rate of direct abduction of children by armed actors in Somalia more than tripled. Al-Shabaab alone accounted for 364 such cases recorded by UN protection monitors in the second quarter of 2017. As reported in 2016, many of these abductions took place in schools.

Training of children under 15 in Bay and Bakool

19. In [S/2016/919](#), annex 7.2, the SEMG documented a shift in focus by Al-Shabaab towards the recruitment of young children: this trend was consolidated during 2017,

⁴¹ Within the Bu'ale masjid system for example, young men who had been brought from refugee camps in Kenya were used as teachers to reinforce messages relating to the value of the cause: they had gone abroad and yet had returned.

⁴² One SEMG source in Middle Juba with knowledge of these training programs claimed that in the past some of these children had been sent to Afghanistan, India and Yemen for training. There had, however, been a pause in external training in 2017.

⁴³ Prior to 2016, violence and threat of violence to induce compliance with child recruitment measures was mostly used against individual families. Middle Juba was the exception, however, where local communities had little power in the local hierarchy and could be collectively intimidated.

⁴⁴ A month before Al-Shabaab had occupied schools in two of these villages.

including through the group's aggressive madrasa campaign described above. During the mandate the SEMG received information on the specialized training programs put in place for this population.

20. In September 2016 Al-Shabaab made a concerted effort to recruit 300 children under 15 — including 50 girls — for a specialized round of training. According to a 14-year old former Al-Shabaab trainee interviewed by the SEMG, the children were initially taken to the Kunyabarow training camp, Lower Shabelle region, and then to Bulo Fulay, Bay region.⁴⁵ He described how he received religious training in the morning and military training — including “explosions training” — in the afternoon.

21. In Bakool the training program for boys under 15 was similar, with religious and ideological schooling in the morning and military training in the afternoon.⁴⁶ In Sigle — one of the principal child training facilities in Bakool — military training comprised weapons handling and repair, defence and offense tactics, the assembly of IEDs and information gathering.⁴⁷

22. Girls at Bulo Fulay and Sigle were housed and taught separately and only received religious and ideological training.

Role of girls in Al-Shabaab

23. The role of women and girls in Al-Shabaab became an increasing focus of international actors during the mandate. A study conducted on behalf of UN Women identified that “women's recruitment and self-radicalising levels [we]re increasing” with young women from the Horn of Africa attracted into becoming ‘Jihadi brides’ in Somalia.⁴⁸ At the same time the practice of forced marriage of local Somali women and girls continued, with one source in Bakool describing how Al-Shabaab viewed its madrasa system as a channel for identifying wives for its fighters.

24. There was also an evolution of the role of women in Al-Shabaab towards more operational tasks. Security sources in Mogadishu and Baidoa, for example, noted that women — and occasionally girls — frequently transported weapons in and out of operation areas.⁴⁹ In Bay and Bakool informants were adamant, however, that girls were not given weapons training but were instructed in security and intelligence gathering, including target surveillance.

25. The SEMG was unable to verify allegations which emerged in Kenyan and international media in June 2017 that Al-Shabaab engaged in a practice of abducting women and girls from Kenya and taking them to Somalia for purposes of sexual slavery.⁵⁰

⁴⁵ Interview conducted on 16 May 2017. In Bay training of children takes place primarily in Bulo Fulay, Bush Madiine, Duur and Rama Caddey, with Bulo Fulay as the main training facility.

⁴⁶ Interviews conducted on behalf of the SEMG with an Al-Shabaab defector, a member of Al-Shabaab's recruitment unit, and a child of 15 still associated with the group, June 2017.

⁴⁷ Training centres in Bakool included: Sigle; Ceel-Garas; Ceel-Bon; Buur-Dhuxunle; and Labatan Jarow.

⁴⁸ Babatunde Taiwo, “Background Note: Women and Violent Extremism and the Horn of Africa”, *UN Women in Somalia*, 2017, on file with the Secretariat.

⁴⁹ A number of girls were found guilty of membership of Al-Shabaab during the mandate. In May 2017, for example, a 17-year-old girl was sentenced to a term of imprisonment by an Ahlu Suna wal Jama'a (ASWJ) court in Guriel town.

⁵⁰ See, for example, Dominic Wabala, “Shabaab men turn Kenyan schoolgirls into sex slaves”, *Standard Digital*, 10 June 2017. Available from <https://www.standardmedia.co.ke/article/2001242900/shabaab-men-turn-kenyan-schoolgirls-into-sex-slaves>.

Other armed actors

26. UN protection monitors did not report any instance of child recruitment by the Islamic State of Iraq and the Levant (ISIL) faction in Somalia between September 2016 and June 2017. In April 2017 in Bosaso, the SEMG encountered a 17-year-old boy who had defected from ISIL to the Puntland authorities, and referred their case to the relevant protection body.⁵¹

27. There was a steady, but low, number of incidents of child recruitment and use by the SNA and regional forces verified by UN protection monitors throughout the mandate. In May 2017, the SEMG received information relating to, and photographs of, an eleven-year-old child on duty with the ISWA *Darawish* in Baidoa town. He was dressed in full army uniform, holding an AK-pattern rifle, and smoking a cigarette. In July two ISWA child soldiers, 16 and 17 years old, were captured and executed by Al-Shabaab in Ideedi village outside of Berdale town.⁵²

28. Clan militia were also implicated in child recruitment, intensifying during periods where they were deployed to participate in large-scale violence — including alongside federal and regional forces — particularly in Galkayo and Lower Shabelle towards the end of 2016.⁵³ After Al-Shabaab and the SNA, Ahlu Sunna wal Jama'a (ASWJ) was the entity with the highest number of child recruitment and use violations.

29. While the SEMG was unable to confirm that the practice had come to an end, UN protection monitors did not record any instances of recruitment and use of children by AMISOM or other international forces between September 2016 and June 2017.

⁵¹ He was subsequently released by the Puntland authorities.

⁵² Email from UN staff member, 19 July 2017.

⁵³ There were 69 incidents of recruitment and use by clan militia verified by UN protection monitors between September and December 2016, compared with nine the following quarter.

Annex 11.3: Update: Abdirashid Hassan Abdinur — obstruction of humanitarian assistance and targeting of civilians⁵⁴

1. In [S/2016/919](#) the SEMG described how Abdirashid Hassan Abdinur, the Interim Jubba Administration (IJA) Minister of Security was responsible for targeting of civilians contrary to international law, as well as conduct constituting obstruction of humanitarian assistance, between 2014 and 2016.⁵⁵ During the mandate the SEMG continued to receive and analyse information on additional allegations relating to Abdinur's conduct between 2013 and 2017.

2. The IJA did not respond to the SEMG's official correspondence in September 2016 seeking information on the steps taken by the IJA authorities to investigate the allegations against Abdinur.⁵⁶ The SEMG again wrote to the IJA in September 2017 reiterating its request, including in relation to new allegations received, but had not received a reply as of time of writing.⁵⁷

Obstruction of humanitarian assistance

3. Notwithstanding his IJA-wide portfolio as Minister of Security, Abdinur returned from Kismayo to Dolow — a major humanitarian hub — and was almost continuously present during the height of the drought response⁵⁸ Directly and through the District Commissioner of Dolow, his former militia commander, Bashir Hassan Abdullahi, Abdinur oversaw the imposition of the same obstructive practices documented in [S/2016/919](#), annex 7.8.⁵⁹ These included: harassment, unlawful arrest, and purported expulsion of humanitarian workers; regulation amounting to obstructive interference with humanitarian action; attempts to influence recruitment and amounts of staff salaries, including mandatory registration of all job applicants and representation at job interviews; control of contracting, vendors, and office premises and direct financial extortion of staff; control of surveys and contracting of enumerators, in addition to interference with beneficiary lists.⁶⁰ Organizations which refused to accede to demands faced great difficulty in operating and staff were sometimes forced to leave the district.

