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Carta de fecha 2 de noviembre de 2017 dirigida a la Presidencia del Consejo de Seguridad por el Presidente del Comité del Consejo de Seguridad dimanante de las resoluciones 751 (1992) y 1907 (2009) relativas a Somalia y Eritrea

En nombre del Comité del Consejo de Seguridad dimanante de las resoluciones 751 (1992) y 1907 (2009) relativas a Somalia y Eritrea, y de conformidad con el párrafo 40 de la resolución 2317 (2016) del Consejo de Seguridad, tengo el honor de transmitir adjunto el informe sobre Somalia del Grupo de Supervisión para Somalia y Eritrea.

A este respecto, el Comité agradecería que la presente carta y el informe se señalaran a la atención de los miembros del Consejo de Seguridad y se publicaran como documento del Consejo.

(Firmado) Kairat **Umarov**
Presidente

Comité del Consejo de Seguridad dimanante de las resoluciones 751 (1992)
y 1907 (2009) relativas a Somalia y Eritrea

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Comité del Consejo de Seguridad dimanante de las resoluciones
751 (1992) y 1907 (2009) relativas a Somalia y Eritrea por el
Grupo de Supervisión para Somalia y Eritrea**

De conformidad con el párrafo 40 de la resolución 2317 (2016) del Consejo de Seguridad, tenemos el honor de transmitir adjunto el informe sobre Somalia del Grupo de Supervisión para Somalia y Eritrea.

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Índice

	<i>Página</i>
I. Introducción	9
A. Mandato	9
B. Metodología	9
II. Actos que amenazan la paz, la seguridad y la estabilidad de Somalia	10
A. Harakaat al-Shabaab al-Mujaahidiin	10
B. Facción del Estado Islámico en el Iraq y el Levante en Somalia	16
C. Conflictos entre las comunidades	18
D. Gestión de las finanzas públicas	20
E. Gobernanza de los recursos	26
F. Resurgimiento de la piratería	29
G. Conducta electoral indebida	31
III. Embargo de armas	32
A. Corriente ilícita de armas a Somalia	32
B. Cumplimiento por el Gobierno Federal de las obligaciones en virtud del levantamiento parcial del embargo de armas	35
C. Otras instituciones somalíes del sector de la seguridad: cumplimiento del embargo de armas	39
D. Establecimiento de una base militar de los Emiratos Árabes Unidos en Berbera	39
E. Equipo militar capturado durante las operaciones ofensivas de la Misión de la Unión Africana en Somalia y las fuerzas de seguridad del Gobierno Federal	40
F. Reforma del sector de la seguridad	41
IV. Obstrucción de la asistencia humanitaria	42
A. Al-Shabaab	42
B. Obstáculos burocráticos	43
C. Principales rutas de suministro	44
D. Desvío de la asistencia humanitaria	45
E. Ataques contra trabajadores humanitarios	46
F. Manipulación de la ayuda para excluir a las comunidades marginadas y alimentar el conflicto	46
V. Violaciones del derecho internacional humanitario relacionadas con ataques contra la población civil	47
A. Al-Shabaab y el Estado Islámico en el Iraq y el Levante	47
B. Fuerzas federales y regionales, milicias de los clanes y otros elementos delictivos	48
C. Misión de la Unión Africana en Somalia y las fuerzas internacionales	49
D. Reclutamiento y utilización de niños	50
VI. Corrección del informe anterior del Grupo de Supervisión para Somalia y Eritrea establecido en virtud de la resolución 2244 (2015) del Consejo de Seguridad (S/2016/919)	50
A. Producción, transporte y almacenamiento	51

B.	Exportación ilícita de carbón vegetal	52
C.	Tramitación de documentos y redes delictivas	52
D.	Aplicación de la prohibición relativa al carbón vegetal	53
VII.	Corrección del informe anterior del Grupo de Supervisión para Somalia y Eritrea establecido en virtud de la resolución 2244 (2015) del Consejo de Seguridad (S/2016/919)	54
VIII.	Cooperación estatal y no estatal con el Grupo de Supervisión	54
IX.	Aplicación de sanciones selectivas	55
X.	Recomendaciones	55
A.	Amenazas a la paz y la seguridad	55
B.	Embargo de armas	56
C.	Derecho internacional humanitario	56
D.	Prohibición relativa al carbón vegetal	56
E.	Lista de sanciones	57
F.	Desvinculación	57
 Anexos*		
1.1:	Al-Shabaab procurement of weapons following attacks on AMISOM	58
1.2:	Al-Shabaab use of improvised explosive devices (IEDs) (STRICTLY CONFIDENTIAL)*	61
1.3:	2 January 2017 VBIED attack in Mogadishu	62
1.4:	Puntland IED seizures	65
1.5:	Al-Shabaab financing in Bay and Bakool regions	67
2.1:	ISIL occupation of Qandala	70
2.2:	Leadership of the ISIL faction	74
2.3:	Mobile phone analysis of Abbas Mahamoud Yusuf and the ISIL faction (STRICTLY CONFIDENTIAL)*	76
2.4:	ISIL attack on International Village Hotel	77
2.5:	May 2017 ISIL suicide bombing in Bosaso (STRICTLY CONFIDENTIAL)*	78
3.1:	Galkayo conflict: 7 October to 18 November 2016	79
4.1:	Currency management	89
4.2:	Abdullahi Mohamed Nor	92
4.2.1:	CADG Engineering Pte. (STRICTLY CONFIDENTIAL)*	97
5.1:	Berbera port payoffs	98
5.2:	Fishing governance	100
5.3:	Oil governance	102
5.4:	Strategic Natural Resource Management & Consultants Inc.	106
6.1:	The Abdikarim Salah Mohamed a.k.a. Aw Koombe network and the hijacking of the Aris 13 (STRICTLY CONFIDENTIAL)*	108

* Los anexos se distribuyen únicamente en el idioma en que se presentaron y sin revisión editorial.

7.1: Puntland arms smuggling networks	109
7.1.1: Puntland interdiction of arms from Yemen	122
7.2: Maritime seizure of arms in March 2016 by <i>La Provence</i>	123
7.2.1: Belarus sights (STRICTLY CONFIDENTIAL)*	128
8.1: Halane Central Armoury inspections, 26 April and 29 August 2017	129
8.2: Registration and distribution procedures at Halane	132
8.3: Review of paperwork related to ammunition distribution from Halane (STRICTLY CONFIDENTIAL)*	136
8.4: Review of paperwork related to a shipment of weapons and ammunition from Djibouti (STRICTLY CONFIDENTIAL)*	137
8.5: Diversion	138
9: Establishment of a United Arab Emirates military base in Berbera	140
10.1: Marginalized communities and humanitarian access	141
10.2: Involvement of a Lower Shabelle NGO in inter-clan conflict (STRICTLY CONFIDENTIAL)*	148
11.1: Destruction of Shiidle villages near Balad, Middle Shabelle	149
11.2: Child recruitment and use	154
11.3: Update: Abdirashid Hassan Abdinur — obstruction of humanitarian assistance and targeting of civilians	160
11.3.1: Update: Abdirashid Hassan Abdinur (STRICTLY CONFIDENTIAL)*	165
11.4: ACLED statistics	166
12.1: Charcoal stockpiles	169
12.2.1: Selected cases of sanctions implementation - Bahrain (November 2016)	170
12.2.2: Selected cases of sanctions implementation - United Arab Emirates and Djibouti (November 2016 – March 2017)	172
12.2.3: Selected cases of sanctions implementation - Kuwait (April 2017-May 2017)...	176
12.2.4: Selected cases of sanctions implementation - United Arab Emirates (June 2017- August 2017)	179
12.2.5: Charcoal dhows at Port Al Hamriya anchorage, Dubai, UAE (STRICTLY CONFIDENTIAL)*	182

Resumen

Tras un proceso electoral prolongado y problemático, el 8 de febrero de 2017 los Miembros del Parlamento eligieron en Mogadiscio a un nuevo Presidente del Gobierno Federal de Somalia, Abdullahi Mohamed Abdullahi “Farmaajo”. A fines de marzo se nombró a un nuevo Primer Ministro, Hassan Ali Khaire, y a un nuevo gabinete. Durante los seis primeros meses en el cargo, la administración ha tenido que hacer frente a múltiples problemas.

Las relaciones entre el Gobierno Federal y las administraciones regionales del país se han vuelto tensas porque aparentemente el Gobierno ha renegado de sus compromisos de delegar poder a las regiones con una nueva estructura de seguridad nacional y por una continua falta de consenso sobre algunos aspectos de la gobernanza de los recursos. Entretanto las administraciones regionales han seguido negociando unilateralmente con entidades extranjeras sobre los puertos, las instalaciones militares y los recursos naturales.

Estas dificultades se agravaron por el aumento de las tensiones entre los miembros del Consejo de Cooperación del Golfo. Como diversos Estados Miembros de la región se vieron obligados a tomar partido en la crisis del Golfo de junio de 2017, la administración Farmaajo se ha visto cada vez más aislada por su decisión de mantenerse neutral. Las administraciones regionales, muchos parlamentarios y partes de la influyente comunidad empresarial de Mogadiscio se oponen abiertamente a esa postura.

Entretanto, el grupo militante Harakaat al-Shabaab al-Mujaahidiin (Al-Shabaab) sigue siendo la amenaza más inmediata para la paz y la seguridad en Somalia. En el transcurso del mandato, se ha avanzado poco o nada para mitigar esa amenaza. Al-Shabaab mantiene el control sobre una gran parte del territorio rural y sigue controlando algunos centros urbanos en las zonas meridional y central de Somalia. El 2 de enero de 2017 Al-Shabaab detonó en Mogadiscio el que probablemente fuera el mayor artefacto explosivo improvisado de la historia del grupo. Los análisis de laboratorio de la explosión revelaron rastros de nitrato potásico, lo que sugiere que Al-Shabaab podría haber comenzado a fabricar explosivos caseros.

La presencia de Al-Shabaab en Puntlandia, en el noreste de Somalia, se ha ampliado, lo que agrava las dificultades a que se enfrentan las autoridades de la región. Al mismo tiempo, ha aumentado el número de integrantes de la facción del Estado Islámico en el Iraq y el Levante (EIIL), limitada en gran medida a la región de Bari en el noreste de Puntlandia, y está atrayendo a una gama cada vez más amplia de reclutas. La facción del EIIL tomó brevemente el control de la ciudad de Qandala, en la costa septentrional de Puntlandia, y llevó a cabo su primer ataque suicida en Bosaso. Si bien su capacidad sigue siendo limitada, la afluencia de combatientes extranjeros que huyen de la presión militar en el Iraq, la República Árabe Siria y otros lugares podría presentar una amenaza significativa para la región.

El Grupo de Supervisión para Somalia y Eritrea sigue preocupado por las continuas corrientes de armas ilícitas en Somalia, en particular a través de la costa septentrional de Puntlandia. El acceso limitado inhibe la capacidad del Grupo para verificar la frecuencia y el volumen de las entregas, pero las pruebas reunidas sugieren una tasa de aproximadamente un envío de armas al mes solo en Puntlandia, procedente principalmente del Yemen.

Entretanto, el Gobierno Federal hizo llamamientos repetidos para que se levantase completamente el embargo de armas, pese a su incapacidad para cumplir plenamente sus obligaciones actuales de conformidad con el levantamiento parcial. En los dos últimos años se han realizado múltiples envíos de armas sin notificar o notificados parcialmente al Gobierno Federal y las administraciones regionales. A pesar de ligeras mejoras, persisten las deficiencias en la gestión de las armas y municiones por parte del Gobierno Federal, en particular en lo que respecta a la distribución y localización de material. Habida cuenta de la vulnerabilidad del sistema al desvío, y la amenaza que esto representa para la paz y la seguridad, especialmente entre las tensiones en curso entre el centro y la periferia, el Grupo de Supervisión no recomienda que se flexibilice más el embargo de armas.

A pesar de las mejoras limitadas en la gestión de las finanzas públicas, las instituciones federales siguen siendo incapaces de hacer frente a una corrupción generalizada. Se han seguido eludiendo los mecanismos establecidos para examinar los contratos gubernamentales, y la falta de transparencia sobre la titularidad de las empresas hace que existan sospechas de nepotismo en todos los contratos públicos. Los ministerios del Gobierno siguen eludiendo la Cuenta Única del Tesoro del Banco Central de Somalia, evitando así que las autoridades fiscales del Gobierno Federal supervisen sus ingresos. Continúa la apropiación y el uso indebidos de terrenos públicos en Mogadiscio, a pesar de que la administración anterior prometió abordar el problema. La impresión de moneda somalí falsificada en Puntlandia sigue menoscabando la estabilidad económica y ha dado lugar a brotes de disturbios civiles.

Durante el mandato, Al-Shabaab fue responsable del mayor número de víctimas civiles, como resultado de ataques a gran escala contra objetivos civiles y a la imposición de castigos violentos contra personas y comunidades. Los conflictos entre comunidades, agravados a menudo por la participación de fuerzas nacionales y regionales y de Al-Shabaab, causaron importantes daños civiles. Las tensiones de larga data en Galkayo y el Bajo Shabelle se convirtieron en un conflicto armado abierto que provocó el desplazamiento de más de 180.000 civiles. En junio, Al-Shabaab también inició una campaña agresiva de reclutamiento de niños, que obligó a cientos de niños a entrar en el sistema de madrasas del grupo.

Tras la declaración de una alerta de hambruna en febrero, Al-Shabaab siguió prohibiendo las operaciones humanitarias y bloqueó violentamente las zonas controladas por el Gobierno, lo que causó el desplazamiento de más de 800.000 civiles. Al aumentar la respuesta a la sequía, la extorsión en puestos de control ilegales en las principales rutas de suministro, a menudo controlados por fuerzas de la administración nacional o regional, aumentó los gastos globales de la prestación de ayuda. Los trabajadores humanitarios también tuvieron un mayor riesgo de secuestros y de la destrucción y el saqueo de los suministros por Al-Shabaab. Las medidas de los asociados humanitarios internacionales y las organizaciones comunitarias somalíes impidieron que Somalia sufriera una nueva hambruna.

Por último, el volumen global de exportaciones ilícitas de carbón vegetal de Somalia meridional siguió siendo similar a los niveles anteriores. A diferencia de la mayor parte de 2015 y 2016, cuando Al-Shabaab prohibió de manera intermitente el comercio de carbón en las zonas bajo su control, el grupo ha reanudado el cobro sistemático de impuestos al carbón vegetal en los puestos de control entre las existencias y los puertos de Buur Gaabo y Kismayo. Según una estimación conservadora, Al-Shabaab consigue al menos 10 millones de dólares al año con el comercio ilícito de carbón vegetal. Dubái (Emiratos Árabes Unidos) sigue siendo el principal destino de las exportaciones, así como un centro de redes delictivas que violan la prohibición relativa al carbón vegetal con una impunidad casi total. Con la notable excepción de Kuwait, la aplicación de la prohibición relativa al carbón vegetal ha sido deficiente, en particular por la Administración Provisional de Yuba y

la Misión de la Unión Africana en Somalia, y los Emiratos Árabes Unidos entre los países importadores. La falta de compromiso con la aplicación consistente de las sanciones, y en algunos casos un incumplimiento notoriamente deliberado de la prohibición relativa al carbón vegetal, facilitan la financiación de Al-Shabaab y socavan las medidas de lucha contra el terrorismo en Somalia.

