

## **Position and Perspectives from Somalia on the BTWC:**

This period seems to be a decisive moment for the future of Somalia. After twenty six years of war, instability and fragmentation, Somalia has the opportunity to take a decisive step on its path towards the re-establishment of national institutions.

Regional states of Somalia, like Jubaland, Puntland, South-West, Galmudug, Hirshabeelle and Somaliland are the promoters of the positive exploitation of this opportunity.

Indeed, in this process of institutionalisation, which has been marked by the elections in 2016, federalism seems to be the only possible option in order to guarantee stability and national unity.

In this lengthy process, security and development are strongly linked. Neither can happen without the other. To realise this nexus a strong national and international effort is required.

The national effort consists mostly of a political consensus of the Regional states of Somalia on the creation of an autonomous and loyal Somali National Army.

Since January 1992 Security Council Resolution 733 established an arms embargo on Somalia in reaction to the ongoing conflict and deteriorating humanitarian situation. This Resolution was unanimously adopted.

In June 2001 Security Council Resolution 1356 allowed for exemptions to the embargo for supplies of non-lethal military equipment for use in humanitarian operations.

In March 2013 Security Council Resolution 2093 amended the restrictions and procedures related to arms supplies to the Somalian Government while maintaining the embargo on arms supplies to non-state actors in the country. Security Council Resolution 2111 from July 2013 further clarified the decisions of Resolution 2093. Under the resolutions, for a one-year period, until 6 March 2014, the arms embargo on Somalia shall not apply to deliveries of weapons, military equipment, assistance or training intended solely for the development of the Security Forces of the Federal Government of Somalia, and to provide security for the Somali people.

Although at first sight this appeared to have fulfilled the requests from the Somali Government and the African Union that had called for lifting the conditions on military

supplies to the Somali Government, such conditions remained or became even more restrictive.

Firstly, the resolutions introduced an annex listing several categories of military equipment the supply of which to the Federal Government of Somalia always requires an advance approval from the Sanctions Committee on a case-by-case basis. The items in the annex are Surface to Air Missiles; guns, howitzers and cannons with a calibre greater than 12.7 mm and their ammunition and components; mortars with a calibre greater than 82 mm; anti-tank guided weapons; charges and devices intended for military use containing energetic materials and weapons sights with a night vision capability.

The resolution does not indicate why these items were selected and questions can be raised about the formulations used in the annex. For example 'charges and devices intended for military using containing energetic materials' includes all types of regular ammunition.

Secondly, Resolution 2111 clarified that as before, in the absence of a negative decision by the Sanctions Committee supplies of weapons or military equipment intended solely for helping to develop Somali security sector institutions were allowed.

The resolutions differ from previous ones in that the Federal Government of Somalia instead of the supplier states was made responsible for ensuring that the Sanctions Committee is notified at least five days in advance of deliveries of weapons, military equipment, assistance and training to the security forces of the Federal Government of Somalia.

Finally the resolutions forbade the Federal Government of Somalia to transfer weapons to any entity or individual not in the service of its security forces. The resolutions did not clarify the definition of 'in service of its security forces', which is problematic because of the informal relations between the Federal Government of Somalia armed militias. However, the resolutions did oblige the Federal Government of Somalia to report to the UN Security Council on the structure of its Security Forces and the infrastructure and procedures for securing its arms stockpiles.

In March 2014 Security Council Resolution 2142 reaffirmed the overall arms embargo on Somalia and extended the provisions related to arms supplies to the Somali government until 25 October 2014.

In October 2014 Security Council Resolution 2182 reaffirmed the overall arms embargo on Somalia and extended the provisions related to arms supplies to the Somali government until 30 October 2015. It also authorised for a period of 12 months states to inspect in Somali waters or on the high seas vessels bound for Somalia which they have reasonable grounds to believe are carrying weapons to Somalia in violation of the arms embargo. In October 2015 the arms embargo was extended until 15 November 2016.

The main security challenge, terrorism, is a cross-border threat requiring at least a regional and International approach, which opens problems of coordination between the countries of the Horn of Africa and the rest of the world.

There is a need to face terrorism through a coordinated approach in which the national interventions could be separated – but always included in a regional comprehensive strategy.

The Somali government approved the anti-terrorism law in April 2015, as Parliamentarian and member of the PGA I will put my efforts at BWC in the context of anti-terrorism law which will soon be presented to the Parliament.

From the international perspective, International partners for Somalia should probably reconsider their attempts, looking not just at security challenges but also at opportunities for development.

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