⁵⁴ This account was based on interviews with former and current humanitarian workers in Dolow and the surrounding districts, UN staff members, former local government officials, members of the security forces, and humanitarian experts, between October 2016 and August 2017. Against a background of acute humanitarian imperative and high levels of fear in the humanitarian community, it was difficult to safely document individual, evidenced, instances of humanitarian obstruction. Incidents have been genericized to avoid identifying markers.

⁵⁵ See [S/2016/919](#), annex 7.8 and strictly confidential annex 7.8.1.

⁵⁶ See AC.29/2016/SEMG/OC.95. When challenged during the mandate, IJA President Ahmed Mohamed Islam "Madobe" expressed little capacity or willingness to rein in Abdinur's abuse of power.

⁵⁷ See AC.29/2017/SEMG/OC.129.

⁵⁸ On 20 February 2014, IJA President "Madobe" appointed Abdinur as Deputy Minister of Interior and Security. He was reappointed on 18 May 2016 as Minister of Security.

⁵⁹ Bashir Hassan Abdullahi "Idley Abaaley" (Rer Ahmed/Rer Samatar) was appointed District Commissioner (DC) in September 2016. The former DC, Aadan Bare, became his deputy, and Mohamed Hussein Abdi took over the position of Humanitarian Coordinator.

⁶⁰ See, inter alia, Letter from [the-then] Deputy Minister for Interior and Security, Abdinur, to all humanitarian organizations in Dolow, 6 July 2014, setting out a framework of "new rules and regulations set up for the recruitment process, staff selection, workshops and survey participation, due to so many circumstances regarding security and safety", on file with the Secretariat.

4. Individuals and organizations were actively targeted by the administration to dissuade them from activities in certain areas, choice of project structures, or selection of government or NGO partners.⁶¹ Abdinur continued to control at least three Dolow-based NGOs, notwithstanding their formal board and management structures, and made it difficult for humanitarian agencies to operate with other partners. These activities resulted in denial of humanitarian access, while ensuring that Dolow functioned as a locus for capture of humanitarian assets.⁶²

5. Notwithstanding the absence of the Somali National Army (SNA) or African Union Mission in Somalia (AMISOM) forces in Dolow, Abdinur maintained a high level of security in the town, effectively protecting humanitarian operations from external threats.⁶³ Despite the ostensible ease of access, however, and large humanitarian aid flows, humanitarian indicators in and around Dolow remained extremely poor. In mid 2015, for example, Dolow internally displaced persons (IDP) communities recorded the highest Global Acute Malnutrition (GAM) rate in all Somalia, at 26.4.⁶⁴ UN entities and partners at that time identified one of the major contributing factors to the deteriorating nutrition situation as obstruction by Abdinur and the Dolow administration, including of a critical water, sanitation and health project.⁶⁵ The situation has little improved. In early September 2017, Dolow IDPs were still classified in Integrated Food Security Phase Classification (IPC) 4 — the emergency phase — with GAM rates of 17.5.⁶⁶ In the context of the scale of humanitarian inputs which have consistently been directed at IDP communities in Dolow and the size of the population, these persistently critical rates of malnutrition, suggest systematic mismanagement or diversion of humanitarian inputs or manipulation of data.

Violations of international law involving targeting of civilians⁶⁷

6. During the mandate the SEMG collected additional evidence of Abdinur's responsibility for violations of international law involving the targeting of civilians

⁶¹ For a discussion of the impact of these policies on humanitarian access by and to communities on the east side of the river, see annex 10.1.

⁶² Abdinur was supported by a militia force and managed commercial interests, such as vehicle hire companies which contracted with humanitarian agencies. The Minister also dominated a significant part of the broader commercial sector in Dolow, having the capacity to shut down companies which operated counter to his interest.

⁶³ Ethiopian security and military officials worked closely with the administration.

⁶⁴ Food Security and Nutrition Analysis Unit (FSNAU), "Nutrition update May-June 2015", available from <http://www.fsnau.org/downloads/fsnau-nutrition-update-may-june-2015> (accessed 22 September 2017).

⁶⁵ Internal UN nutrition cluster document, July 2015, on file with the Secretariat; interviews with local and international humanitarian NGOs operating in Dolow, November 2016-August 2017.

⁶⁶ See Famine Early Warning Systems Network, "2017 Somalia Post Gu Seasonal Food Security and Nutrition Assessment: Key Findings", 5 September 2017, on file with the Secretariat. The SEMG received testimony during the mandate of the arrest and detention in Dolow police station of eleven IDPs in late 2014, after they objected to the diversion of aid intended for their communities. Interview with former humanitarian worker, Nairobi, 11 December 2016.

⁶⁷ The SEMG conducted interviews with victims of these violations; individuals detained alongside the primary victims; former UN and NGO — national and international — staff members; current UN staff members and local government and security officials, between November 2016 and August 2017.

between 2014 and 2017, both in relating to allegations received during the 2015-2016 mandate, and new allegations in relation to killings in 2013 and 2017.⁶⁸

7. In late 2016, the SEMG conducted interviews with individuals who had been arrested, tortured, detained, and some unlawfully transferred to Ethiopian custody during 2014 and 2015. Some of these individuals had been identified as the subjects of credible allegations relating to violations by Abdinur in S/2016/919 but had been unavailable for interview at the time.⁶⁹ Others were only willing to come forward and provide testimony during the current mandate on new allegations relating to conduct in 2014 and 2015.

8. Further to detailed interviews with direct victims, and individuals present during the commission of these violations, corroborated by testimony of others working in government and in humanitarian organizations at the time in Dolow, the SEMG identified that on the balance of probabilities Abdinur is responsible for murder, acts of torture and inhuman and degrading treatment — including dragging bound prisoners behind vehicles, on one occasion resulting in death; mock executions and threats of death; mutilation, severe beatings; and binding in stress positions — unlawful detention, and unlawful rendition of individuals out of Somalia during 2014 and 2015, constituting conduct described as a basis for the imposition of measures in paragraph 43 (e) of resolution 2093 (2013).⁷⁰

9. Members of Abdinur's militia were responsible for direct commission of some of these violations, under Abdinur's command and control. In some cases, Abdinur gave specific directions as to the treatment of detainees by phone or in person.⁷¹

Incidents involving targeting of civilians during the mandate

10. The SEMG continued to monitor violations committed by Abdinur in the context of arrest and detention, including detention without charge, trial or review, and unlawful transfer out of Somalia, on multiple occasions during the mandate.⁷²

⁶⁸ Bashi Abdullahi Diiriye, an FGS finance official, and Ahmed Abdi Dhudi, a well-known local elder who were killed on 5 and 7 January 2013 respectively.

⁶⁹ One series of violations, for example, took place in October and November 2014 and related to six men accused by Abdinur of assisting Al-Shabaab to plan an attack on Dolow: Farah Garane Hashi, former commander of Dolow Police Station; Hussien Mohamed Kaahin "Carabey"; Jaamac Xasan Aadan; Mohamed Adan Jama; Mohamed Ma'alim Yusuf and Mohamed Iman Jama. Mohamed Iman Jama was tortured to death during his detention in Dolow Police Station. The other men were all transferred without lawful procedure to Ethiopia and subsequently released between 2015 and 2016. See S/2016/919, annex 7.8, para. 89.

⁷⁰ Due to the level of fear which exists in the local community and among former victims, details of these interviews and corroborating information have not been provided.