I. Introducción

A. Mandato

1. El mandato del Grupo de Supervisión para Somalia y Eritrea, establecido en el párrafo 13 de la resolución 2060 (2012) del Consejo de Seguridad e incluido en el párrafo 41 de la resolución 2093 (2013) y el párrafo 15 de la resolución 2182 (2014), se renovó en el párrafo 38 de la resolución 2317 (2016).
2. De conformidad con el párrafo 40 de la resolución 2317 (2016) y el párrafo 13 l) de la resolución 2060 (2012), el 21 de abril de 2017 el Grupo de Supervisión proporcionó al Consejo de Seguridad, por conducto del Comité del Consejo de Seguridad dimanante de las resoluciones 751 (1992) y 1907 (2009) relativas a Somalia y Eritrea, información actualizada de mitad de periodo. El Grupo también presentó al Comité informes mensuales sobre los progresos realizados a lo largo de su mandato.
3. En el curso de sus investigaciones, miembros del Grupo de Supervisión viajaron a Bahrein, Bélgica, Côte d'Ivoire, Djibouti, los Emiratos Árabes Unidos, España, los Estados Unidos de América, Etiopía, Francia, la India, Kuwait, Qatar, la República Islámica del Irán, el Reino Unido de Gran Bretaña e Irlanda del Norte, Somalia, Sri Lanka, Sudáfrica, el Sudán, Turquía y Uganda.
4. El Grupo de Supervisión tuvo su sede en Nairobi y estuvo integrado por los siguientes expertos: James Smith (Coordinador), Jay Bahadur (grupos armados), Charles Cater (recursos naturales), Déirdre Clancy (asuntos humanitarios), Tapani Holopainen (finanzas), Nazanine Moshiri (armas) y Richard Zobot (armas).

B. Metodología

5. Los criterios probatorios y procesos de verificación descritos en los informes anteriores del Grupo de Supervisión se aplican a la labor realizada durante el mandato que se examina. El Grupo reafirmó la metodología utilizada en sus informes anteriores. La metodología utilizada para el presente informe es la siguiente:
 - a) Se reúne información sobre hechos y temas de múltiples fuentes, cuando es posible;
 - b) Se reúne información de fuentes con conocimiento directo de los hechos, cuando es posible;
 - c) Se determina la coherencia de la información y se comparan los datos existentes con la información nueva y las tendencias emergentes;
 - d) Siempre se tiene en cuenta la capacidad técnica y el juicio del experto competente del Grupo de Supervisión y la evaluación colectiva de este en lo que respecta a la credibilidad de la información y la fiabilidad de las fuentes;
 - e) Se obtienen pruebas materiales, fotográficas, de audio y de vídeo o documentos probatorios para corroborar la información reunida;
 - f) Se analizan las imágenes de satélite, cuando proceda.
6. El Grupo de Supervisión hizo un esfuerzo consciente y sistemático por acceder a los implicados en violaciones de las sanciones por medio de personas que tenían conocimiento directo de los detalles de dichas violaciones o que conocían a personas que lo tuvieran. En algunas ocasiones, el Grupo fue testigo de primera mano de violaciones que se estaban produciendo.

7. El Grupo se entrevistó con una gran variedad de fuentes que poseían información pertinente, como funcionarios gubernamentales y representantes de misiones diplomáticas, organizaciones de la sociedad civil y organismos de asistencia. Miembros del Grupo también se reunieron o se comunicaron con funcionarios de las administraciones de Puntlandia, Somalilandia y las administraciones provisionales regionales, representantes de grupos políticos y grupos armados, disidentes y miembros de las comunidades de empresarios y de la sociedad civil somalí.

8. De conformidad con el boletín del Secretario General sobre la confidencialidad, la clasificación y el manejo de la información (ST/SGB/2007/6), el Grupo de Supervisión ha presentado al Comité, junto con el presente informe, varios anexos estrictamente confidenciales que contienen información cuya divulgación podría ser perjudicial para el buen funcionamiento de las Naciones Unidas o para el bienestar y la seguridad de su personal o de terceros, o podría contravenir las obligaciones jurídicas de la Organización. Esos anexos no se publicarán como documento del Consejo de Seguridad.

II. Actos que amenazan la paz, la seguridad y la estabilidad de Somalia

A. Harakaat al-Shabaab al-Mujaahidiin

9. El grupo militante Harakaat al-Shabaab al-Mujaahidiin (Al-Shabaab) sigue siendo la amenaza más inmediata para la paz, la seguridad y la estabilidad de Somalia. Las principales operaciones ofensivas de la Misión de la Unión Africana en Somalia (AMISOM) y el Ejército Nacional Somalí contra Al-Shabaab se han estancado desde julio de 2015, que fue la última fase de la Operación Corredor del Yuba. Por consiguiente, el grupo mantiene el control de gran parte del valle del Yuba, incluidas las ciudades de Jilib, Jamame y Bu'ale, lo que permite al grupo mantener los impuestos sobre las granjas de la zona, una fuente importante de sus ingresos. Incluso en torno a los centros urbanos en todo el sur y el centro de Somalia ocupados por las fuerzas de seguridad nacionales o regionales o la AMISOM, Al-Shabaab sigue manteniendo el control sobre las zonas rurales y las principales rutas de suministro, lo que permite al grupo cortar el aprovisionamiento a grandes segmentos de la población.

10. En marzo de 2017, los Estados Unidos emitieron una directriz por la que clasificaron a grandes extensiones de Somalia meridional como zonas de guerra, permitiendo la ampliación de operaciones de combate terrestres y aéreas. Entre junio y mediados de septiembre, los Estados Unidos realizaron 9 ataques aéreos en Somalia reconocidos públicamente, en comparación con 13 durante todo 2016. Los ataques provocaron la muerte confirmada de al menos tres comandantes de mediano o alto rango de Al-Shabaab¹. Sin embargo, como se ha señalado en anteriores informes del Grupo de Supervisión (véase S/2016/919, párr. 11), históricamente la erosión de los dirigentes de Al-Shabaab ha tenido pocos efectos en la capacidad del grupo para llevar a cabo ataques asimétricos y convencionales dentro de Somalia. Los principales objetivos de sus operaciones siguen siendo el personal de mantenimiento de la paz de la AMISOM y funcionarios del Gobierno Federal de Somalia o de las administraciones regionales, que Al-Shabaab considera apóstatas.

¹ Bureau of Investigative Journalism, Somalia: Reported US actions 2017, se puede consultar en www.thebureauinvestigates.com/drone-war/data/somalia-reported-us-covert-actions-2017 (consultado el 19 de septiembre de 2017).

Operaciones internas y regionales

11. Al-Shabaab sigue llevando a cabo ataques complejos periódicamente en Mogadiscio, normalmente con artefactos explosivos improvisados colocados en vehículos seguido de un asalto por cuatro o cinco pistoleros suicidas contra hoteles y restaurantes frecuentados por funcionarios del Gobierno Federal y miembros de las fuerzas de seguridad. Desde el comienzo del mandato actual, el grupo ha llevado a cabo tres ataques en Mogadiscio, contra el hotel Dayah el 25 de enero de 2017, el Café Italian el 8 de mayo y el hotel Posh y el restaurante adyacente Pizza House el 14 de junio. Murieron al menos un total de 77 personas.

12. Además, el 2 de enero de 2017 Al-Shabaab hizo estallar un artefacto explosivo improvisado colocado en un vehículo en un puesto de control del Organismo Nacional de Inteligencia y Seguridad en la Puerta de la Medina del complejo del aeropuerto internacional Adan Abdulle de Mogadiscio. Se estima que tenía hasta 1.200 kg de equivalencia de TNT, con lo que probablemente sea el artefacto explosivo de mayor peso jamás empleado por el grupo (véase el anexo 1.3)².

13. Al-Shabaab también sigue planteando una amenaza militar convencional ocasional para la AMISOM y las fuerzas de seguridad nacionales y regionales. El 27 de enero, combatientes de Al-Shabaab irrumpieron en una base de las Fuerzas de Defensa de Kenya en Kulbiyow, a ambos lados de la frontera entre Kenya y la región del Bajo Yuba en Somalia, y causaron la muerte de al menos 67 soldados de las Fuerzas de Defensa de Kenya. Fue el primer ataque convencional a gran escala contra la base de un país que aporta contingentes a la AMISOM desde el atentado fallido contra el contingente de las Fuerzas Nacionales de Defensa de Etiopía en Halgan, región de Hiran, el 9 de junio de 2016 (véase S/2016/919, párr. 23).

14. En cambio las operaciones terroristas transfronterizas de Al-Shabaab siguieron remitiendo y el grupo no pudo realizar ataques importantes fuera de Somalia. Sin embargo, la insurgencia de Jaysh Ayman, vinculada con Al-Shabaab, sigue activa en el bosque de Boni de Kenya y continúa llevando a cabo ataques frecuentes en el condado de Lamu en Kenya contra las fuerzas militares, la policía y la población civil de Kenya. En mayo de 2017, oficiales de Kenya anunciaron que la policía había detenido al menos a 33 miembros de Al-Shabaab en Kenya, con lo que se frustraron dos atentados terroristas importantes planificados, desde que comenzó la operación antiterrorista Linda Boni en diciembre de 2016³.

Al-Shabaab del Noreste en Puntlandia

15. El Grupo de Supervisión ha informado ampliamente sobre la insurgencia de Al-Shabaab del Noreste contra las autoridades de Puntlandia en las montañas de Golis, observando con preocupación que Puntlandia servía de posible cobijo para militantes de Al-Shabaab que huían de la presión militar en Somalia meridional y central, así como de conducto entre Al-Shabaab y Al-Qaida en la Península Arábiga (véase, por ejemplo, S/2016/919, párrs. 30 a 32 y anexo 1.3). En su informe de 2016, el Grupo de Supervisión informó de que la insurgencia contaba con entre 70 y

² Entrevistas con expertos en artefactos explosivos improvisados en Mogadiscio, 8 de febrero de 2017, así como con un ingeniero de explosivos independiente, que hizo un análisis de la escena del impacto basado en imágenes de satélite y las dimensiones del cráter, tomando el promedio de los valores evaluados con tres metodologías separadas. Sin embargo, un oficial de operaciones del Servicio de las Naciones Unidas de Actividades relativas a las Minas (UNMAS) en Mogadiscio estimó que la masa explosiva del artefacto explosivo improvisado colocado en un vehículo oscilaba entre 200 y 500 kg de equivalencia de TNT. Correo electrónico enviado al Grupo de Supervisión el 14 de septiembre de 2017.

³ Galgalo Bocha, "Official: police foiled planned Jamhuri Day Shabaab attack", *Daily Nation*, 18 May 2017. Se puede consultar en www.nation.co.ke/counties/tana-river/33-suspected-Shabaab-terrorists-arrested/3444928-3931876-iyplcyz/index.html.

100 combatientes (véase S/2016/919, párr. 31). Sin embargo, hay indicios de que en 2017 el grupo ha aumentado significativamente su número, tal vez en respuesta a la creciente presencia de la facción rival del EIIL en la región de Bari de Puntlandia⁴.

Ataque contra Afurur y política de “capturar y liberar” de Puntlandia

16. En la madrugada del 8 de junio de 2017, Al-Shabaab lanzó su ataque militar convencional más mortífero en Puntlandia, cuando irrumpió en la base militar de Afurur y mató a unos 60 soldados *darawish* (fuerzas regulares de Puntlandia). El incidente fue el primer gran enfrentamiento armado entre las fuerzas de Puntlandia y la insurgencia de Al-Shabaab del Noreste en las montañas de Golis desde la gran ofensiva de Puntlandia de octubre de 2014, en la que se capturó Galgala de los militantes. Afurur, situada a unos 30 kilómetros al sudoeste de la ciudad de Galgala, había servido de punto de paso clave a lo largo de la ruta de abastecimiento meridional de Al-Shabaab en las montañas de Golis, pero estaba ocupada por las fuerzas de Puntlandia desde junio de 2015.

17. Uno de los líderes de la operación de Afurur fue Abdullahi Abdi Haji, alias Mursal Madobe, miembro de Al-Shabaab desde 2006 (véase S/2016/919, anexo 1.5 (estrictamente confidencial)). Como se detalla en el informe del Grupo de Supervisión de 2016, las autoridades de Puntlandia detuvieron a Haji en agosto de 2015, pero posteriormente lo pusieron en libertad como parte de una amnistía general otorgada a miembros de Al-Shabaab aparentemente arrepentidos concedida por el Presidente Abdiweli Mohamed Ali “Gass” (*ibid.*). La liberación de Haji fue un ejemplo de la política de la administración de Puntlandia de “capturar y liberar” respecto a los sospechosos de pertenecer a Al-Shabaab, documentada por el Grupo de Supervisión desde 2014 (véanse S/2014/726, anexo 1.4, y S/2016/919, anexo 1.5 (estrictamente confidencial)).

18. El 26 de julio, el Comando de los Estados Unidos en África (AFRICOM) anunció que había capturado a Abdirisak Hussein Tahlil y a otros cuatro militantes de Al-Shabaab en una operación conjunta de seguridad con las fuerzas somalíes cerca de Galkayo, y acusó a Tahlil de facilitar el uso de artefactos explosivos improvisados en Somalia⁵. Según los principales medios de comunicación de los Estados Unidos, Tahlil residió legalmente en los Estados Unidos entre 2006 y 2009⁶. Tahlil había sido detenido por el Organismo de Inteligencia de Puntlandia en Garowe en noviembre de 2012 con materiales explosivos en su vehículo, y posteriormente fue condenado a muerte. Sin embargo, fue puesto en libertad el 18 de diciembre de 2013 por orden del Presidente de Puntlandia Gass, junto con el asociado de Tahlil Mohamed Nur Aden, que había sido detenido en relación con el mismo complot⁷.

⁴ El Grupo de Supervisión entrevistó a cuatro miembros del movimiento insurgente Al-Shabaab del Noreste en la Cárcel Central de Bosaso los días 6 y 7 de junio de 2017; si bien esas entrevistas indicaban la existencia de múltiples equipos de aproximadamente 30 combatientes en las montañas de Golis, ninguno de los entrevistados pudo proporcionar una estimación del tamaño del movimiento en su conjunto.

⁵ Farah Abdi Warsameh (Associated Press), “Suspected Al-Shabab associate captured in U.S.-Somali raid”, CBS News, 26 de julio de 2017. Se puede consultar en www.cbsnews.com/news/al-shabab-suspected-associate-captured-in-us-somali-raid/.

⁶ *Ibid.*

⁷ El informe final del Grupo de Supervisión de 2013 incluye detalles de las detenciones de Tahlil y Nur. Véase S/2013/413, anexo 1.7.a.

Adquisición de armas por Al-Shabaab tras los ataques a la Misión de la Unión Africana en Somalia

19. En 2015 y 2016, el Grupo de Supervisión informó de sus preocupaciones acerca de la vulnerabilidad de las bases de operaciones de avanzada de la AMISOM y el Ejército Nacional Somalí ante los ataques de Al-Shabaab (véanse, S/2016/919, párr. 14 y S/2015/801, párr. 91). Los principales ataques contra las fuerzas de la AMISOM se produjeron en El Adde, región de Gedo, el 15 de enero de 2016; Leego, región de Bay, el 26 de junio de 2015 y en Janale, región de Bajo Shabelle, el 1 de septiembre de 2015.

20. Desde octubre de 2016, ha habido más de una docena de ataques de diversa intensidad contra bases de la AMISOM. El ataque más importante durante el presente mandato tuvo lugar el 27 de enero de 2017 contra una base de operaciones de avanzada de la Fuerza de Defensa de Kenya en Kulbiyow, en la frontera entre Kenya y Somalia. Imágenes y vídeos de Al-Kataib, el gabinete de prensa de Al-Shabaab, así como de medios de comunicación de Kenya, parecen confirmar que los militantes capturaron armas, municiones y vehículos⁸. Entre los artículos importantes capturados por Al-Shabaab figuraba un obús OTO-Melara Mod. 56 de 105 mm, un vehículo blindado de transporte de tropas WZ-551, por lo menos una lanzadora de mortero de 81 mm y una ametralladora pesada M240B.

21. Una de las consecuencias de esos ataques es la capacidad de Al-Shabaab de capturar morteros para utilizarlos en sus frecuentes ataques contra el Gobierno Federal y la AMISOM⁹. Desde 2009, Al-Shabaab ha utilizado en gran medida morteros de 82 mm y 60 mm. Sin embargo, el Grupo de Supervisión ha obtenido pruebas de por lo menos un ataque en el que Al-Shabaab empleó morteros más pesados de 120 mm, el ataque realizado el 23 de abril de 2017 contra una base conjunta de Uganda y el Ejército Nacional Somalí en Baledogle, lo que representa una nueva e importante amenaza para la paz y la seguridad en Somalia. Es probable que el mortero se capturase durante el ataque de Al-Shabaab contra el contingente de la AMISOM en Leego¹⁰.

22. En septiembre de 2016, la Administración Provisional del Estado Sudoccidental y fuerzas de la AMISOM en Gofgadud Burey, región de Bay, capturaron de Al-Shabaab una granada termobárica propulsada por un cohete DZT-02 de 40 mm, que probablemente también había sido obtenida por el grupo durante su ataque contra Leego¹¹.

23. En el anexo 1.1 figura más información sobre la obtención de armas por Al-Shabaab tras los ataques a la AMISOM.

⁸ Conway Waddington, "The Kulbiyow Attack Uncovered," Africa Defence Review, 22 de marzo de 2017. Se puede consultar en www.africandefence.net/analysis-of-competing-claims-about-the-january-2017-al-shabaab-attack-on-the-kdf-base-at-kulbiyow/.

⁹ Según información de un asesor superior de seguridad a la AMISOM enviada por correo electrónico el 24 de julio de 2017, entre enero y junio de 2017 hubo 12 ataques con granadas de mortero en Mogadiscio. Según un investigador de Somalia con sede en Mogadiscio, en 2016 Al-Shabaab realizó aproximadamente 17 ataques con morteros en Mogadiscio, lo que parece indicar que el número total de ataques con morteros en la capital podría aumentar este año. Correo electrónico de un asesor de seguridad de las Naciones Unidas, 20 de agosto de 2017.

¹⁰ Comunicación mediante mensaje de texto con un asesor superior de la AMISOM, 19 de julio de 2017.

¹¹ Correo electrónico de un oficial de operaciones del UNMAS, 31 de julio de 2017. Las municiones termobáricas son mucho más destructivas que las municiones estándar de las granadas propulsadas por cohetes, ya que son altamente explosivas, incendiarias y se hacen añicos al impactar.

Uso de artefactos explosivos improvisados por Al-Shabaab

24. Durante el presente mandato, Al-Shabaab ha introducido al menos un nuevo método de fabricación de artefactos explosivos improvisados. La carga de los explosivos empleados también ha aumentado; por ejemplo, como se señaló anteriormente, el 2 de enero de 2017 el grupo militante detonó un artefacto explosivo improvisado colocado en un vehículo con una equivalencia de TNT de hasta 1.200 kg¹².

25. En 2016, el Grupo de Supervisión informó sobre el uso sin confirmar por Al-Shabaab de explosivos caseros en artefactos explosivos improvisados (véase S/2016/919, anexo 7.1). En junio de 2017, el Grupo de Supervisión recibió análisis de laboratorio del Centro de Análisis de Artefactos Explosivos Terroristas del Buró Federal de Investigaciones de los Estados Unidos sobre los ataques con artefactos explosivos improvisados en Somalia entre el 2 de febrero de 2016 y el 2 de enero de 2017¹³. Seis de los informes confirman la presencia del oxidante nitrato potásico, que suele utilizarse como fertilizante en algunos países, al menos en seis importantes ataques con artefactos explosivos improvisados colocados en un vehículo o capturas de artefactos explosivos improvisados desde 2016¹⁴. Al menos tres artefactos explosivos improvisados también contenían trazas de clorato sódico y clorato potásico, que se utilizan para aumentar la eficacia de los artefactos explosivos improvisados colocados en un vehículo¹⁵.

26. La presencia de esos compuestos representa una posible diversificación por Al-Shabaab del uso tradicional de explosivos de uso militar obtenidos de municiones de restos de guerra, o más recientemente, municiones capturadas de bases de la AMISOM, para construir artefactos explosivos improvisados. El posible uso de explosivos de fabricación casera por Al-Shabaab permitiría al grupo depender menos de procesos de extracción de explosivos de municiones, que son lentos y laboriosos¹⁶. Por tanto, es probable que Al-Shabaab siga intentando obtener oxidantes mediante fertilizantes u otros productos industriales comunes, lo que permitiría al grupo militante aumentar la frecuencia y peso explosivo de los artefactos explosivos improvisados.

27. El Grupo de Supervisión también investigó dos incautaciones de componentes de artefactos explosivos improvisados por las fuerzas de seguridad en Puntlandia el 26 de abril y el 30 de mayo de 2017. Entre los principales componentes de los

¹² Entrevistas con múltiples especialistas de desactivación de artefactos explosivos en Somalia durante el presente mandato, que realizaron análisis de artefactos explosivos improvisados colocados en un vehículo después de explosiones.

¹³ El Centro de Análisis de Artefactos Explosivos Terroristas ha hecho hincapié en que la presencia de oxidantes como el nitrato potásico en el análisis de laboratorio no proporciona pruebas concluyentes de que Al-Shabaab esté fabricando explosivos caseros.

¹⁴ Aunque en Somalia no se suele utilizar nitrato potásico puro como fertilizante agrícola, el Grupo de Supervisión tiene pruebas de por lo menos una empresa que exporta fertilizante con nitrato potásico puro a granel al Yemen. Los oxidantes, como el nitrato potásico, aportan el oxígeno necesario, que cuando se combina con el combustible, aumenta la explosión. Aún no está clara la forma en que Al-Shabaab está consiguiendo nitrato potásico. Correo electrónico de un oficial de operaciones del UNMAS el 24 de agosto de 2017; entrevista telefónica con un especialista forense con sede en Mogadiscio el 8 de agosto de 2017.

¹⁵ El clorato potásico puede utilizarse en la fabricación de fósforos y propulsores, sectores que actualmente no tienen presencia en Somalia. El clorato sódico es un componente comercial común en la fabricación de herbicidas, fuegos artificiales, suministros para soldadura y generadores químicos de oxígeno. Aún no está clara la forma en que Al-Shabaab está consiguiendo clorato potásico o clorato sódico.

¹⁶ Entrevista con diversos especialistas en artefactos explosivos improvisados en Mogadiscio, entre junio y agosto de 2017. En una entrevista telefónica realizada el 3 de septiembre de 2017, un especialista en eliminación de municiones explosivas informó al Grupo de Supervisión de que para obtener un contenido explosivo de 100 kg habría que reunir 500 kg de municiones.

artefactos explosivos improvisados que llegaron a Puntlandia y otras partes de Somalia figuraban detonadores eléctricos. Muchos de estos detonadores fueron fabricados por una empresa comercial, C-DET Explosive Industries, con sede en la India¹⁷. En el anexo 1.2 (estrictamente confidencial) figura más información sobre la obtención por Al-Shabaab de componentes de artefactos explosivos improvisados y la evolución de las tecnologías.

Financiación de Al-Shabaab

28. En el curso del presente mandato, Al-Shabaab siguió exigiendo impuestos a la comunidad empresarial de Somalia (véase también S/2016/919, anexo 1.6, y S/2015/801, párr. 92). Entrevistas realizadas por el Grupo de Supervisión indican que los tributos mensuales impuestos por Al-Shabaab en Mogadiscio oscilaban entre 10 dólares pagados por comerciantes y hasta 70.000 dólares pagados por grandes empresas¹⁸. Los organismos de seguridad del Gobierno Federal emitieron una carta el 23 de julio de 2017, advirtiendo a la comunidad empresarial de que no apoyara financieramente a Al-Shabaab. Sin embargo, habida cuenta de la limitada capacidad de los organismos de seguridad del Gobierno Federal para vigilar los pagos a Al-Shabaab, es poco probable que la advertencia afecte significativamente la capacidad de Al-Shabaab para recaudar impuestos de la comunidad empresarial.

29. Durante el mandato anterior, el Grupo de Supervisión observó que Al-Shabaab dependía cada vez más de la financiación obtenida con los impuestos exigidos a la producción agrícola, la ganadería y el comercio (véanse S/2016/919, párr. 83 y anexo 1.8)¹⁹. En el anexo 1.5 figura una evaluación de los tributos impuestos por Al-Shabaab a los mercados ganaderos y agrícolas de las regiones de Bay y Bakool.

30. Al-Shabaab también sigue cobrando impuestos en los puestos de control a lo largo de las principales rutas de suministro, en particular a las importaciones y las exportaciones a lo largo de las rutas a los principales puertos, incluidos productos destinados a Kenya. Los camiones grandes suelen estar sujetos al pago de un impuesto de 1.000 dólares, y Al-Shabaab emite recibos para evitar la doble tributación en los puestos de control²⁰.

31. Al-Shabaab justifica los impuestos a la producción agrícola y la ganadería como azaque, un impuesto religioso consuetudinario sobre la riqueza y la propiedad que normalmente se recauda anualmente. Los esfuerzos del grupo para recaudar el azaque se han vuelto cada vez más agresivos en lo que respecta a la cantidad de bienes confiscados, la frecuencia de la recaudación y los métodos coercitivos empleados²¹.

¹⁷ Véase en S/2014/726, anexo 6.6, un estudio de casos anterior sobre detonadores de C-DET introducidos de contrabando por Al-Shabaab en Puntlandia a través del Yemen.

¹⁸ Entrevistas con un analista de lucha contra el terrorismo en Nairobi, 7 de marzo de 2017; un empresario de Mogadiscio, 4 de julio de 2017, y un funcionario encargado de hacer cumplir la ley especializado en la financiación de Al-Shabaab en Londres el 31 de marzo de 2017.

¹⁹ En el párrafo 21 de su resolución 2317 (2016), el Consejo de Seguridad solicitó que el Grupo de Supervisión presentara información adicional sobre este tema.

²⁰ Entrevistas con un exoficial financiero de Al-Shabaab, Baidoa, 30 de agosto de 2017; un oficial de inteligencia especializado en la financiación de Al-Shabaab, Baidoa, 2 de agosto de 2017; y un consultor con sede en Kismayo, 14 de junio de 2017.

²¹ Entrevista con un exoficial financiero de Al-Shabaab, Baidoa, 30 de agosto de 2017, y un empresario somalí en Mogadiscio, 4 de julio de 2017; entrevistas con ancianos y miembros de la comunidad en las regiones de Bajo Shabelle y Yuba Medio.

B. Facción del Estado Islámico en el Iraq y el Levante en Somalia

32. La facción del Estado Islámico en el Iraq y el Levante en Somalia (EIIL) leal al jeque Abdulqader Mu'min, cuyo número el Grupo de Supervisión estimó en su informe de 2016 que no ascendía a más de unas pocas docenas (véase S/2016/919, párr. 28), ha aumentado considerablemente y en el momento de redactar el presente informe podría estar integrada por hasta 200 combatientes²².

33. En octubre de 2016, la facción del EIIL capturó la ciudad de Qandala en la región de Bari de Puntlandia y declaró que era la sede del denominado Califato Islámico en Somalia. A fines de noviembre, una combinación de fuerzas terrestres y marítimas de Puntlandia, con el apoyo de asesores militares de los Estados Unidos, lanzó una ofensiva que logró recuperar la ciudad el 7 de diciembre después de varios enfrentamientos armados. Sin embargo, el EIIL sigue manteniendo su presencia en la zona rural circundante; los datos sobre la ubicación de teléfonos móviles de miembros del EIIL indican una actividad frecuente en torno a la torre de telefonía móvil de Afbashaashin, situada a unos 50 km al sudeste de Qandala²³.

34. Si bien la facción del EIIL no ha participado en ningún enfrentamiento convencional a gran escala con las fuerzas de Puntlandia desde la recuperación de Qandala, suele llevar a cabo ataques asimétricos. El grupo mostró signos de crecientes capacidades tácticas durante su primer ataque contra un hotel, cuando dos hombres armados irrumpieron en el hotel International Village en Bosaso, la capital económica de Puntlandia, en la madrugada del 8 de febrero de 2017 (véase el anexo 2.4). El 23 de mayo, el grupo llevó a cabo su primer ataque suicida al detonar un artefacto explosivo improvisado personal en un puesto de control de la policía cerca del hotel Yuba de Bosaso, que causó la muerte de 5 personas y heridas al menos a otras 12 (véase el anexo 2.5 (estrictamente confidencial)). Según las autoridades de Puntlandia, el coordinador principal del ataque fue el líder del EIIL Abdirahman Fahiye Isse Mohamud (darod/harti/deshishe) alias Ahmed Adan, Khalid, Yaquub y Burane²⁴.

35. Si bien la amenaza del EIIL a la administración de Puntlandia no es existencial actualmente, el débil control de la administración sobre la región de Bari la convierte en un posible refugio para combatientes extranjeros del EIIL. La afluencia de combatientes extranjeros con experiencia podría superar a las fuerzas de seguridad de Puntlandia, a las que se paga infrecuentemente y están desmoralizadas.

Conexiones con el resto de la organización

36. Aunque el Grupo de Supervisión todavía no ha encontrado pruebas contundentes que sugieran que la facción Mu'min tenga vínculos operacionales con la red más amplia del EIIL, los registros de un número de teléfono confirmado utilizado anteriormente por Mu'min mostraron contactos reiterados con un selector de números de teléfono yemeníes en abril y mayo de 2016 (véase S/2016/919, anexo 1.2). Una fuente de inteligencia regional determinó que el usuario del selector era Khalil Dheere, antiguo miembro de Al-Shabaab que abandonó el grupo y se trasladó al Yemen en 2013. Al parecer Dheere sirve actualmente de intermediario entre Mu'min

²² Sobre la base de las entrevistas realizadas por el Grupo de Supervisión a diez combatientes del EIIL que desertaron, fueron capturados y estaban reclusos en la Cárcel Central de Bosaso, así como de fuentes de inteligencia y seguridad familiarizadas con Puntlandia, abril de 2017. La mayoría de los combatientes entrevistados por el Grupo de Supervisión había abandonado el EIIL en diciembre de 2016, por lo que la información facilitada estaba actualizada hasta ese momento.