⁷¹ Names of the main militia involved in the key incidents are on file with the Secretariat.

⁷² For example, on 7 June four men were arrested in Belet Hawo and transferred to Dolow police station, and then onwards on 18 June to Kenyan security forces in Mandera. Further to pressure from the IJA Parliamentary Committee on Human Rights, however, the men were returned and finally tried. Three of the men were found not guilty by an IJA military court and released on 8 August 2017. Two other men arrested from the hotel in Belet Hawo where the four were staying when they were arrested — and who had been held in Belet Hawo police station without trial since 7 June — were also released. There were at least two individuals in un-reviewed detention in Dolow as of this writing: Abdi Abdullahi Abdiqadir, arrested in May 2016, and Mahad Mohamed Jama arrested in December 2016.

*Killing of four prisoners at Belet Hawo police station, 24 July 2017*⁷³

11. On 24 July, four men in the control of the security forces in Belet Hawo were taken from the Belet Hawo police station and killed, their bodies found outside the town at a place locally known as Ali Dhere mountain.⁷⁴ Two had been in custody since March 2017, accused of having attacked the home of a local elder and Al-Shabaab affiliate; one held for seven months on grounds of association with Al-Shabaab; and the fourth had been arrested the previous afternoon. None had been charged or tried for any crime.

12. The circumstances of the killing of the four men in Belet Hawo were similar to the killing of four civilians in custody in Dolow police station in July 2015 and investigated by the SEMG in S/2016/919, annexes 7.8 and 7.8.1 (strictly confidential). The cases involved: the same controlling authority; four prisoners accused of association with Al-Shabaab; an absence of judicial process; and killings conducted in a manner which appeared calculated to strike fear into the community.⁷⁵ All these factors raised questions about Abdinur's involvement.⁷⁶

13. As was the case after the 2015 killings, Abdinur conducted a radio interview later that day in which he referred to the prisoners as "Al-Shabaab" and justified the killings by saying that he would have wanted them to be killed, though "in principle" through a legal process.⁷⁷ When pressed as to how that determination could have been made in the case of Farah Khalif Abdi, who had only been arrested earlier that afternoon, Abdinur's response was that the evidence was sufficient as they had captured him in possession of explosives.⁷⁸ Later Abdinur allegedly stated at a public meeting in Belet Hawo that the killing of Farah was "a mistake".

14. Abdinur arrived in Belet Hawo from Luq on the day of the murders and ordered the arrest of the Belet Hawo District Commissioner, Mohamud Hayd Osman, the Director of Social Services Abdulkadir Hussein Ibrahim Ganey "Dhagajun", and the IJA-appointed Director of Intelligence Ali Hassan Deer. All three were transferred to custody at Dolow police station.

15. On 4 August, the IJA Military Court sitting in Dolow found the three men guilty of the four killings but ordered the payment of *diya* only to the families of two of the

⁷³ This account was compiled based on interviews with individuals with knowledge of the security situation, government officials, staff members of humanitarian organizations, and UN officials.

⁷⁴ The four murdered men were Mohamed Jeele Hassan, Diriye Sugow Salad, Gurey Mohamed Diriye and Dahir Farah Kahlif. One official told the SEMG that the order to execute the men had been made only in respect of the three long term detainees, but that the fourth, Farah, had been mistakenly added to the group.

⁷⁵ The bodies of the four men were found dumped outside the town, some with bones broken.

⁷⁶ For example, four days after the killings, Abdinur's convoy was attacked with an IED. Abdinur arrested the Luq District Police Commander — who had been part of the convoy — and held him at Dolow police station, until 8 August 2017, accusing him of involvement in the attack.

⁷⁷ See http://www.bbc.com/somali/bbc_somali_radio/p058zw8w (accessed 22 September 2017).

⁷⁸ Abdirahman Maxamed Hussien, Deputy Minister of Interior of the IJA, and Fatuma Khalif Abdi, sister of one of the murdered men, also gave interviews to the Voice of America. The Deputy Minister contradicted Abdinur, claiming that Farah had been detained a few days previous. Farah's sister clarified, however, that he had been detained on the morning of 23 July 2017 at a clinic where he was attending with a sick child. See <https://www.voasomali.com/a/xiisad-ka-dhalataya-maxaabiis-la-dilay-oo-ka-taagan-beledxaawo/3958073.html> (accessed 22 September 2017).

murdered men.⁷⁹ No *diya* payments were stipulated in respect of the other two murdered men, who had been arrested in connection with a grenade attack on the home of a local elder.⁸⁰ All three officials were released. Further to an announcement at a public meeting called by Abdinur in Belet Hawo, the three men returned to their former positions of authority in the town. Abudllahi Somo, the Belet Hawo Police Commissioner, subsequently resigned and moved to a position in the IJA regional forces.

Deteriorating security situation in Gedo⁸¹

16. During the mandate the SEMG received allegations from a variety of security and government sources that Abdinur manipulated the security environment and Gedo armed actors — from local militia to SNA and Al-Shabaab — to further his ability to maintain power in the area, in a manner which impacted the short and long term security situation in the area.⁸²

17. On 11 September 2017, there was a major attack on Belet Hawo by Al-Shabaab. The attack involved a large number of fighters east of the town using a vehicle-borne improvised explosive device (VBIED) to assault an IJA forces base under the command of Abdinur's militia leader, Jamal Hassan.⁸³ The local administration and soldiers fled towards Kenya and Al-Shabaab took over the town, burning administration offices, carrying out a number of assassinations, and releasing prisoners at Belet Hawo police station. The fighting and flight of the forces and administration across the border and the arrival of Al-Shabaab into the town prompted shelling from the Kenyan Defence Forces. At least three civilians were killed and over eight injured as a result of the military activity.

18. The circumstances of the attack on Belet Hawo by Al-Shabaab on 11 September 2017 indicated that local support for Al-Shabaab had increased. Members of the local community with whom the SEMG spoke partly attributed this evolution to Abdinur's treatment of the population under his control, suggesting that Al-Shabaab had exploited this frustration. After the attack on the forces military base on 11 September, for example, local Marehan/Hawrarsame militia — which had been the focus of attacks by Abdinur's forces in August 2016 — were invited by Al-Shabaab to loot the camp.⁸⁴ Eight of the 13 prisoners released from the Belet Hawo police station were Marehan/Ali Dhere, the majority clan in Belet Hawo. One of those who gave a speech to the population during the brief Al-Shabaab takeover, was a man who had previously been detained without charge for a year at Belet Hawo police station, and reportedly tortured. He had been released after protracted negotiations with his family and subsequently re-joined Al-Shabaab.

⁷⁹ As of 1 September 2017, no *diya* payment had been made. The SEMG received information from FGS security officials that two of the men, Mohamud Hayd Osman and Ali Hassan Deer — who were later found responsible for the incident — were physically present at the killings and gave direct orders to the militia.

⁸⁰ The SEMG understands that the local elder, Abdi Adan, did not believe the two men accused were responsible for the attack on his home.

⁸¹ This section was compiled further to interviews with current and former security and government officials engaged in operations in Gedo, staff of NGO and UN entities, and members of the local community.

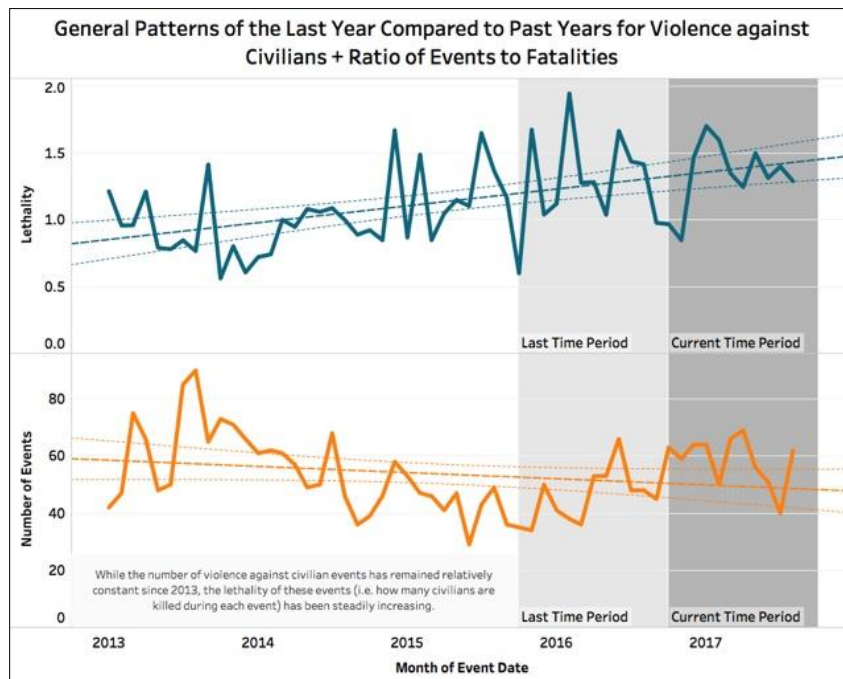
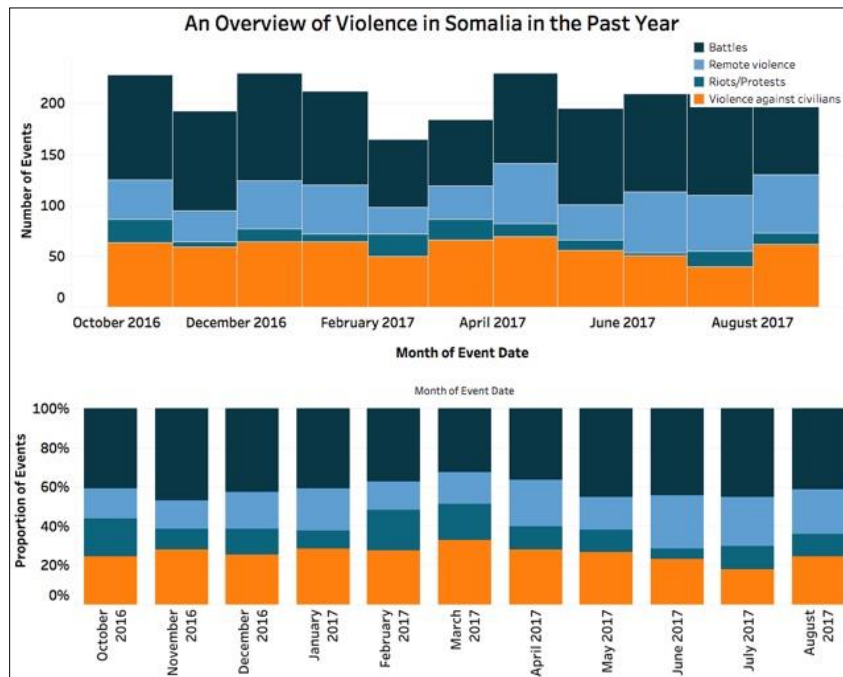
⁸² See annex 11.3.1 (strictly confidential).

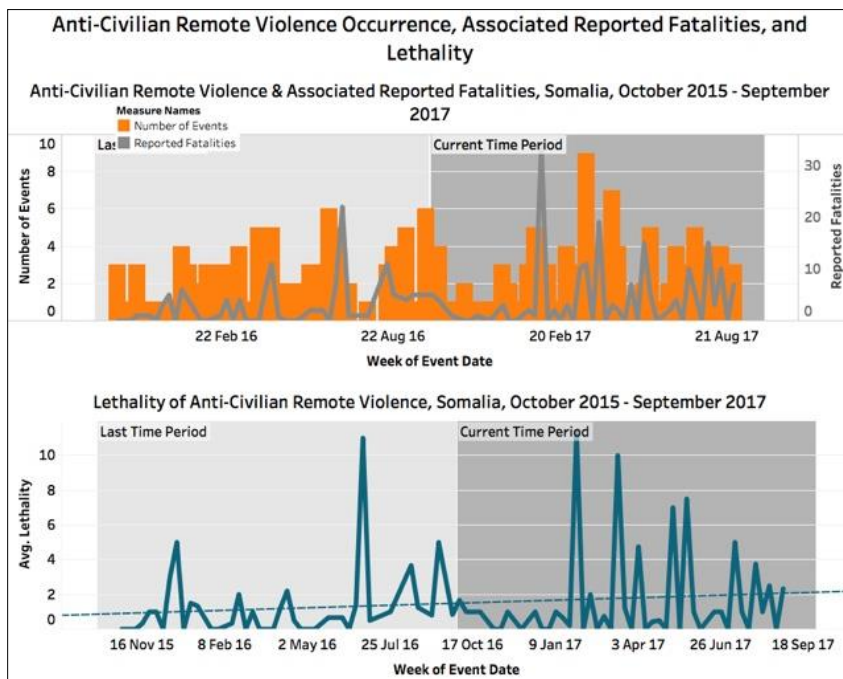
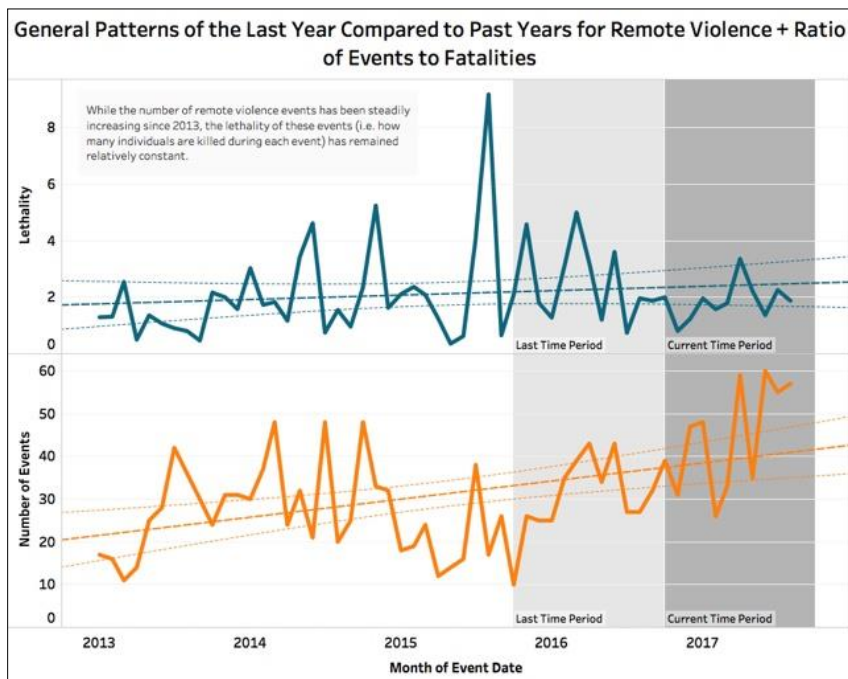
⁸³ One security source told the SEMG that Jamal had been warned about the attack by his son, Mohamed, who was among the Al-Shabaab attacking force.