²³ Un alto funcionario de Inteligencia de Puntlandia corroboró el 13 de abril de 2017 el papel de Afbashaashin como centro de operaciones del EIIL, especialmente antes de marzo de 2017.

²⁴ Entrevista con un oficial superior de seguridad de Puntlandia, 18 de agosto de 2017.

y altos dirigentes del EIIL en el Iraq y la República Árabe Siria, aunque la naturaleza exacta de ese contacto es poco clara.

37. Antiguos miembros de la facción del EIIL que desertaron del grupo en diciembre de 2016 informaron de que los dirigentes del grupo recibían órdenes, así como financiación, mediante transferencias con el sistema bancario *hawala*, del Iraq y la República Árabe Siria. Un antiguo miembro afirmó que había visto a dirigentes del grupo, entre ellos Abdulqader Mu'min y Ahmed Adan, utilizar el programa informático de cifrado TrueCrypt para comunicarse con dirigentes del EIIL en el Iraq y la República Árabe Siria mediante grabaciones de voz. Sin embargo, el Grupo de Supervisión no pudo verificar esas afirmaciones de forma independiente.

Reclutamiento

38. La facción del EIIL ha demostrado que utiliza métodos de contratación cada vez más complejos, dirigidos principalmente a miembros descontentos de Al-Shabaab en Somalia meridional. Por ejemplo, dos antiguos combatientes del EIIL entrevistados por el Grupo de Supervisión informaron de que habían recibido billetes de avión de Mogadiscio a Galkayo, lo que les permitió evitar los numerosos puestos de control armados que hubieran supuesto los desplazamientos por carretera desde Somalia meridional a Puntlandia. Como resultado de un reclutamiento más proactivo, la facción del EIIL ha dejado de ser movimiento dominado por el subclan darod/majeerteen/ali saleeban, y sus combatientes representan ahora una amplia sección de clanes de toda Somalia.

39. El EIIL, como movimiento de califato globalista, tiene un atractivo más natural para los combatientes terroristas extranjeros que Al-Shabaab, cuyos objetivos inmediatos se limitan a expulsar a los no musulmanes de Somalia y establecer un estado que se rija por la ley islámica. Sin embargo, la facción del EIIL en la región de Bari ha atraído hasta ahora a un pequeño número de combatientes extranjeros. Entre ellos está un nacional sudanés sancionado por el Departamento del Tesoro de los Estados Unidos, Suhayl Salim Abd El-Rahman, alias Abu Faris. En julio de 2012, Abd El-Rahman fue incluido en la Lista de Nacionales Especialmente Designados y de Personas Bloqueadas de la Oficina de Control de Activos Extranjeros del Departamento del Tesoro de los Estados Unidos por su papel en la facilitación de la entrada de combatientes extranjeros a Somalia en nombre de Al-Shabaab²⁵. Un excombatiente del EIIL entrevistado por el Grupo de Supervisión, que había desertado de la facción en diciembre de 2016, identificó a Abd El-Rahman como su superior inmediato en el grupo. Otros dos exmilitantes informaron de la presencia de un combatiente sudanés extranjero que hablaba árabe, si bien recordaron que utilizaba el nombre de "Bilal"²⁶.

40. Además, un excombatiente entrevistado por el Grupo de Supervisión afirmó que era nacional de Kenya, aunque el Grupo no pudo examinar sus documentos de identidad, mientras que otro militante, de 17 años, afirmó que había nacido en Kuwait²⁷. Dos de las personas entrevistadas también informaron de que en el grupo

²⁵ Véase Departamento del Tesoro de los Estados Unidos, "Treasury targets regional actors fueling violence and instability in Somalia", comunicado de prensa, 5 de julio de 2012. Se puede consultar en www.treasury.gov/press-center/press-releases/Pages/tg1630.aspx. Suhayl Salim Abd El-Rahman era un asociado de Aboud Rogo Mohammed, individuo designado (SOi. 011) en la lista de sanciones del Comité 1844, un clérigo radical de Kenya, que fue abatido por asaltantes desconocidos en Mombasa en agosto de 2012.

²⁶ Entrevistas con excombatientes del EIIL en Bosaso, 11 y 12 de abril de 2017.

²⁷ Ambas personas fueron miembros de Al-Shabaab en Somalia antes de unirse a la facción del EIIL.

había un nacional de Djibouti, conocido solo como “Abtidoon”, muerto en los enfrentamientos con las fuerzas de Puntlandia durante la recuperación de Qandala²⁸.

Nómina

41. Las entrevistas del Grupo de Supervisión con antiguos combatientes del EIIL revelaron que los sueldos pagados a los miembros del grupo eran sumamente bajos o incluso nulos. Excombatientes informaron de que los militantes solteros del EIIL no recibían ningún sueldo²⁹, mientras que los militantes casados recibían 50 dólares al mes más unos 10 a 20 dólares por hijo, según la edad de cada hijo³⁰. Estos pagos de sueldos darían lugar a una nómina del EIIL estimada en entre 3.000 y 9.000 dólares por mes, o 36.000 a 108.000 dólares al año³¹. Esa baja nómina permite que la dirección del EIIL financie su insurgencia con un presupuesto limitado y probablemente no tenga que depender de apoyo financiero externo. Sin embargo, la falta de sueldos para los combatientes de bajo rango también hace probable que las facciones del EIIL se enfrenten a desertiones frecuentes, un problema que también afecta a Al-Shabaab.

42. En el anexo 2.2 figura información adicional sobre la facción del EIIL, incluida una descripción detallada de los dirigentes del grupo.

C. Conflictos entre las comunidades

43. Durante los dos últimos mandatos, aumentó la complejidad de los dos conflictos de larga data entre comunidades, en Bajo Shabelle y en Galkayo, a medida que fueron evolucionando dinámicas regionales, federales o internacionales más amplias. Ambos conflictos, en los que Al-Shabaab ha participado cada vez más, siguen representando una amenaza para la paz y la seguridad más amplias, y la estabilidad de Somalia a largo plazo.

Bajo Shabelle

44. Desde 2014, el Grupo de Supervisión ha documentado que el conflicto arraigado entre comunidades en Bajo Shabelle, en particular entre los clanes haber gedir, biimaal y digil, se complicó por el dominio comparativo del clan haber gedir en las estructuras políticas y de seguridad locales y federales, y cada vez más por la participación de Al-Shabaab. Bajo el mandato del Presidente Hassan Sheikh Mohamud, la ampliación de la autoridad estatal en Bajo Shabelle, y por extensión del apoyo internacional, se alió con redes haber gedir. Elementos del Ejército Nacional Somalí, dominado por los hawiye, no solo participaron en ataques a gran escala contra las comunidades biimaal y digil en el Bajo Shabelle, sino que en algunas ocasiones lo hicieron en operaciones conjuntas con Al-Shabaab (véase S/2016/919, anexo 6.1). Al mismo tiempo, Al-Shabaab también estaba creando

²⁸ Un exoficial de inteligencia de Puntlandia dijo al Grupo de Supervisión el 7 de marzo de 2017 que un combatiente extranjero de Djibouti en el EIIL había muerto a manos de las fuerzas de Puntlandia. Según los dos excombatientes entrevistados por el Grupo de Supervisión, “Abtidoon” estaba familiarizado con la fabricación y uso de artefactos explosivos improvisados. Ambos comunicaron que las fuerzas de seguridad de Puntlandia les había mostrado una fotografía del cadáver de Abtidoon.

²⁹ Un excombatiente soltero del EIIL afirmó que recibiría unos 20 dólares por mes para el teléfono móvil.

³⁰ Entrevistas con excombatientes del EIIL en Bosaso, 11 y 12 de abril de 2017.

³¹ Sobre la base de una estimación mínima de 120 combatientes del grupo, el 40% de ellos casados, y una estimación máxima de 200 combatientes, de los cuales el 60% casado.

alianzas con comunidades locales opuestas al Gobierno, presentándose como protector ante un Estado ilegítimo y depredador³².

45. A fines de 2016, las alianzas de Al-Shabaab en la región estaban establecidas más firmemente. Alentados por la toma temporal de Marka por Al-Shabaab en febrero de 2016, apoyado en diversos grados por milicias haber gedir y elementos del Ejército Nacional Somalí, los biimaal cambiaron su lealtad a la AMISOM y las fuerzas contra Al-Shabaab (véase S/2016/919, anexo 7.5). Las redes haber gedir en la región se dirigieron a Al-Shabaab y consolidaron su alianza. En octubre de 2016, Al-Shabaab comenzó incendios a gran escala y saqueos de aldeas biimaal, e intensificó sus ataques en mayo de 2017³³. En agosto se produjo un enfrentamiento abierto entre milicias biimaal y haber gedir y Al-Shabaab por el control de Marka (véase también el anexo 10.2 (estrictamente confidencial)).

Galkayo

46. La raíz del conflicto en Galkayo son las prolongadas tensiones entre clanes rivales, principalmente darod/majeerteen y hawiye/haber gedir, atenuadas durante más de 20 años por un acuerdo negociado en 1993. Sin embargo, la culminación del proceso de federalización en 2015 introdujo nuevos agentes en la dinámica y aumentó el desafío: las zonas anteriormente controladas por clanes evolucionaron hasta convertirse en estados basados en clanes, que ahora compiten no solo por el acceso a los pastos, el agua y otros recursos locales, sino también por las reclamaciones territoriales, la legitimidad política y el control de bienes nacionales³⁴.

47. En las dos fases del conflicto abierto en Galkayo de 2015 y 2016, administraciones muy militarizadas, la Administración Provisional de Galmudug y Puntlandia, se enfrentaron entre sí junto con milicias de clanes aliados y elementos de las fuerzas de seguridad nacionales. El fracaso de las negociaciones reiteradas entre ambas partes permitió que Al-Shabaab se insertara como elemento perturbador activo, lo que aumentó aún más la desconfianza entre las partes y contribuyó directamente a la violencia. Al-Shabaab se benefició de su participación, aumentó su presencia e influencia en Puntlandia y Galmudug y consolidó el control de elementos de las estructuras políticas y militares regionales. Entretanto, no se censuró a los dirigentes de la Administración Provisional de Galmudug y Puntlandia, que habían entrado en conflicto dos veces en un año.

48. En el anexo 3.1 se describen los orígenes y las causas del conflicto de Galkayo, sus repercusiones en la población civil y las medidas que se están aplicando para mitigar nuevos actos de violencia.

Otras tensiones entre comunidades

49. Desde la creación de Puntlandia, y posteriormente la aparición en 2012 del autoproclamado estado libre de Khatumo, las reclamaciones rivales por el control de Sool y Sanaag y partes de Togdheer (denominada frecuentemente Cayn) han dado lugar a un conflicto armado frecuente pero de bajo nivel entre las fuerzas de Puntlandia, Somalilandia y Khatumo y han contribuido al subdesarrollo de la

³² Durante el mandato, el tribunal de Al-Shabaab en Afgoye siguió siendo la jurisdicción a la que acudir respecto a las controversias relativas a la tierra, incluso en Mogadiscio.

³³ Para más información, véase Human Rights Watch, “Somalia: Al-Shabab Forces Burn Villages”, 26 de julio de 2017. Se puede consultar en www.hrw.org/news/2017/07/26/somalia-al-shabab-forces-burn-villages.

³⁴ Interpeace and Peace and Development Research Centre Galkacyo, “Conflict assessment”, diciembre de 2016 a marzo de 2017.

región³⁵. A pesar de los enfrentamientos armados y las maniobras políticas, entre ellas un acuerdo en junio de 2017 entre una facción de Khatumo y Somalilandia que fue rechazado por ancianos Khatumo, se evitó un conflicto abierto³⁶. Sin embargo, a mediados de agosto de 2017, durante los preparativos de las elecciones en Somalilandia, Puntlandia trasladó sus tropas a la región de Sool, y milicianos dhulbahante lanzaron ataques contra objetivos relacionados con las elecciones³⁷. Entretanto, el Grupo de Supervisión recibió informes de una creciente presencia de Al-Shabaab en algunas zonas de Sool, especialmente en Las Anod, y Sanaag, que aumentó tras el ataque de Al-Shabaab contra Afurur³⁸.

50. En el distrito de Herale, región de Galgadud, en julio de 2017 al menos 27 personas resultaron muertas y más de 13.800 desplazadas cuando Ahlu Sunna wal Jama'a envió contingentes a la localidad de Herale antes de una visita prevista a la zona del Presidente de la Administración Provisional de Galmudug, Ahmed Duale Gelle "Haaf"³⁹. A fines de agosto, el conflicto se intensificó con batallas en las afueras de Dhusamareb entre Ahlu Sunna wal Jama'a y fuerzas de la Administración Provisional de Galmudug, exacerbado presuntamente por elementos del sector 21 del Ejército Nacional Somalí y fuerzas del Organismo de Inteligencia y Seguridad con sede en Adado.

D. Gestión de las finanzas públicas

Panorama general de las novedades

51. Durante el presente mandato, se han logrado avances modestos en la gestión de las finanzas públicas a nivel federal⁴⁰.

³⁵ Se trata de zonas habitadas principalmente por dhulbahante. Véase también S/2016/919, anexo 7.4, párr. 38.

³⁶ El acuerdo de junio de 2017, causó enfrentamientos entre milicias que apoyaban el acuerdo de Somalilandia y las que apoyaban al Frente de Liberación de Dhulbahante rival. Véase "The Guurti of Khatumo State of Somalia's position on talks with Somaliland", comunicado de prensa, 17 de junio de 2017, se puede consultar en www.somalilandsun.com/images/pdf/the_guurti_of_khatumo_state_of_somalias_position_on_talks_with_somaliland.pdf.

³⁷ El 12 de agosto, las milicias atacaron el colegio electoral de Halin e hirieron a tres civiles, y un soldado de Somalilandia resultó muerto al defender un convoy que transportaba tarjetas de votación en Holhol. Correo electrónico de un funcionario de las Naciones Unidas, 14 de agosto de 2017.

³⁸ Entrevista telefónica del Grupo de Supervisión con un visitante reciente a Las Anod, 30 de julio de 2017; series de mensajes de correo electrónico de funcionarios de las Naciones Unidas, enero a agosto de 2017.

³⁹ Informe por correo electrónico de un trabajador humanitario con sede en Mudug al Grupo de Supervisión, 7 de agosto de 2017. Dos días antes de los enfrentamientos, el Presidente de la Administración Provisional de Galmudug, Ahmed Duale Gelle "Haaf", se reunió con ancianos herale en Abudwaq y prometió visitar la ciudad para examinar el desarrollo y la cooperación.

⁴⁰ El 11 de julio de 2017, el Fondo Monetario Internacional publicó un comunicado de prensa tras finalizar su segundo examen del programa supervisado por el personal para Somalia, en el que acogió con beneplácito los compromisos continuados de las autoridades con las políticas y la aplicación de reformas, los progresos continuados en la reforma monetaria y los planes para reactivar el sector financiero. Fondo Monetario Internacional, "IMF Management Completes the Second Review under the Staff-Monitored Program for Somalia and IMF Managing Director Approves a New Staff-Monitored Program", comunicado de prensa, 11 de julio de 2017. Se puede consultar en 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.

52. El 10 de agosto, el Gabinete del Gobierno Federal aprobó el proyecto de ley sobre la gestión de las finanzas públicas y, en el momento de redactar el presente informe, estaba a la espera de la aprobación del Parlamento. El 21 de agosto, la cámara alta del Parlamento aprobó la Ley Nacional de Comunicaciones. Sin embargo, las políticas mencionadas siguen sin aplicarse debidamente o en absoluto, o simplemente son inaplicables en el actual clima político y económico⁴¹.

53. El 15 de junio de 2017 el Gobierno Federal prorrogó el mandato del Comité de Gobernanza Financiera, un órgano de supervisión creado a mediados de 2014 con representantes de diversas instituciones internacionales, hasta junio de 2018.

54. Se utiliza el sistema de información sobre gestión financiera de Somalia, establecido a fines de 2015 para facilitar la automatización y la integración de los procesos de gestión de las finanzas públicas, para la Cuenta Única del Tesoro, pero la mayoría de los distintos ministerios, departamentos y organismos y la Administración Regional de Benadir siguen sin utilizarlo o apenas lo utilizan. Así pues, si bien la información sobre las transacciones de la Cuenta Única del Tesoro es relativamente detallada, la información sobre transacciones de los distintos ministerios, departamentos y organismos y la Administración Regional de Benadir, que se realizan principalmente todavía en efectivo, sigue siendo extremadamente escasa⁴².

55. La recaudación de ingresos sigue siendo uno de los principales desafíos a que se enfrenta el Gobierno Federal, que sigue dependiendo de recursos escasos generados principalmente en Mogadiscio. Las empresas privadas encargadas de recaudar impuestos en nombre del Gobierno Federal en 2016 funcionaron con resultados dispares (véase la cuestión de Smart General Services, Ltd. más abajo) hasta que se cancelaron sus contratos en una carta firmada por el Ministerio de Finanzas el 29 de julio de 2017.

Gestión de la moneda

56. El Grupo de Supervisión informó de sus preocupaciones sobre la impresión no regulada del chelín somalí en su informe anterior (véase S/2016/919, anexo 4.1). Durante el presente mandato, el Grupo ha seguido documentando la impresión no regulada de billetes de 1.000 chelines somalíes por el Banco Estatal de Puntlandia en Bosaso, con la participación de las autoridades de Puntlandia. Durante el mandato actual, la distribución de moneda falsificada y la inflación correspondiente y los disturbios civiles se intensificaron y propagaron de Puntlandia a la región de Hiran y Somalilandia. Las autoridades locales de Puntlandia han negado que imprimieran moneda y culparon a Al-Shabaab por las consecuencias. Las medidas adoptadas por las autoridades locales incluyen la introducción de tipos de cambio fijos y detenciones masivas de agentes de cambio.

57. En el anexo 4.1 figura información adicional sobre los efectos de la impresión no regulada de moneda somalí.

⁴¹ El valor de determinadas medidas también sigue siendo cuestionable. Antes de que se aprobara el proyecto de ley, se eliminaron elementos clave de la Ley Nacional de Comunicaciones, que había sido negociada y, en última instancia, socavada por sucesivos parlamentarios y representantes del sector de las telecomunicaciones desde 2004. En su forma actual, el proyecto de ley sobre la gestión de las finanzas públicas permite al Gobierno Federal solicitar préstamos de hasta 200 millones de dólares sin la aprobación del Parlamento.

⁴² Los registros del sistema de información sobre gestión financiera acerca de la Administración Regional de Benadir muestran un gasto de 7.905.126,35 dólares en 2016 con la misma descripción, *Khidmada Maamulka Gobalka Banaadir 15%*, para todas las transacciones que oscilaban entre 67.707,35 dólares y 335.140,20 dólares.

Contratos y concesiones públicas

58. En el transcurso de su mandato, el Grupo de Supervisión ha seguido buscando información sobre diversos contratos y concesiones públicas. En respuesta a correspondencia en la que solicitaba información sobre varios contratos del Gobierno Federal y la propiedad de varias empresas, el 5 de septiembre de 2017 el Gobierno Federal declaró que era evidente que había heredado de la administración anterior contratos que eran opacos en cuanto a la forma en que se concedieron, falta de datos sobre la propiedad de las empresas y otros problemas, como falta de eficacia o rentabilidad⁴³.

59. A nivel federal, el Grupo de Supervisión transmitió sus inquietudes particulares al Gobierno Federal sobre los contratos y acuerdos con las dos empresas, como se describe a continuación.

Bukhari Logistics East Africa

60. Según información recibida por el Grupo de Supervisión, el Gobierno Federal contrató a Bukhari Logistics East Africa para suministrar raciones a su Cuerpo de Funcionarios de Prisiones⁴⁴. El contrato se adjudicó sin que fuera examinado por el Comité de Gobernanza Financiera o la Junta Provisional de Adquisiciones. Según registros de la Cuenta Única del Tesoro del Banco Central de Somalia, entre noviembre de 2016 y enero de 2017 se transfirieron aproximadamente 740.000 dólares a una cuenta del banco Salaam Somali mantenida por Bukhari Logistics East Africa, lo que indica una transferencia anual de aproximadamente 3 millones de dólares⁴⁵.

61. El 31 de julio de 2017, el Grupo de Supervisión solicitó información al Gobierno Federal sobre Bukhari Logistics East Africa, entre otras cosas sobre los detalles del contrato y la propiedad de la empresa. En su respuesta, de 18 de agosto, el Gobierno Federal informó al Grupo de que el Ministerio de Finanzas no tenía conocimiento de ningún contrato con Bukhari Logistics East Africa, y agradecería más información del Grupo a fin de que el Ministerio examinara la cuestión más a fondo⁴⁶.

62. El Grupo de Supervisión transmitió la información disponible con el Gobierno Federal mediante correspondencia el 23 de agosto. En el momento de redactar el presente informe, el Grupo no había recibido ninguna información adicional sobre la propiedad de la empresa o el contrato con el Gobierno Federal.

Smart General Services, Ltd.

63. En septiembre de 2015, el Ministerio de Finanzas contrató a Smart General Services, Ltd. para recaudar impuestos de carreteras y tasas de matrícula de vehículos en nombre del Gobierno Federal. A pesar de que una directiva permanente del Gobierno Federal exige que todos los ingresos del Estado se canalicen a la Cuenta Única del Tesoro del Banco Central de Somalia, los impuestos y tasas generados por Smart General Services se depositaron en una cuenta privada en el banco Salaam Somali en Mogadiscio⁴⁷. Por tanto, Smart General Services es un ejemplo de un sistema paralelo de recaudación de ingresos que utiliza cuentas

⁴³ Carta del Gobierno Federal al Grupo de Supervisión, 5 de septiembre de 2017. No obstante, también es evidente que a mediados de agosto el Ministerio de Finanzas no tenía conocimiento de los contratos públicos que habían sido examinados previamente por el Comité de Gobernanza Financiera, un órgano presidido por el Ministro de Finanzas.

⁴⁴ Entrevista con un consultor internacional que trabajaba con el Gobierno Federal, 16 de mayo de 2017.

⁴⁵ Estados financieros de la Cuenta Única del Tesoro del Banco Central de Somalia en los archivos de la Secretaría.

⁴⁶ Carta del Gobierno Federal al Grupo de Supervisión, 18 de agosto de 2017.

⁴⁷ Detalles y estados financieros de la cuenta en los archivos de la Secretaría.

bancarias privadas, o cuentas no oficiales en el Banco Central de Somalia, para eludir la supervisión del Ministerio de Finanzas.

64. De conformidad con el acuerdo original entre el Ministerio de Finanzas y Smart, General Services, el Gobierno Federal debía obtener el 60% de todos los ingresos generados por la empresa⁴⁸. Los ingresos netos, una vez la empresa hubiera deducido su comisión del 40%, debían transferirse del banco Salaam Somali a la Cuenta Única del Tesoro cada 15 días⁴⁹. No obstante, los estados financieros de la cuenta de la empresa en el banco Salaam Somali obtenidos por el Grupo de Supervisión muestran que solo se transfirieron a la Cuenta Única del Tesoro 62.648 dólares (el 4,2%) de los 1.481.695 dólares que generó Smart General Services entre agosto de 2016 y mayo de 2017. Además, los ingresos se transfirieron de manera inconsistente⁵⁰ y con irregularidades⁵¹.

65. El Grupo de Supervisión observó otras irregularidades contables, entre ellas un retiro de 275.000 dólares el 19 de octubre de 2016 que se describía simplemente como *maal galin* (“inversión”). Además, más del 40% de los ingresos de Smart General Services (600.187 dólares) se pagaron directamente a Kulmiye General Services, una empresa de construcción de Mogadiscio gestionada por Abdulkadir Abukar Omar “Adaani”, el hijo y socio comercial de Abukar Omar “Adaani”, excontratista del Programa Mundial de Alimentos, cuyo papel en la desestabilización de Somalia ha sido documentado en numerosos informes del Grupo⁵². Estos fondos fueron aparentemente un pago por la construcción de carreteras en Mogadiscio por parte de Kulmiye General Services con un contrato con la Administración Regional de Benadir, que se había adjudicado sin las debidas garantías⁵³.

66. El Grupo de Supervisión pidió aclaraciones al Gobierno Federal sobre la propiedad de Smart General Services y Kulmiye General Services, pero no recibió detalles suficientes para determinar la propiedad real de ninguna de las empresas. El Grupo de Supervisión también solicitó confirmación de las carreteras construidas por Kulmiye General Services, pero no recibió ninguna respuesta a esta petición.

67. El 29 de julio de 2017, el Ministerio de Finanzas canceló el contrato de Smart General Services mediante un decreto que prohíbe a las empresas privadas recaudar ingresos en nombre del Gobierno Federal.

⁴⁸ En el anexo 4.3 del informe del Grupo de Supervisión de 2016 (S/2016/919), se resume el acuerdo con Smart General Services Ltd., donde también se incluyen copias de las páginas primera y última del contrato.

⁴⁹ Entrevista con un ex alto funcionario del Ministerio de Finanzas del Gobierno Federal, 25 de julio de 2017.

⁵⁰ Por ejemplo, todos los ingresos transferidos a la Cuenta Única del Tesoro se realizaron entre agosto y diciembre de 2016, no se transfirieron fondos en 2017.

⁵¹ Por ejemplo, el 8 de diciembre de 2016, el estado financiero de la cuenta del banco Salaam Somali indicó que se habían transferido 26.000 dólares al Banco Central de Somalia, sin embargo, el Banco Central de Somalia muestra la recepción de solo 14.000 dólares.

⁵² Véanse referencias a las actividades de Abukar “Adaani” en S/2010/91, párr. 239 (desviación de la ayuda alimentaria del Programa Mundial de Alimentos); S/2006/913, párrs. 12 y 143 (financiación de la Unión de Tribunales Islámicos; establecimiento de instalaciones de capacitación y envíos de armas); S/2006/229, párr. 136 (enfrentamientos por el puerto de El Ma’an); S/2005/625, párr. 18 y anexo I (apoyo armado a la oposición y compras de armas); S/2005/153, párr. 29 (envíos de armas a grupos de la oposición); S/2004/604, párrs. 76 y 77 y 100 (financiación de grupos armados y facilitación del conflicto).

⁵³ Entrevista con un ex alto funcionario del Ministerio de Finanzas del Gobierno Federal, 25 de julio de 2017.

Apropiación indebida de terrenos públicos en los alrededores del complejo del aeropuerto de Mogadiscio

68. El Grupo de Supervisión ha seguido investigando la apropiación de terrenos públicos en Mogadiscio desde que informó sobre la cuestión en 2016 (véanse S/2016/919, párrs. 79 y 80 y anexo 4.6). El 31 de julio de 2017, el Grupo envió correspondencia oficial al Gobierno Federal en la que pidió copias de los contratos de arrendamiento entre el Gobierno y 22 empresas que operaban en el complejo del aeropuerto de Mogadiscio. En una respuesta de fecha 18 de agosto, el Gobierno Federal afirmó que solo dos de estas empresas, SKA International Group y RA International FZE, pagaban actualmente un alquiler al Banco Central de Somalia. El Gobierno Federal reconoció que “entidades localizadas” habían contratado tierras públicas sin las debidas garantías, argumentando además que la práctica podía convertirse en una amenaza para la paz, la seguridad y la estabilidad⁵⁴.

69. Durante el presente mandato, el Grupo de Supervisión ha encontrado dos casos de posible uso indebido de terrenos públicos por Abdullahi Mohamed Nor, ex Ministro de Estado de Finanzas del Gobierno Federal y actual Miembro del Parlamento⁵⁵. En febrero de 2013, Nor consiguió 344 hectáreas de terrenos públicos costeras adyacentes al complejo del aeropuerto para construir un hotel de lujo. De conformidad con la solicitud formulada por el Primer Ministro el 10 de agosto de 2017, la Administración Regional de Benadir pidió a Nor que cesase la construcción y presentase documentación que acreditase sus derechos a la parcela⁵⁶. El Gobierno Federal dijo al Grupo de Supervisión que Nor se había negado a cooperar⁵⁷. Según varios funcionarios del Gobierno Federal, Nor ha movilizado a elementos del Ejército Nacional Somalí, en particular a un alto comandante que es un pariente cercano, para defender por la fuerza sus derechos a la parcela⁵⁸. Nor negó que utilizase soldados del Ejército Nacional Somalí para hacer valer sus derechos al terreno y ha acusado a la Administración Regional de Benadir de intentar utilizar ilícitamente a la policía y a oficiales del Organismo Nacional de Inteligencia y Seguridad para tomar la parcela⁵⁹.

70. Además, en 2016, la empresa de Nor, East Africa Brothers Company, solicitó pagos por un total de al menos 250.000 dólares a la empresa CADG Engineering Pte., Ltd. con sede en Singapur a cambio de dar acceso a esa empresa a una parcela en el complejo del aeropuerto. Hasta el momento de redactar el presente informe, el alquiler de la parcela se sigue pagando directamente al Ministerio de Transporte y Aviación Civil del Gobierno Federal, eludiendo la supervisión de las autoridades fiscales del Gobierno Federal.

71. Estos dos estudios de casos se presentan en su totalidad en el anexo 4.2.

72. En su carta de 18 de agosto, el Gobierno Federal afirmó que la Comisión de Bienes Públicos, creada por el ex Primer Ministro Omar Sharmarke en julio de 2016 para reunir datos sobre los terrenos públicos apropiados ilícitamente, no se había reunido desde 2016 y además “no había sido eficaz”. Sin embargo, el Gobierno Federal también afirmó que consideraba que la gestión de las tierras públicas era una “prioridad”, y expresó su voluntad de cooperar con el Grupo de Supervisión y

⁵⁴ Carta del Gobierno Federal al Grupo de Supervisión, 18 de agosto de 2017.

⁵⁵ Nor es actualmente Secretario del Comité Parlamentario de Presupuesto, Finanzas, Planificación y Cooperación Internacional y Supervisión Financiera de las Instituciones Públicas.

⁵⁶ Carta del Gobierno Federal al Grupo de Supervisión, 18 de agosto de 2017.

⁵⁷ *Ibid.*

⁵⁸ Entrevista con un oficial superior de la Administración Regional de Benadir, 18 de septiembre de 2017, con un segundo oficial de la Administración Regional de Benadir, 6 de septiembre de 2017, y con un ex Ministro del Gabinete en Nairobi, 25 de julio de 2017.