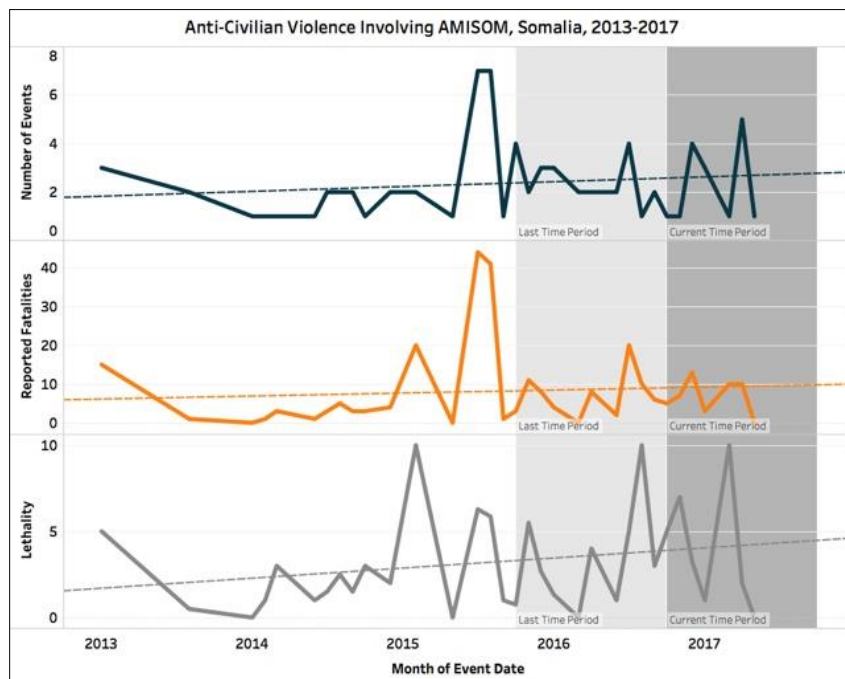
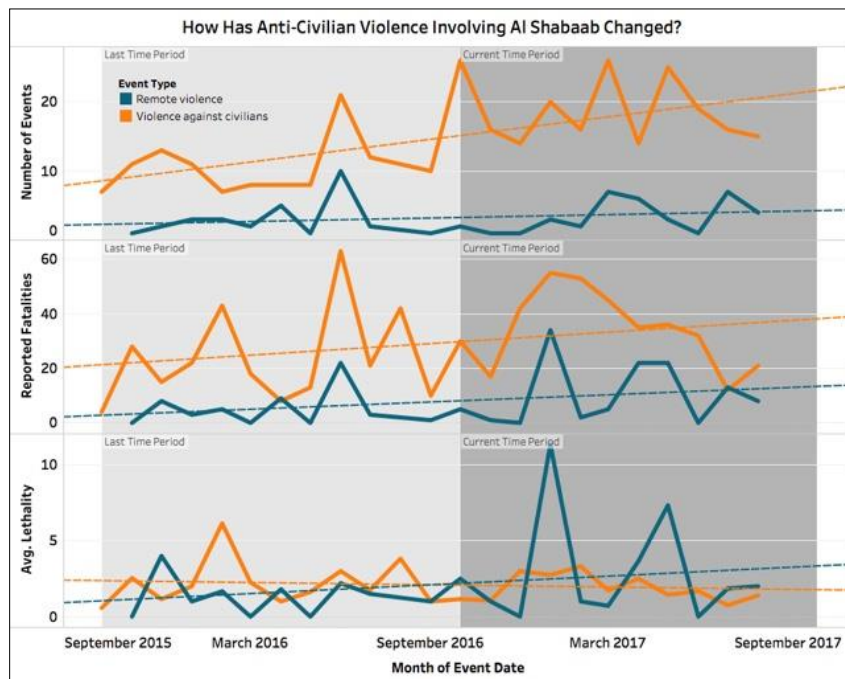
⁸⁴ See annex 11.3.1 (strictly confidential).

**Annex 11.3.1: Update: Abdirashid Hassan Abdinur (STRICTLY
CONFIDENTIAL)***

Annex 11.4: ACLED statistics







Annex 12.1: Charcoal stockpiles

Figure 1: Satellite imagery of Charcoal stockpiles at Buur Gaabo, 9 July 2017.



Figures 2 and 3: Satellite imagery of northern and southern Kismayo charcoal stockpiles, 24 June 2017.



Annex 12.2.1: Selected cases of sanctions implementation — Bahrain (November 2016)

1. On 22 November 2016, two members of the Monitoring Group, who were in Bahrain for meetings with Combined Maritime Forces (CMF), observed trucks departing Khalifa Bin Salman Port with cargoes of what appeared to be green bags of Somali charcoal (see figure 1). This was consistent with information received from an SEMG source that dhows had been unloading cargoes of Somali charcoal onto trucks for transshipment to Saudi Arabia (see figure 2). It also matched information communicated to the Bahrain authorities in letters from the SEMG dated 24 October 2016, 1 November 2016, and 15 November 2016 regarding the impending arrival of three dhows with a total cargo of 76,000 bags of charcoal loaded in Kismayo and another dhow with a cargo of 30,000 bags of charcoal loaded in Buur Gaabo.
2. On 23 November, two members of the SEMG met with representatives of the General Directorate of Security and Follow Up, Customs Affairs at the Ministry of Interior, Kingdom of Bahrain. The Monitoring Group shared photos taken the previous day of trucks departing Khalifa Bin Salman Port with cargoes of what appeared to be green bags of Somali charcoal. Customs Affairs agreed to provide the SEMG access to Khalifa Bin Salman Port, where a dhow, *Al Hussain*, claiming to be Sri Lankan-flagged with registration 91909, was unloading a cargo of 30,000 bags of suspected Somali charcoal.
3. *Al Hussain* had submitted paperwork claiming the port of departure had been Moroni, Comoros, while the available evidence indicated that *Al Hussain* was most likely an Indian-flagged dhow identified in a 15 November letter from the SEMG, *Al Faizul Barkat*, MNV 1967, which had loaded its cargo of 30,000 bags of charcoal from Buur Gaabo in mid-October (see figure 4).¹ Customs Affairs stopped the unloading of *Al Hussain* and confiscated the remaining cargo of 15,000 bags of charcoal (see figure 3). Customs documentation and dockworker testimony confirmed the other three dhows previously identified by the SEMG's letters to the Bahrain authorities had already docked and unloaded their cargo of Somali charcoal.

Figure 1: Truck departing Khalifa bin Salman Port.



Figure 2: Saudi Arabia charcoal bag on board *Al Hussain*.

¹Subsequent investigation during 2017 confirmed *Al Hussain*'s Sri Lankan ship registration had been forged.

[illegible]

Annex 12.2.2: Selected cases of sanctions implementation — United Arab Emirates and Djibouti (November 2016 – March 2017)