⁵⁹ Entrevista con Abdullahi Mohamed Nor en Nairobi, 14 de septiembre de 2017.

otros órganos internacionales, entre ellos el Comité de Gobernanza Financiera, para aclarar la situación de los terrenos en el complejo del aeropuerto⁶⁰.

Reforma financiera del sector de la seguridad y continua apropiación indebida

73. En los dos últimos mandatos, el Grupo de Supervisión ha comunicado sus preocupaciones respecto a la apropiación indebida en el Ejército Nacional Somalí (véanse S/2015/801, anexo 3.1 (estrictamente confidencial), y S/2016/919, anexo 2). Durante el transcurso del mandato actual, ha aumentado la atención internacional sobre la reforma financiera del sector de la seguridad, con la participación constructiva del Banco Mundial, el Departamento de Desarrollo Internacional del Reino Unido y la empresa Abyrint, con sede en Noruega, en particular en lo que respecta a la nómina del Ejército. Sin embargo, los progresos en el Ejército fueron limitados, y oficiales del Ejército siguieron obstruyendo las iniciativas de reforma⁶¹.

74. En los seis meses transcurridos entre septiembre de 2016 y marzo de 2017, se retiró un total de 14.249.591 dólares en efectivo de dos cuentas separadas mantenidas por el Ejército Nacional Somalí en el Banco Central de Somalia. El Grupo de Supervisión solicitó documentación que demostrara el uso de esos fondos mediante correspondencia oficial el 31 de julio y nuevamente el 22 de agosto, pero en el momento de redactar el presente informe no había recibido una respuesta amplia sobre la cuestión⁶².

75. En abril de 2017 el Presidente Farmaajo nombró al General Mohamed Hussein Garabey para sustituir al General de Brigada Abdullahi Moalim Nur como Jefe de Logística⁶³. Según un informe interno del Ejército Nacional Somalí de 11 de mayo de 2017 basado en los resultados de nueva comisión financiera del Ejército recientemente creada y examinado por el Grupo de supervisión, Abdullahi Moalim Nur y el Coronel Mohamed Hussein Nur, su adjunto, habían retirado ilegalmente fondos asignados al Ejército⁶⁴. En el informe se señalaba que la gestión indebida de los fondos del Ejército, y en particular los fondos asignados a las raciones, venía continuando desde hacía tiempo.

76. El Grupo de Supervisión sigue teniendo preocupaciones sobre los pagos a empresas privadas por el suministro de raciones⁶⁵. En octubre de 2016, un comité de evaluación nombrado por el Ministerio de Finanzas, con Mohamed Hussein Nur como presidente, examinó las licitaciones para suministrar raciones al Ejército Nacional Somalí. La empresa contratada anteriormente, Agetco General Trading and

⁶⁰ *Ibid.*

⁶¹ Entrevistas del Grupo con Miembros del Parlamento y representantes de organismos internacionales entre junio y agosto de 2017.

⁶² Según documentación interna del Ejército Nacional Somalí, el Ejército también gestiona otra cuenta privada en el banco Salaam Somali, cuya existencia desconocía anteriormente el Grupo de Supervisión. Documentación en los archivos de la Secretaría.

⁶³ El Grupo de Supervisión informó de sus preocupaciones sobre la participación de Abdullahi Moalim Nur y Mohamed Hussein Nur en el Departamento de Logística en S/2016/919, anexos 2.2 y 2.4.

⁶⁴ Los documentos alegan que Abdullahi Moalim Nur y Mohamed Hussein Nur retiraron ilegalmente 32.574 dólares y 4.043 dólares respectivamente. Sobre la base de las pruebas reunidas durante los tres últimos mandatos, el Grupo de Supervisión cree que estas sumas representan una pequeña parte del total de las sumas apropiadas indebidamente por esas personas. Si bien en el documento se pedía que Mohamed Hussein Nur pasara diez días en una prisión militar y devolviera los fondos, solo se pidió a Abdullahi Moalim Nur que devolviera los fondos. Documentación en los archivos de la Secretaría.

⁶⁵ El Grupo de Supervisión informó de sus preocupaciones sobre la empresa contratada para suministrar raciones al Ejército Nacional Somalí en el documento S/2015/801, anexo 3.1 (estrictamente confidencial), y S/2016/919 anexo 2.4.

Clearance, Ltd., ganó la adjudicación al haber ofrecido la oferta más baja. La participación de Mohamed Hussein Nur como presidente del proceso de licitación, dada su participación con Agetco General Trading and Clearance documentada anteriormente y las conclusiones recientes de la comisión financiera del Ejército Nacional Somalí, ponen en duda la legitimidad del proceso en cuestión⁶⁶.

77. En mayo de 2017, el Ejército Nacional Somalí canceló el contrato de raciones con Agetco General Trading and Clearance y lo adjudicó a Kasram Trading Company, LLC, una entidad de la que poseía un tercio el ex Ministro de Estado de Finanzas y actual Miembro del Parlamento, Abdullahi Mohamed Nor (véanse los párrs. 69 y 70 del presente informe). El proceso de licitación del contrato fue muy irregular, participaron cuatro empresas, de las cuales tres eran de propiedad parcial de Nor⁶⁷. En el momento de redactar el presente informe, no estaba claro si Kasram Trading Company ya había asumido la responsabilidad de suministrar las raciones. El Gobierno Federal informó al Grupo de Supervisión de que se había anulado la licitación y se había remitido el asunto al Fiscal General.

78. Para más detalles sobre Kasram Trading Company, véase el anexo 4.2.

E. Gobernanza de los recursos

79. El Grupo de Supervisión sigue preocupado porque las controversias actuales entre el Gobierno Federal, los estados federales y las administraciones provisionales, entre ellas la falta de acuerdo sobre aspectos fundamentales de la gobernanza de los recursos como la autoridad política y el reparto de recursos, siguen constituyendo una amenaza para la paz y la seguridad en Somalia.

Puertos

80. Los puertos hace tiempo que representan la principal fuente de ingresos del Gobierno en Somalia. La Ministra de Puertos y Transporte Marítimo, Mariam Aweis, ha afirmado que todos los puertos de Somalia son bienes públicos de propiedad de la República Federal de Somalia y que el Ministerio de Puertos y Transporte Marítimo, bajo la autoridad del Gobierno Federal, examina, aprueba y refrenda todos los acuerdos de concesión para puertos⁶⁸. Cuando los gobiernos regionales, sin consulta previa con el Gobierno Federal, conciertan acuerdos de establecimiento de empresas conjuntas con asociados extranjeros para desarrollar y gestionar los puertos, sus acciones demuestran conflictos en la interpretación de la autoridad política.

81. El 9 de agosto de 2016, la cámara baja del Parlamento de Somalilandia aprobó que se otorgase una concesión de 30 años para desarrollar y gestionar el puerto de Berbera a Dubai Ports World FZE (DP World), y el 12 de febrero de 2017, ambas cámaras del Parlamento de Somalilandia también aprobaron la construcción de una base militar de los Emiratos Árabes Unidos en Berbera. Además de las consecuencias para el embargo de armas (véase más adelante), estas dos votaciones han planteado preocupaciones por la corrupción y la posible apropiación indebida de recursos financieros públicos (véase el anexo 5.1).

⁶⁶ Los estados bancarios de Agetco General Trading and Clearance archivados en la Secretaría muestran que Mohamed Hussein Nur retiró sumas importantes de la cuenta de la empresa.

⁶⁷ Las empresas eran Kasram Trading Company, Sahal Enterprise Ltd., Fulcrum y Wadajir Company. Nor es copropietario de Kasram Trading Company, Sahal Enterprise y Fulcrum. El Grupo de Supervisión aún no ha determinado la propiedad de Wadajir Company.

⁶⁸ Comunicación por correo electrónico de Mariam Aweis, Ministra de Puertos y Transporte Marítimo, 7 de agosto de 2017.

82. El Grupo de Supervisión sigue preocupado por el hecho de que la controversia entre el Gobierno Federal y las regiones por el control de los puertos y sus correspondientes ingresos podría socavar aún más la estabilidad en Somalia⁶⁹.

Recursos naturales

83. Al igual que la gestión de los puertos, la gobernanza de los recursos naturales se puede entender, al menos en parte, en el contexto de un proceso incompleto de formación del estado federal en Somalia. Los desacuerdos entre el Gobierno Federal y los gobiernos regionales, en particular sobre quién tiene poder para autorizar las operaciones comerciales y determinar cómo deberían compartirse los ingresos procedentes de los recursos naturales, siguen siendo comunes en el sector de la pesca y el sector del petróleo y el gas. Las posibles consecuencias de una débil gobernanza de los recursos naturales son considerables, incluida la apropiación indebida de recursos públicos, un desarrollo político y económico obstaculizado y conflictos armados.

Pesca

84. La debilidad de la gobernanza del sector pesquero y la prevalencia de la pesca ilegal, no declarada y no reglamentada siguen representando una amenaza para la paz y la seguridad en Somalia. A nivel macro, la débil gobernanza de la pesca y la generalización de la pesca ilegal, no declarada y no reglamentada entrañan una pérdida considerable de ingresos públicos, que podrían haberse generado mediante derechos de licencia e impuestos. También hay indicios preliminares de que podrían existir vínculos de financiación entre la pesca ilegal, no declarada y no reglamentada y las redes de la piratería en Puntlandia⁷⁰. Además, la debilidad de la gobernanza del sector pesquero y la falta de capacidad institucional para aumentar la eficacia de la seguridad marítima, incluida la vigilancia de quizás más de 200 bagalas pesqueras iraníes y yemeníes que operan frente a la costa de Puntlandia, agrava el riesgo de que las bagalas pesqueras sean utilizadas para fines ilícitos, entre ellos el tráfico de armas pequeñas⁷¹.

85. Una gobernanza débil incluye una aplicación poco coherente de los acuerdos y del cumplimiento de las leyes. A fines de febrero de 2017, Puntlandia concedió licencias a siete buques de pesca de arrastre de propiedad tailandesa, con pabellón de Djibouti, para faenar frente a la costa de Puntlandia durante tres meses, obteniendo 700.000 dólares en derechos de licencia⁷². Esto supuso una violación de la Ley de Pesca de Somalia (2014), que creó una zona de protección para pescadores costeros dentro de las 24 millas náuticas de la costa y prohíbe la pesca de arrastre en aguas de la República Federal de Somalia⁷³. Según la supervisión de

⁶⁹ El 27 de julio de 2017, el Parlamento de Puntlandia aprobó otorgar a P & O Ports una concesión de 30 años para la gestión y el desarrollo del puerto de Bosaso. El 8 de junio de 2017, Sharif Hassan Sheikh Aden, Presidente de la Administración Provisional del Estado Sudoccidental, también anunció un nuevo proyecto entre First Hectares Capital, con sede en los Emiratos Árabes Unidos, Frontier Services Group, Ltd., con sede en Hong Kong (China), y South West Somalia Services Company, con sede local, para entre otras cosas, construir una zona libre y un puerto marítimo en Barawe.

⁷⁰ Entrevista con un experto en pesca de un organismo de desarrollo, Nairobi, 14 de julio de 2017.

⁷¹ Estimación del número de bagalas pesqueras iraníes y yemeníes que operan frente a las costas de Puntlandia a diciembre de 2016, facilitada por un experto en pesca de un organismo de las Naciones Unidas, 17 de julio de 2017.

⁷² Reunión del Grupo de Supervisión con autoridades de Puntlandia, Garowe, 7 de junio de 2017.

⁷³ Ley de Pesca de la República de Federal de Somalia, núm. 23, de 30 de noviembre de 1985, artículos 3 c) y 33 1).

la Organización de las Naciones Unidas para la Alimentación y la Agricultura (FAO), los arrastreros tampoco respetaron una zona de exclusión que prohíbe la pesca dentro de seis millas náuticas de la costa que se había acordado con Puntlandia⁷⁴. En una carta de 9 de marzo al Ministerio de Pesca de Puntlandia, el Ministerio de Pesca y Recursos Marinos del Gobierno Federal se opuso a que se concedieran licencias y faenaran los buques de arrastre (véase el anexo 5.2). El 4 de mayo, en una carta dirigida al Departamento de Pesca de Tailandia, el Ministerio de Pesca y Recursos Marinos pidió que Tailandia negara la entrada en puerto para descargar al buque MV Chotchainavee 35, ya que había realizado actividades de pesca ilegal, no declarada y no reglamentada en aguas de Somalia (*ibid.*). Por razones que siguen sin estar claras para el Grupo de Supervisión, en una segunda carta a Tailandia enviada poco tiempo después el Ministerio de Pesca y Recursos Marinos retiró su solicitud.

86. Entretanto, del 5 al 7 de mayo de 2017, la Comisión del Atún para el Océano Índico, organización intergubernamental establecida bajo los auspicios de la FAO para gestionar el atún y especies afines en el océano Índico y mares adyacentes, celebró negociaciones en Victoria entre representantes del Gobierno Federal y cinco administraciones regionales sobre las licencias de atún dentro de la zona económica exclusiva de Somalia. El 7 de mayo, pareció haberse llegado a un acuerdo, ya que representantes de cinco administraciones regionales firmaron el acuerdo provisional sobre la expedición de licencias para el atún y especies afines en la zona económica exclusiva de Somalia. Sin embargo, los representantes del Gobierno Federal, el Viceministro de Pesca y Recursos Marinos y el Viceministro de Finanzas, no firmaron (*ibid.*). Al parecer, esto fue una sorpresa para los signatarios y observadores de la comunidad internacional, ya que las principales cuestiones contenciosas durante las negociaciones o bien se habían resuelto en favor del Gobierno Federal, por ejemplo, depositar los ingresos de las licencias en el Banco Central de Somalia, o se habían aplazado, por ejemplo, la creación de una fórmula para el reparto de los ingresos procedentes de las licencias de la pesca del atún. El hecho de que el Gobierno Federal no firmara el acuerdo representa una oportunidad perdida para generar ingresos y al mismo tiempo reglamentar la pesca del atún en el rango de 50 a 200 millas náuticas de la costa de Somalia.

Industrias extractivas

87. El Grupo de Supervisión sigue preocupado por el hecho de que la debilidad de la gobernanza de las industrias extractivas sigue representando una amenaza para la paz y la seguridad en Somalia, en particular en un contexto de conflicto armado en curso, una corrupción sustancial y la ausencia de un marco jurídico adecuado y suficiente capacidad institucional. Las zonas fronterizas con concesiones superpuestas, por ejemplo entre Puntlandia y Somalilandia, suponen un riesgo para la estabilidad (véase S/2014/726, anexo 6.7). En ausencia de una mayor transparencia fiscal y una mayor rendición de cuentas financieras, las industrias extractivas probablemente aumentarían la apropiación indebida de recursos públicos en Somalia (véase el anexo 5.4).

88. El Grupo de Supervisión sigue supervisando el marco jurídico y la capacidad institucional del país en relación con las industrias extractivas, en particular en el sector del petróleo y el gas (véase el anexo 5.3). Los acontecimientos positivos son: la elaboración de un acuerdo modelo de reparto de la producción, con la asistencia del Servicio Africano de Apoyo Jurídico, en el Banco Africano de Desarrollo, y la revisión por el Ministerio de Petróleo y Recursos Naturales del acuerdo modelo de reparto de la producción para incorporar las recomendaciones Comité de

⁷⁴ Datos de mapeo de la FAO compartidos con el Grupo de Supervisión, 6 de marzo de 2017.