1. On 29 November 2016, the SEMG wrote to the United Arab Emirates (UAE) regarding a dhow, *Naji*, which had loaded 27,000 bags of charcoal in Buur Gaabo in early November, recently docked at Port Al Hamriya, and was likely to submit a false Djibouti certificate of origin. The UAE replied on 1 December 2016, noting it had partially confiscated the cargo of *Naji*, and providing the SEMG with a copy of a Djibouti certificate of origin (see figure 1). The Monitoring Group wrote to the UAE on 16 December 2016, stating that CMF had provided aerial photos of *Naji* taken near UAE territorial waters on 20 November 2016. The photos matched the description of the dhow and its cargo of distinctive green charcoal bags that had departed Buur Gaabo on 2 November and docked at Port Al Hamriya on 27 November. The SEMG also noted that the consignee, Mohd Ali Shaheen General Trading Co. (L.L.C.), had been previously identified as trafficking in illicit Somali charcoal earlier that year (see [S/2016/919](#), annex 9.4.a).
2. The UAE replied on 5 January 2017, stating that it had received a letter from the Embassy of the Republic of Djibouti to the UAE attesting to the authenticity of *Naji*'s paperwork. The SEMG wrote to the UAE on 20 January, acknowledging it had received confirmation from the Djibouti Chamber of Commerce that it had issued the certificate of origin, but that the Monitoring Group remained concerned that this paperwork had been fraudulently obtained. The UAE replied on 3 February 2017, asserting that in the absence of another letter from the SEMG it would release the remaining cargo of *Naji* on 14 February 2017.
3. The SEMG undertook an official mission to the Republic of Djibouti from 20-24 February 2017. Following meetings with senior representatives of the Ministry of Foreign Affairs and International Cooperation, the Djibouti Ports and Free Zone Authority, Customs, and the Chamber of Commerce, the Monitoring Group confirmed that Djibouti had not exported any charcoal during 2016 and 2017 (and fewer than 3,000 bags during 2014 and 2015). The Harbour Master at the Djibouti Ports and Free Zone Authority further confirmed that no dhows with charcoal cargoes, including *Naji*, had arrived at or departed from Djibouti (see figure 2). On 4 November 2016, the Chamber of Commerce had issued to a local company, Abet Enterprise SARL, one certificate of origin for the export of 27,000 bags of charcoal to the UAE (as well as other certificates of origin for the export of charcoal to the Kingdom of Saudi Arabia). However, following the official mission of the Monitoring Group, the Djiboutian authorities have since concluded that these certificates were fraudulently obtained and have suspended the license of the front company, Abet Enterprise SARL (see figure 3).
4. In a letter to the UAE dated 2 March 2017, the SEMG summarized the evidence obtained during its official mission to Djibouti. The SEMG then met with the UAE authorities in Dubai on 23 March 2017, where it presented this evidence proving Djibouti certificates of origin to be false. In response to a request by the SEMG, the UAE authorities provided copies of Djibouti charcoal certificates of origin for 15 dhows that it had already accepted, with a combined cargo of 435,000 bags of charcoal weighing more than 10,000 metric tons. The Djibouti certificates of origin had been attested to by Ambassador Osman M. Darar at the Embassy of the Republic of Djibouti in Abu Dhabi between 4 November 2016 and 7 February 2017, and then submitted to UAE customs for processing. The UAE authorities agreed to cease accepting Djibouti certificates of origin on an interim basis,

pending the outcome of their own investigation, including a meeting with Ambassador Darar.

5. The previous day, 22 March 2017, the Monitoring Group had met with Ambassador Darar at his office in Abu Dhabi. The SEMG presented evidence collected from Djibouti authorities during the official mission 20-24 February indicating that Djibouti had not exported any bulk cargoes of charcoal going back to at least 2014, and that the Djibouti certificates of origin from the Chamber of Commerce had been fraudulently obtained. When asked why he had attested to false paperwork, how many certificates of origin he had attested to, and who had brought him the false paperwork, Ambassador Darar directed the SEMG to address its queries through official channels. Accordingly, the Monitoring Group sent a letter to Djibouti on 28 March 2017, requesting information regarding attestation of charcoal certificates of origin by its embassy in Abu Dhabi. This included not only 435,500 bags weighing more than 10,000 metric tons from November 2016 to February 2017, but also charcoal cargoes of more than 2 million bags weighing more than 50,000 metric tons during 2014 and 2015. As of this writing, Djibouti had not replied.

6. SEMG investigations have identified Basheer Khalif Moosa, a Djiboutian national residing in Dubai, as the most likely source of the false Djibouti charcoal paperwork. Previous reporting by the Monitoring Group in 2013 and 2014 had identified Moosa as the primary source of false Djibouti paperwork for Dubai-based charcoal traffickers.² A corporate registration document issued in 2015 by the Djibouti Office of Industrial and Commercial Property links Bashir Khalif Musse (a.k.a. Basheer Khalif Moosa) to Abet – Shir Enterprise SARL (a.k.a. Abet Enterprise SARL), the front company whose license was suspended in February 2017 by the Djibouti Ministry of Foreign Affairs and International Cooperation for fraudulently obtaining certificates of origin from the Djibouti Chamber of Commerce (see figure 4). In letters to the UAE dated 28 March and 2 June 2017, the SEMG requested an update on any investigation by the UAE authorities into the criminal network responsible for false Djibouti certificates of origin. As of this writing, the UAE had not replied to this request.

7. In the letter to the UAE dated 2 June, the SEMG also reiterated an observation it had initially made at the meeting with the UAE authorities on 23 March: the consignee for 9 out of the 15 dhows with Djibouti charcoal certificates of origin was listed as “Mohd Ali Shaheen Gen Trdg LLC”. Mohd Ali Shaheen General Trading Co. (L.L.C.) was previously identified as the consignee for a dhow possessing false Comoros paperwork, *Raj Milan*, whose cargo of Somali charcoal was seized and sold at public auction by the UAE authorities in 2015.³ Mohd Ali Shaheen General Trading Co. (L.L.C.) was also identified in last year’s report as the consignee for three dhows with false Comoros paperwork for cargoes of Somali charcoal, *Al Zuber*, *Shree Nausad* and *Yasin*.⁴ The cargoes of the latter two dhows were also confiscated and sold at public auction in May 2016. However, despite an evident pattern of sanctions violations, the

Monitoring Group remains unaware of any investigation by the UAE authorities into Mohd Ali Shaheen General Trading Co. (L.L.C.).

² S/2013/413, annex 9.2; and 26, annex 9.4.

³ S/2015/801, annex 8.3.

⁴ S/2016/919, annex 9.4.a.

Figure 1: False Djibouti certificate of origin.



Figure 2: Letter from Djibouti Ports and Free Zone Authority.



Figure 3: Letter from Djibouti Ministry of Foreign Affairs and International Cooperation.

UNITE - EGALITE - PAIX

LE MINISTRE

MINISTERE DES AFFAIRES ETRANGERES ET
DE LA COOPERATION INTERNATIONALE,

N°167/MHORMI/2017/MAECI
DJBOUTI LE 12^e 3^e FEV 2017

..... نام,
جولياني في

وزارة الشؤون الخارجية والتعاون الدولي
الوزير
التفويض الرسمي باسم الحكومة

A

Monsieur le Coordonateur du Groupe de Contrôle sur la Somalie et l'Erythrée

Monsieur le Coordonateur,

Dans le cadre de la visite à Djibouti du 20 au 23 Février 2017 des experts du Réseau de Contrôle sur la Somalie et l'Erythrée, en application du paragraphe 38 de la résolution 2317 (2016) du Conseil de Sécurité de l'ONU et, suite aux différentes consultations avec les Autorités des Ports et des Zones Franches, la Chambre de Commerce de Djibouti et la Direction Générale de la Douane sur l'exportation du charbon de bois en provenance de la Somalie vers les Pays du Golfe par la Société Abet Entrepriise Sari, j'ai l'honneur de vous informer que le Gouvernement de la République de Djibouti a décidé de suspendre temporairement les activités de cette Société pour utilisation de faux documents.

Je vous s'agréer, Monsieur le Coordonateur, l'assurance de ma considération distinguée.

Mahmoud Ali Yousseuf

(٢٠١٧) ل. هـ ٣٨ : ٤٦٥ / (٩) (٢٠١٧) ع ٣٢٣ : ٤٦٥ / (٢٠١٧) ع ٣٢٣ : ٤٦٥

Figure 4: Document from Djibouti Office of Industrial and Commercial Property.

L'Office Djiboutien de La Propriété Industrielle et Commerciale (ODPIC) Avis d'immatriculation et de modification aux registres du commerce et des sociétés (RCS) et des Marques.

Acte rectificatif : Dissolution anticipée

Suite au procès-verbal de l'Assemblée Générale Extraordinaire de la société « **ABET – SHIR ENTREPRISE** » SARL en date du 11/05/2015, dressé et authentifié par **Me DJIHAD SAID ALI**, les associés de ladite société se sont réunis et ont décidé à l'unanimité :

– la dissolution anticipée de ladite société.

– la nomination de **Monsieur BASHIR KHALIF MUSSE** en qualité de liquidateur pour une durée de six (6) mois à compter de ce jour.

Acte rectificatif : CESSIION DE PARTS SOCIETAIRES/EXTENSION DE L'OBJET

Suite à l'avenant aux statuts de la société « **GENIUS CONSULTING** » SARL du 19/05/2015 authentifié par **Me AHMED ABDOURAHMAN CHEIK**, il a été décidé les modifications suivantes :

CESSIION DE PARTS SOCIETAIRES :

M. WARSAMA ALI OUMARAR cède et transporte sous les garanties ordinaires et de droit, à **M. AMIN ALI ABDI** qui accepte **50 PARTS** lui appartenant dans ladite société soit **5 000 FDI**.

• Conséquences sur la répartition des apports et du capital (Article six et sept nouveaux) :

M. WARSAMA ALI OUMARAR 5 000 FDI soit 50 PARTS

M. AMIN ALI ABDI 5 000 FDI soit 50 PARTS

EXTENSION DE L'OBJET :

« Le développement territorial, l'urbanisme, l'architecture, l'ingénierie, les recherches, les études, les conseils, les enquêtes, les expertises, la cartographie, les levés topographiques, le géomorphisme, le I.T, la formation, la conception
L'exécution et le suivi des travaux ou des recherches commandités dans les domaines de l'aménagement et de l'habitat.

De conseiller les entreprises sur la qualité des états financiers, la viabilité de l'entreprise et l'égalité de traitement accordée aux actionnaires.

L'expertise comptable, l'audit, la comptabilité générale, la liquidation, la formation, les conseils divers et les études. Le transport logistique et activités connexes, les travaux publics et privés, le commerce, l'hôtellerie tourisme et restauration, les matériels électroniques électriques bureaux télécommunications et autres, activités artisanales, automobile et activités connexes, mode tissu et parfumerie, activités immobilières et industrie ».

Aux termes d'un acte authentique, établi par **Me. DJIHAD SAID ALI** reçu par l'Office Djiboutien de la Propriété Industrielle et Commerciale (ODPIC), le 31/05/2015 il a été immatriculé sous le n°17618/SARL ou RCS, une société dont les principales caractéristiques sont les suivantes :

Dénomination sociale : « **ABET ENTREPRISE** » SARL

Nom commercial : « **ABET ENTREPRISE** »

Sigle social : Djibouti Durée : 99 ans

Capital : 1 000 000 FDI

Selon la nomenclature provisoire des activités établie par l'ODPIC pour le Registre de Commerce ;

Objet : 111Commerce

Gérant : **M. MOHAMMED KIFLE AHMED**

Aux termes d'un acte sous-seing privé, déposé par **Me. FATOUMA MAHAMOUD HASSAN** reçu par l'Office Djiboutien de la Propriété Industrielle et Commerciale (ODPIC), le 30/05/2015 il a été immatriculé sous le n°17164/N/SAS ou RCS, une société dont les principales caractéristiques sont les suivantes :

Dénomination sociale : « **AIR DJIBOUTI** » SAS

Nom commercial : « **AIR DJIBOUTI** »

Sigle social : Djibouti Durée : 99 ans

Capital : 178 000 000 FDI

Selon la nomenclature provisoire des activités établie par l'ODPIC pour le Registre de Commerce ;

Objet : 81Transport, logistique et activités connexes

Président du conseil d'administration : **M. ABOUBAKER OMAR HADI**

N° de dépôt : 140/15

Date : 16/04/2015

Titulaire : **DOCTOR'S ASSOCIATES INC.**

Adresse : 325 Bic Drive, Milford, CT, 06461 U.S.A.

Mandat : Cabinet d'Avocat **WABAT DADOU**

Marque Mère :

Classe Désignée : 43

OFFICE DJIBOUTIEN DE LA PROPRIÉTÉ INDUSTRIELLE ET COMMERCIALE

Rue Mohamed Dileita, Plateau de Serpent, Commune de Ras-Dika, Djibouti.

BP: 2017

Tel: 00 253 21 35 60 11

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Site web: www.odpic.info

Annex 12.2.3: Selected cases of sanctions implementation — Kuwait (April 2017-May 2017)

1. On 29 and 30 April 2017, the CMF contacted the Monitoring Group regarding two dhows with cargoes of charcoal that were being held by the Kuwait Coast Guard in Al Doha Port under suspicion of having violated the Somali charcoal ban. The dhows, *Al Sahil* and *Haruni*, possessed paperwork indicating that their charcoal cargo had originated in Djibouti. After reviewing the paperwork, the SEMG advised the CMF and the Kuwait Coast Guard that the certificates of origin were not authentic and that the two dhows were most likely part of a group of twelve dhows that had loaded in Buur Gaabo and Kismayo from late February to early March 2017, and had since been anchored near Port Al Hamriya. This was consistent with information that had been received from a confidential source on 25 April that two dhows with cargoes of Somali charcoal were departing Port Al Hamriya anchorage bound for Kuwait.
2. Subsequent investigation by the Monitoring Group has revealed that the dhows' respective Sri Lankan ship registration documents had also been forged (see figure 1). During an official mission to Sri Lanka, 4-6 May, the Director General of Merchant Shipping for Sri Lanka provided evidence to the Monitoring Group indicating that the Sri Lankan ship registrations for *Al Sahil* and *Haruni* are forgeries. *Al Sahil* and *Haruni* do not appear within the official Sri Lankan ship registry, nor did their ship registration forms and accompanying stamps match originals provided by the Sri Lanka authorities.
3. The SEMG travelled to Kuwait on official mission 22-26 May. The SEMG had several meetings with the Kuwait authorities, including the coast guard and customs, inspected *Al Sahil* and *Haruni* and their cargoes of Somali charcoal, and interviewed the captains of the dhows (see figure 2). The Monitoring Group would like to acknowledge the excellent cooperation of the Kuwait authorities as well as the facilitation of information sharing by Combined Task Force 152 at CMF.
4. Interviews with the dhows' captains indicated *Al Sahil* had been loaded with 28,500 Djibouti-marked bags of charcoal in Buur Gaabo in mid-March 2017 and *Haruni* had been loaded with 17,350 Djibouti-marked bags of charcoal in Kismayo in early March. Both dhows proceeded to Port Al Hamriya anchorage, where they remained for several weeks until receiving false Djibouti paperwork delivered by a contact person, who also gave instructions for the dhows to proceed to Kuwait, where they arrived at Al Doha Port on 29 and 30 April. The SEMG corroborated the captains' testimony regarding the course of each dhow through referencing the data on the dhows' GPS devices. Upon arrival, the Kuwait authorities soon thereafter seized the dhows and their cargo and detained the crews. The loading of Djibouti-marked charcoal bags in Buur Gaabo and Kismayo (see figures 3 and 4) and the provision of false Djibouti paperwork while the dhows were anchored near Dubai suggest a vertically integrated criminal network with accomplices within both Somalia and the UAE.
5. On 13 August, at the CMF headquarters in Bahrain, a representative of the Kuwait Coast Guard updated the Monitoring Group. The charcoal cargoes of *Al Sahil* and *Haruni* have been confiscated by Customs and stored at a warehouse at the port. The dhows are in the custody of the Kuwait authorities and the captains have been charged and released on bail, pending completion of a criminal prosecution under Kuwaiti domestic law. The Monitoring Group would like to highlight the proactive stance toward sanctions implementation taken by the Kuwait authorities, setting a useful precedent for the region.