Gobernanza Financiera; y con la asistencia de dos consultores del Banco Mundial, la revisión de la Ley del Petróleo (2008), que se presentará para su examen por el Parlamento en 2017 como una nueva ley. Sin embargo, aunque en 2016 se negoció bilateralmente un acuerdo provisional de reparto de petróleo con dos administraciones provisionales, se han hecho pocos progresos para lograr un acuerdo general de reparto de los recursos entre el Gobierno Federal y los gobiernos regionales⁷⁵. Del mismo modo, el registro central de concesiones petrolíferas que el Ministerio se ha comprometido a recopilar sigue siendo incompleto, y en el momento de redactar el presente informe no estaba claro si se incorporarán en el proyecto de ley de gestión de las finanzas públicas las recomendaciones del Comité de Gobernanza Financiera relativas a la gestión de los ingresos derivados de los recursos naturales⁷⁶. Por último, la capacidad técnica del Ministerio no parece haber mejorado, pese a haberse determinado importantes necesidades de personal con el Ministro anterior, y todavía no se ha establecido una autoridad petrolera somalí que funcione y una empresa nacional de petróleo de Somalia, como exige la Ley del Petróleo (2008).

89. Entretanto, aunque aún no se ha confirmado ningún nuevo acuerdo petrolero con la administración actual, y las pruebas disponibles indican que el Gobierno Federal da prioridad a renovar las negociaciones con las empresas. El plan de trabajo anual de 2017 del Ministerio de Petróleo y Recursos Naturales incluye: 377.000 dólares para un “programa itinerante” sobre hidrocarburos, rondas de licitación y adjudicación de contratos basándose en los datos de prospección sísmica en alta mar de Spectrum ASA (véanse S/2016/919, párr. 85 y anexo 5.1), y 300.000 dólares para entablar negociaciones con la Royal Dutch Shell PLC, ExxonMobil, Soma Oil & Gas y PetroQuest (Liberty) y otros 100.000 dólares asignados a “ceremonias de adjudicación”⁷⁷. En una carta al Grupo de Supervisión de 18 de agosto de 2017, el Ministerio de Petróleo y Recursos Naturales confirmó su intención de entablar negociaciones directas con la Royal Dutch Shell PLC, ExxonMobil, Soma Oil & Gas y PetroQuest (Liberty), así como los planes de abrir a la licitación en 2018 algunos bloques en alta mar. Al Grupo de Supervisión le sigue preocupado que el Gobierno Federal carezca del marco normativo y la capacidad institucional para reglamentar efectivamente las industrias extractivas y mitigar el riesgo de conflicto.

F. Resurgimiento de la piratería

90. El 13 de marzo de 2017, el Aris 13, un buque petrolero de propiedad de los Emiratos Árabes Unidos en ruta de Djibouti a Mogadiscio, fue secuestrado por piratas en la brecha entre Socotra y el territorio continental de Somalia, el primer secuestro de un buque mercante internacional frente a las costas de Somalia desde 2012. Tras un tiroteo el 16 de marzo de 2017 entre los piratas y la Fuerza de Policía Marítima de Puntlandia, se celebraron negociaciones entre los piratas, los ancianos locales y las autoridades de Puntlandia, que hicieron que se liberara el petrolero.

⁷⁵ Se alcanzaron acuerdos bilaterales con la Administración Provisional de Galmudug y la Administración Provisional del Estado Sudoccidental.

⁷⁶ Las recomendaciones se refieren a principios para la gestión de los ingresos derivados de los recursos naturales, en particular dónde se mantienen los fondos, cómo se desembolsan y cómo se ahorran. Véase Comité de Gobernanza Financiera, “FGC advisory note: strengthening the draft Public Financial Management Bill”, mayo de 2017.

⁷⁷ Ministerio de Petróleo y Recursos Minerales, “Ministry of Petroleum and Mineral Resources 2017 annual work plan”.

91. El 1 de abril, la bagala Al-Kausar, de propiedad y pabellón indios en ruta de Dubái a Kismayo, fue secuestrada también en la brecha de Socotra⁷⁸. Los diez miembros indios de la tripulación a bordo de la Al-Kausar fueron secuestrados y posteriormente liberados por fuerzas de seguridad somalíes el 12 de abril. El 3 de abril, el Salama 1, un carguero de propiedad pakistaní, fue secuestrado frente a la costa de Somalia central y se tomó como rehenes a un número indeterminado de tripulantes.

92. El 8 de abril, piratas secuestraron el OS 35, un carguero de propiedad libanesa con pabellón de Tuvalu. El buque fue rescatado al día siguiente por fuerzas navales internacionales de China y la India. Durante la operación de rescate, fuerzas chinas capturaron a tres piratas, entre ellos a Abdikarim Salah Mohamed, alias Aw Koombe, líder de los secuestradores. Mohamed, con base en la ciudad ribereña de Alula, también era el líder de la banda de piratas que secuestraron el Aris 13. La Armada de China entregó posteriormente a Mohamed a las autoridades de Puntlandia, y se encuentra actualmente detenido en la Cárcel Central de Bosaso.

La red de Abdikarim Salah Mohamed, alias Aw Koombe, y el secuestro del Aris 13

93. El líder pirata Abdikarim Salah Mohamed, alias Aw Koombe, y dos asociados anteriormente desconocidos, Mohamoud Mahad Yusuf y Sadam Abdullahi Mohamed Yusuf, fueron capturados por la Armada de China durante el rescate del carguero OS 35 el 9 de abril de 2017 y entregados a las autoridades de Puntlandia. Mohamed también dirigió el grupo de piratas responsables de secuestro del petrolero Aris 13 el 13 de marzo⁷⁹. Ambas bandas de piratas operaban desde los alrededores de la ciudad de Alula, situada en el extremo noreste de Puntlandia; desde la recuperación de Qandala de manos del EIIL por fuerzas de Puntlandia en diciembre de 2016, la zona de Alula se ha convertido en un centro natural para las operaciones de los piratas, ya que es el único asentamiento importante entre Qandala y Bargal, localidades en las que están acuarteladas tropas de Puntlandia⁸⁰.

94. Además de Aw Koombe y sus dos asociados, los registros de llamadas de teléfono por satélite a bordo del Aris 13 revelan comunicaciones con dos teléfonos móviles en Puntlandia tras el secuestro del buque el 13 de marzo, que el Grupo de Supervisión considera que pertenecen a miembros de la red de Aw Koombe.

95. En el anexo 6.1 (estrictamente confidencial) se proporciona información adicional sobre el secuestro del Aris 13 y un análisis de los vínculos de la red de piratería de Aw Koombe.

⁷⁸ En una reunión con la Dirección General de Navegación celebrada en Mumbai (India) el 2 de mayo de 2017, las autoridades confirmaron que la Al-Kausar era la misma bagala de pabellón indio previamente señalada por el Grupo de Supervisión por haber violado la prohibición de la exportación de carbón vegetal de Somalia (véase S/2016/919, anexo 9.5).

⁷⁹ Cuando el Grupo de Supervisión entrevistó a Mohamed el 7 de junio de 2017 en la Cárcel Central de Bosaso, este negó haber participado en el secuestro del Aris 13. Sin embargo, una fuente del Grupo en Bosaso comunicó que Mohamed había admitido que era el líder del grupo de piratas responsables, y su participación fue corroborada datos de localización de teléfonos móviles obtenidos por el Grupo de Supervisión.

⁸⁰ Tras la pérdida de los puertos naturales de Qandala (Khooriga) al haber sido recuperados por las fuerzas de Puntlandia, la zona de Alula también parece haberse convertido en un centro de contrabando de armas en Puntlandia (anexo 2.1).

G. Conducta electoral indebida

96. El Grupo de Supervisión recibió numerosas denuncias de malas prácticas electorales durante todo el proceso electoral, desde el proceso de selección del Parlamento hasta las elecciones presidenciales de febrero de 2017⁸¹.

97. El proceso electoral mostró una campaña continua entre las élites para capturar o mantener el control de los recursos del Estado en Somalia a expensas de la paz y la seguridad. Un informe preparado por la Misión de Expertos en Elecciones de la Unión Europea describió que la transición era una negociación política dirigida por el Foro de Líderes Nacionales⁸², que diseñó el proceso, nombró a los órganos especiales para su aplicación, no los equipó con instrumentos para aplicar las normas acordadas y anuló sus decisiones⁸³.

Proceso electoral parlamentario

98. El Grupo de Supervisión documentó numerosos casos de tentativas de manipular el resultado del proceso electoral parlamentario⁸⁴, en particular:

- a) Control de los procesos electorales regionales por los equipos estatales de aplicación de las elecciones indirectas;
- b) Alteraciones fraudulentas de las listas de colegios electorales;
- c) Sobornos a ancianos de los clanes y miembros de los colegios electorales;
- d) Amenaza y uso de violencia contra los candidatos, los ancianos de los clanes y los miembros de los colegios electorales.

99. El Mecanismo Independiente de Solución de Controversias Electorales, creado a fines de septiembre de 2016 tras las presiones de la comunidad internacional, recibió un total de 98 denuncias oficiales. Un informe interno recopilado por el Mecanismo el 21 de noviembre resumió 39 casos concretos⁸⁵. Posteriormente anuló los resultados correspondientes a 11 escaños el 14 de diciembre. Sin embargo, el 27 de diciembre el Foro de Líderes Nacionales anuló la decisión del Mecanismo y ordenó que se repitieran las elecciones solo en cinco de esos casos, en los que se permitió que todos los candidatos suspendidos se volvieran a presentar y ganaron por segunda vez.

Elecciones presidenciales

100. El Grupo de Supervisión recibió informes de múltiples fuentes independientes sobre el intercambio de grandes sumas de dinero entre algunos candidatos a la

⁸¹ El Grupo de Supervisión informó de sus preocupaciones sobre el marco electoral en el documento S/2016/919, anexo 3.2.

⁸² El Foro de Líderes Nacionales estaba integrado por el Presidente, el Primer Ministro, el Viceprimer Ministro y Presidente del Parlamento del Gobierno Federal y los presidentes de los estados regionales de Yubalandia, Sudoeste, Galmudug y Puntlandia. El presidente de la administración de HirShabelle, recién seleccionado, se unió al Foro en octubre de 2016.

⁸³ Unión Europea, "Somalia 2016-2017 limited election process: EU election expert mission—final report", 16 de febrero de 2017. Se puede consultar en https://eeas.europa.eu/sites/eeas/files/eu_eem_somalia_final_report.pdf. El informe ofrece un amplio resumen de las deficiencias del proceso electoral y recomendaciones.

⁸⁴ En la actualización mensual de enero de 2017 al Comité, el Grupo de Supervisión incluyó un resumen de esas tentativas.

⁸⁵ Informe del mecanismo interno independiente de solución de controversias en los archivos de la Secretaría.

Presidencia y miembros del Parlamento en el período inmediatamente anterior a las elecciones presidenciales el 8 de febrero de 2017.

101. Al parecer, varios de los candidatos presidenciales, entre ellos el actual Presidente y el Primer Ministro en aquellos momentos habrían ofrecido hasta 50.000 dólares a diversos Miembros del Parlamento para que votasen a su favor⁸⁶.

102. Algunos Estados Miembros también trataron de influir activamente en el resultado de las elecciones presidenciales. De ellos, los Emiratos Árabes Unidos fueron los más evidentes, emplazando frecuentemente a dirigentes de las administraciones regionales para que asistieran a reuniones donde recibieron efectivo para persuadir a sus parlamentarios regionales que votaran por el candidato preferido de ese país⁸⁷.

III. Embargo de armas

A. Corriente ilícita de armas a Somalia

Redes de contrabando de armas de Puntlandia

103. La región de Puntlandia siguió siendo el principal punto de entrada de corrientes ilícitas de armas a Somalia. En los dos últimos mandatos, el Grupo de Supervisión ha detectado dos canales de contrabando de armas hacia Puntlandia: grandes envíos transportados por bagalas oceánicas de mediano tamaño procedentes de la costa de Makran en la República Islámica del Irán y envíos más pequeños y frecuentes procedentes del Yemen, por lo general transportados por esquifes que pueden hacer el viaje en un solo día⁸⁸.

104. Si bien el Grupo de Supervisión recibió pruebas de armas que llegaban a lo largo de la costa de Puntlandia de Qandala a Alula a un ritmo de aproximadamente un envío al mes, la falta de acceso y las condiciones de seguridad han impedido que el Grupo pueda corroborar muchos de esos casos. Sin embargo, el Grupo de Supervisión pudo reunir pruebas de tres envíos a Puntlandia, uno proveniente de la República Islámica del Irán y dos del Yemen, en particular un envío destinado al EIIL en la región de Bari de Puntlandia.

Fatah Al-Khayr y la obtención de armas por el Estado Islámico en el Iraq y el Levante

105. El 30 de abril de 2017, la policía portuaria de Puntlandia descubrió 16 pistolas y 2.030 cartuchos de munición para pistolas de 7,62x25 mm a bordo de la bagala de carga Fatah Al-Khayr, de registro somalí, mientras estaba atracada en Bosaso. El 28 de abril, mientras se dirigía de Al-Mukalla (Yemen) a Bosaso, la bagala Fatah Al-Khayr fue interceptada y registrada por el buque estadounidense USS Hué City

⁸⁶ Entrevistas del Grupo de Supervisión con representantes de la comunidad diplomática y las instituciones internacionales, funcionarios actuales y exfuncionarios del Gobierno Federal y candidatos presidenciales en Mogadiscio y Nairobi entre diciembre de 2016 y abril de 2017.

⁸⁷ *Ibid.* Al parecer los Emiratos Árabes Unidos habrían apoyado, al menos hasta las últimas etapas del proceso, la candidatura a la Presidencia del anterior Primer Ministro.

⁸⁸ Entre septiembre de 2015 y marzo de 2016, fuerzas navales internacionales interceptaron cuatro bagalas oceánicas que transportaban armas a Somalia desde las costas de Makran en la República Islámica del Irán. En múltiples informes anteriores del Grupo de Supervisión se han documentado envíos de armas a menor escala desde el Yemen, por ejemplo, en el documento S/2014/726, anexo 6.6.

durante un abordaje de rutina para verificar el pabellón, pero no se descubrió el contrabando⁸⁹.

106. Una investigación posterior del incidente por el Grupo de Supervisión reveló que la red de contrabandistas de armas que habían enviado las pistolas a la bagala Al Fatah al-Khayr transportó posteriormente un cargamento de armas pequeñas más pesadas a la costa noreste de Puntlandia, destinado a la facción del EIIL en el noreste de Puntlandia. Dos tratantes del Yemen habían conseguido el envío para el EIIL, así como las pistolas, en Shabwa en el Yemen, que fue transportado por contrabandistas de armas de Puntlandia conocidos por el Grupo, principalmente Mahad Isse Aden, alias Laboballe; Abdi Mohamed Omar, alias Dhofaye y Buruj Mohamed Ali Farah.