Figure 1: False Sri Lanka ship registration.

[illegible]

Figure 2: Al Sahil at Doha Port.



Annex 12.2.4: Selected cases of sanctions implementation — United Arab Emirates (June 2017-August 2017)

1. On 27 June 2017, the SEMG contacted the CMF regarding four dhows departing from Kismayo with a total cargo of 101,000 bags that had been loaded in Kismayo on 23 and 24 June. On 30 June, SEMG contacted the CMF regarding a fifth dhow that had loaded 40,000 bags in Buur Gaabo on 28 June. SEMG estimated the location of the first four dhows to be on the Somalia coastline somewhere between Hobyo and Eyl, with their course set through the Strait of Socotra and onward to Port Al Hamriya. The SEMG also noted that based on a recent official mission to Kismayo and Buur Gaabo, where the charcoal stockpiles had been observed, the dhow cargoes would be comprised of typically green charcoal bags. The CMF was also informed that should there be an opportunity for maritime interdiction, the dhows may possess a false ship registration but likely no paperwork regarding their illicit cargo, as this would be received from charcoal traffickers at Port Al Hamriya anchorage. On 1 July, the CMF informed the SEMG that “contacts of interest” matching the description of the dhows with charcoal cargoes had been identified and were being tracked.
2. On 6 July, the Monitoring Group wrote to the UAE regarding the impending arrival of five dhows with a total cargo of 141,000 bags of charcoal from Somalia. The SEMG noted that checkpoint taxation in Somalia by Al-Shabaab at a rate of \$2.50 per bag likely generated at least \$350,000 in income for the armed group. The UAE was informed that the CMF was tracking the five dhows and their anticipated destination was Port Al Hamriya anchorage. The letter further explained that the names and registrations of the dhows would be altered, so the best way to identify them would be through reference to the size of their cargo and the type of charcoal bags coming from Kismayo and Buur Gaabo — a distinctive green colour with possible markings of “Bay and Bakool” or the image of a palm tree (see figure 1). The Monitoring Group also noted that the dhows may attempt to dock with false Côte d’Ivoire paperwork and requested copies of all Côte d’Ivoire certificates of origin submitted since April 2017 — when the UAE stopped taking false Djibouti certificates of origin.
3. The CMF subsequently located at Port Al Hamriya anchorage — within the territorial waters of the UAE — the five dhows it had tracked *en route* from Somalia, through the Strait of Socotra, and along the Yemen and Oman coastlines (see annex 12.2.5, strictly confidential). On more than a dozen distinct occasions between 14 July and 22 August, detailed information was communicated from the CMF to the UAE authorities regarding these dhows in anticipation that they would take sanctions enforcement action.⁵ The lines of communication to the UAE authorities included via the US Naval Forces Central Command (NAVCENT), the US Naval Criminal Investigative Service (NCIS), and the US Defence Attaché to the UAE. The UAE authorities that were regularly notified regarding these dhows included the UAE Coast Guard, UAE Navy, UAE Federal Customs Authority, and the Dubai Police. Initially, the information shared included descriptions of the dhows and their cargoes, plus their precise geographic locations; subsequently, this was expanded to sharing more detailed reports, including imagery and analysis.
4. Meanwhile, events at Port Al Hamriya anchorage seemed to indicate that the charcoal traffickers had become aware that the UAE authorities had been notified and that the CMF

⁵ Email from a senior officer at CMF, 22 August 2017.

was tracking the dhows, as had been indicated in the SEMG's confidential letter dated 6 July. On 6 August, the UAE replied to the SEMG's letter of 6 July, stating the relevant customs authorities had been informed and requesting the registrations of the five dhows, despite the Monitoring Group already having indicated that the charcoal traffickers would utilize fake names and registrations for the dhows. That same day, the CMF aerial surveillance documented dhows which had been tracked from near the Somalia coastline transferring their cargo of charcoal onto other dhows while anchored within UAE territorial waters (see annex 12.2.5, strictly confidential). Despite having received detailed real-time information from the CMF on more than a dozen occasions, the UAE Coast Guard, which had the jurisdiction to take enforcement action, failed to board and inspect the dhows at Port Al Hamriya anchorage.

5. On 25 August 2017, the UAE wrote to the Monitoring Group regarding two dhows, *Maha* (registration SL301240) and *Ola* (registration 9330112), suspected of violating the Somali charcoal ban. Their respective cargoes consisted of 10,320 bags and 26,470 bags. The UAE provided copies of Ghana certificates of origin, invoices, packing lists, and supporting documents from Ghana authorities in Accra and at the Ghana Consulate General in Dubai (see figure 2). On 29 August, the Monitoring Group replied to the UAE, noting the following points:

- the shipping company identified on the paperwork, "Sea Shore Marine Services Limited", is not listed on the registry of licensed charcoal exporters from Ghana;
- the consignee, Salim Al Khattal Group Marine Contracting & Trading LLC, has previously traded in illicit Somali charcoal using false Ghana paperwork (see [S/2016/919](#), annex 9.4.b);
- the stamp of the notary public which appears on the certificates of origin and legal declarations is the same stamp previously used on false Ghana paperwork during 2016 ([S/2016/919](#), annex 9.7.c); and
- the SEMG believes that the charcoal aboard *Maha* and *Ola* was transported to Port Al Hamriya anchorage aboard one of the dhows identified in its letter of 6 July before being transferred to these dhows in an attempt at sanctions evasion.

6. The Monitoring Group recommended that the cargoes of *Maha* and *Ola* not be released to the consignee and that the UAE authorities consider confiscation of the total cargo of 36,790 bags of charcoal. At the time of writing, a reply from the UAE remains pending.

Figure 1: Green bags of charcoal with palm tree logo at Kismayo stockpile.



Figure 2: False Ghana certificate of origin.

Goods consigned from (Exporter's business name, address, country) SHORE MARINE SERVICES LIMITED (GHANA)		Reference No 104642	
Goods consigned to (Consignee's name, address, country) PER AL KHATTAL GROUP MARINE CONTAINER TRADING (DIB) AT NEW TRADING (OHAN)		GENERALISED SYSTEM OF PREFERENCES DECLARATION AND CERTIFICATE FORM A Issued in GHANA (Country) See Notes overleaf	
Means of transport and route (as far as known) BY SEA, "OLA"(9330112)		4. For official use	
6. Marks and numbers on packages	7. Number and kind of packages, description of goods 26470 BAGS OF CHARCOAL	8. Origin criterion (see Notes overleaf) "P"	9. Gross weight or other quantity 661750 KGS
10. Number and date of invoices B/L NO SSKS2098		11. Declaration by the exporter The undersigned hereby declares that the above details and statements are correct, that all the goods were produced in GHANA (Country) and that they comply with the origin requirements specified for those goods in the Generalised System of Preferences for goods exported to UAE (Importing Country) TEMA: 13/07/17 TEMA: 13/07/17	
12. Certification It is hereby certified, on the basis of control carried out, that the declaration by the exporter is correct.		Place and date, signature and stamp of certifying authority GHANA CHAMBER OF COMMERCE & INDUSTRY TEMA: 13/07/17 TEMA: 13/07/17	

**Annex 12.2.5: Charcoal dhows at Port Al Hamriya anchorage, Dubai, UAE
(STRICTLY CONFIDENTIAL)***