107. El estudio del caso de la Fatah Al-Khayr se presenta íntegramente en el anexo 7.1.

Asociación entre Dhofaye, Laboballe y Buruj Farah

108. El Grupo de Supervisión también ha confirmado un segundo envío de armas pequeñas importado desde el Yemen por la triada de Dhofaye, Laboballe y Buruj Farah, que llegó el 9 de mayo de 2017 a Marero, un centro de trata de personas situado a unos 15 km al este de Bosaso⁹⁰. Los registros financieros obtenidos por el Grupo indican que Dhofaye transfirió casi 260.000 dólares a tres tratantes de armas del Yemen entre octubre de 2016 y julio de 2017, lo que sugiere que era probable que la asociación entre Dhofaye, Laboballe y Buruj Farah estuviera implicada en una serie de envíos ilícitos de armas durante el mandato, además de los dos documentados por el Grupo.

109. El 22 de septiembre de 2017, el Grupo de Supervisión recibió información de la misión naval internacional de la Fuerza Naval de la Unión Europea en Somalia (EUNAVFOR Atalanta) de que una aeronave de patrullaje marítimo había avistado un esquife que llevaba armas del Yemen a Somalia. La información se transmitió posteriormente a la Fuerza de Policía Marítima de Puntlandia, que interceptó el buque y se incautó del envío de armas en la mañana del 23 de septiembre cerca de Bosaso. La Fuerza de Policía identificó a dos personas a bordo del esquife como Dhofaye y Buruj Farah, pero afirmó que habían logrado evadir su captura por las fuerzas de Puntlandia⁹¹. La incautación fue el primer ejemplo de coordinación en tiempo real entre Puntlandia y las fuerzas navales internacionales para interceptar un cargamento de armas.

110. En el momento de redactar el presente informe, el Grupo de Supervisión se había puesto en contacto con las autoridades de Puntlandia para poder inspeccionar lo incautado; sin embargo, en el anexo 7.1.1 se presentan las fotografías preliminares de las armas y esquife.

Envío de armas a Alula en bagalas procedentes de la República Islámica del Irán

111. Desde que las fuerzas de Puntlandia volvieron a tomar la ciudad de Qandala de la facción del EIIL en diciembre de 2016, el centro de contrabando de armas parece

⁸⁹ Las Fuerzas Marítimas Combinadas proporcionaron al Grupo de Supervisión detalles del abordaje el 29 de agosto de 2017.

⁹⁰ Información facilitada por un exoficial de inteligencia de Puntlandia y corroborada por el análisis de registros de teléfonos móviles.

⁹¹ Entrevista con un oficial superior de la Fuerza de Policía Marítima de Puntlandia, 23 de septiembre de 2017.

haberse desviado hacia el este, de Qandala a la zona alrededor de las ciudades costeras de Alula y Habo, en el extremo noreste de Puntlandia.

112. Del 8 al 9 de marzo de 2017, tres bagalas probablemente procedentes de la República Islámica del Irán entregaron un cargamento de armas a la zona de Alula, facilitado por Mohamed Abdi Muse, nacional somalí. El Grupo de Supervisión había determinado previamente que Muse era miembro de la red de contrabando de armas Qandala-Hafun (véase S/2016/919, anexo 8.10). Posteriormente, el Grupo obtuvo fotografías del envío en una playa próxima a Alula, todavía embalado, pero no pudo determinar el contenido exacto.

113. El papel de Mohamed Abdi Muse en la intermediación de la remesa fue corroborado por registros de telefonía móvil, que demuestran que Muse hizo un total de 16 llamadas a tres teléfonos por satélite entre el 3 y el 9 de marzo. En 2015, Muse había estado en contacto con aparatos por satélite operados por contrabandistas de armas a bordo de la bagala Nasir, con registro iraní, que fue interceptada por el buque australiano HMAS Melbourne el 24 de septiembre de 2015 cuando llevaba un cargamento compuesto principalmente por 75 misiles antitanque (*ibid.*). La Nasir había partido de Chabahar (República Islámica del Irán) y la tripulación dijo que el destino de la bagala era Hurdiyo, en Puntlandia⁹².

114. Véase en el anexo 7.1 una figura de la actividad del teléfono de Mohamed Abdi Muse en marzo de 2017.

Información actualizada sobre la incautación por la FS Provence en marzo de 2016

115. El Grupo de Supervisión obtuvo información adicional sobre el cargamento de armas incautado el 20 de marzo de 2016 por la fragata francesa FS Provence de una bagala que se dirigía a Puntlandia (véase S/2016/919, anexo 8.4). A raíz de una misión a Francia en marzo de 2017, que incluía una inspección de las armas incautadas, el Grupo determinó que los 2.000 fusiles de asalto incautados en la operación tenían características consistentes con los fusiles de asalto KLS-7.62 AK de fabricación iraní, y que los 64 fusiles de francotirador incautados tenían características compatibles con los fusiles de francotirador SVD de fabricación iraní⁹³.

116. Durante una misión del Grupo de Supervisión a la República Islámica del Irán del 18 al 21 de septiembre, las autoridades iraníes negaron categóricamente cualquier participación estatal en el envío de armas a Somalia, e indicaron que algunos agentes estaban intentando atribuir el envío a la República Islámica del Irán.

117. El Grupo de Supervisión también recibió confirmación de un Estado Miembro de que las miras ópticas descubiertas en el mismo material incautado se habían exportado previamente a una empresa iraní a condición de que no se utilizaran con fines militares, ni fueran vendidas o transferidas a terceros para su utilización con fines militares. Las autoridades iraníes aseguraron al Grupo que investigarían a la empresa en cuestión.

118. En el anexo 7.2 figura un análisis completo de las armas incautadas por la FS Provence.

Pistolas de foguero Ekol

119. El 23 de enero de 2017, la Administración Provisional de Yuba y contingentes de la AMISOM descubrieron un contenedor con aproximadamente 25.000 pistolas

⁹² Informe confidencial de las Fuerzas Marítimas Combinadas.

⁹³ El Grupo de Expertos sobre el Yemen llegó a conclusiones similares, véase el informe final del Grupo de Expertos sobre el Yemen (S/2017/81, cuadro 3).

de fogueo Ekol a bordo del buque SJ African atracado en el puerto de Kismayo. Según la documentación que acompañaba al contenedor, iba a ser descargado en Massawa (Eritrea), en diciembre de 2015.

120. Con el apoyo de la Administración Provisional de Yuba, el 14 de febrero de 2017 el Grupo de Supervisión inspeccionó muestras de las armas en el puerto. En ese momento, la Administración Provisional de Yuba dijo que su intención era destruir las pistolas en Kismayo, sin embargo, no se recibió respuesta a correspondencia oficial dirigida a la Administración Provisional de Yuba, de 17 de agosto de 2017, en la que se pedían aclaraciones sobre el destino de las pistolas confiscadas. Debido a la facilidad de convertir esas pistolas de fogueo para que disparasen munición real, el Grupo de considera que la remesa constituye material prohibido por el embargo de armas relativo a Somalia.

121. En los párrafos 14 a 17 y el anexo 1 del informe sobre Eritrea del Grupo de Supervisión para Somalia y Eritrea (S/2017/925) figura la versión completa de la incautación de las pistolas de fogueo Ekol.

B. Cumplimiento por el Gobierno Federal de las obligaciones en virtud del levantamiento parcial del embargo de armas

122. En 2013 el Consejo de Seguridad autorizó al Gobierno Federal a importar cantidades ilimitadas de armas y municiones, hasta un determinado calibre y de cierto tipo, y otro equipo militar⁹⁴. Tras el levantamiento parcial del embargo de armas se impuso al Gobierno Federal la obligación de: informar al Comité con antelación de cualquier apoyo recibido para sus fuerzas de seguridad y comunicar la entrega y distribución de todas las armas y municiones; informar al Consejo cada seis meses sobre la estructura y la composición de sus fuerzas; y elaborar procedimientos eficaces para la gestión de las armas y municiones.

Notificaciones⁹⁵

123. Durante el mandato, el Comité recibió siete notificaciones anticipadas en relación con la entrega de remesas de material militar al Gobierno Federal, seis de las cuales fueron presentadas por el Gobierno Federal⁹⁶. El Grupo de Supervisión confirmó la llegada durante el mandato de cuatro remesas de armas, municiones y otro material militar destinados a las fuerzas de seguridad del Gobierno Federal. Solo uno de ellos cumplía satisfactoriamente con los requisitos de notificación anticipada y posterior a la entrega. En dos casos no se facilitó al Comité la notificación anticipada de la entrega. Únicamente se informó al Comité acerca de esas remesas después de su entrega, y solo después de que el Grupo se interesara por ellas. Aunque el Comité recibió del Gobierno Federal notificación anticipada y posterior a la entrega en el caso de la cuarta remesa, la información facilitada presentaba discrepancias.

⁹⁴ Véase la resolución 2093 (2013) del Consejo de Seguridad, párrs. 33 a 39.

⁹⁵ Véase la resolución 2142 (2014) del Consejo de Seguridad, párrs. 3 a 7. Puede verse una reseña general de los requisitos de notificación relativos al apoyo a las fuerzas de seguridad del Gobierno Federal en la nota orientativa para la aplicación de resoluciones núm. 2, del Comité del Consejo de Seguridad dimanante de las resoluciones 751 (1992) y 1907 (2009): Resumen de las restricciones en vigor del embargo de armas relativo a Somalia y Eritrea, incluidas las exenciones, 14 de marzo de 2016, párrs. 9 a 17.

⁹⁶ Si bien la obligación primordial de notificar al Comité recae sobre el Gobierno Federal, los Estados Miembros o la organización internacional que participan en el suministro también podrán hacer la notificación previa “en consulta” con el Gobierno Federal. Véase la resolución 2142 (2014) del Consejo de Seguridad, párr. 4.

124. El cumplimiento por el Gobierno Federal de sus obligaciones de notificación posterior a la entrega se vio dificultado por la mala transmisión de la información, no solo entre los Estados Miembros y el Gobierno, sino también dentro de las propias estructuras de este.

125. En agosto de 2017, el Grupo de Supervisión recibió información de que un gran cargamento de equipo militar del que el Comité no había recibido notificación anticipada había llegado a Villa Baidoa procedente de China. El Grupo de Supervisión se puso en contacto con el Gobierno Federal y, posteriormente, el 21 de agosto, el Gobierno Federal escribió al Comité confirmando el envío de material militar, aunque sin facilitar información detallada sobre el tipo y la cantidad del equipo militar entregado⁹⁷. El 29 de agosto, el Grupo inspeccionó una parte de la remesa en el Arsenal Central de Halane⁹⁸. En respuesta a preguntas del Grupo de Supervisión, el 22 de septiembre China informó al Grupo de que en julio de 2017 se habían entregado armas, municiones y equipo militar al Gobierno Federal y se había facilitado a este la documentación correspondiente.

126. Otro ejemplo de la confusión que rodea las responsabilidades en materia de notificación surgió cuando los Estados Unidos informaron al Gobierno Federal de su intención de entregar el 29 de agosto de 2017 una remesa de armas y municiones en apoyo del Ejército Nacional Somalí. En opinión del Gobierno Federal, ya se había hecho una notificación en relación con ese equipo y no presentó ninguna otra comunicación al Comité⁹⁹. Sin embargo, el cargamento que llegó el 29 de agosto contenía un inventario diferente del que figuraba en la notificación a que hacía referencia el Gobierno Federal.

Presentación de informes por el Gobierno Federal al Consejo de Seguridad sobre las fuerzas de seguridad

127. Desde la presentación del informe anterior, el Consejo de Seguridad ha recibido dos informes del Gobierno Federal en cumplimiento de los requisitos establecidos en el párrafo 9 de su resolución 2182 (2014) y recientemente renovados en el párrafo 7 de su resolución 2317 (2016).

128. En su informe de octubre de 2016, además de los diagramas de flujo en los que se mostraban las estructuras de dirección del Ejército Nacional Somalí, la Policía de Somalia, el Organismo Nacional de Inteligencia y Seguridad y el Cuerpo de Funcionarios de Prisiones, el Gobierno Federal presentó un cuadro en el que se indicaba el número de efectivos de cada brigada del Ejército Nacional Somalí. Sin embargo, el número de efectivos que se indicaba en el cuadro no se correspondía con otras evaluaciones de las tropas del Ejército Nacional Somalí, incluidas las evaluaciones internas realizadas por el Gobierno Federal y el Ejército Nacional Somalí examinadas por el Grupo de Supervisión, y no incluía detalles sobre el número aproximado de efectivos de los batallones, la ubicación de los batallones y las brigadas o los comandantes de batallón y de brigada. No se proporcionaban más detalles de la Policía de Somalia, del Organismo Nacional de Inteligencia y Seguridad o el Cuerpo de Funcionarios de Prisiones.

129. El informe de marzo de 2017 se presentó durante el período de transición a la administración actual del Gobierno Federal. Incluía información más pormenorizada sobre las fuerzas de seguridad somalíes a nivel regional y se facilitaban estimaciones de los efectivos de las fuerzas regionales en Puntlandia, la Administración Provisional de Galmudug y la Administración Provisional del

⁹⁷ S/AC.29/2017/NOTE.41.

⁹⁸ Véanse S/AC.29/2017/SEMG/OC.122 y anexo 8.1.

⁹⁹ S/AC.29/2015/NOTE.66.

Estado Sudoccidental. En el informe se indica que la Administración Provisional de Yuba no había facilitado información al Gobierno Federal sobre sus efectivos y que, en el momento de presentar el informe, la Administración Provisional de HirShabelle, recientemente establecida, no tenía fuerzas bajo su control.

130. A pesar de algunas pequeñas mejoras, la presentación de informes por parte del Gobierno Federal sobre sus fuerzas de seguridad sigue siendo incompleta e insuficientemente detallada¹⁰⁰. Esa falta de información puede explicarse en parte por la debilidad de las relaciones entre el Gobierno Federal y las administraciones regionales. También es probable, sin embargo, que se deba a la falta de voluntad o a la incapacidad de los funcionarios del sector de la seguridad para facilitar una información adecuada o suficiente.

Gestión de armas y municiones

131. Debido a una mayor facilidad para acceder a las instalaciones de almacenamiento de armas durante el mandato, el Grupo de Supervisión observó mejoras en la gestión y el registro del material importado en el Arsenal Central de Halane, así como en la distribución y la localización de armas. Para la realización de su análisis, el Grupo recibió apoyo del Equipo Conjunto de Verificación¹⁰¹ y del Instituto de las Naciones Unidas de Investigación sobre el Desarme. El Grupo celebró la voluntad del nuevo Gobierno Federal de seguir reforzando los procedimientos. No obstante, los mecanismos vigentes en el momento de redactar el presente informe seguían siendo débiles y vulnerables a la manipulación.

Registro de armas y municiones y procedimientos de marcado

132. El Grupo de Supervisión obtuvo acceso al Arsenal Central de Halane en Mogadiscio en tres ocasiones, y lo solicitó en otras cinco¹⁰². El 26 de abril y el 29 de agosto de 2017, el Grupo de Supervisión realizó dos auditorías separadas de las armas y municiones que se encontraban en el Arsenal Central de Halane.

133. Los pormenores de la inspección del arsenal central de Halane figuran en el anexo 8.1.

134. El Grupo de Supervisión observó que se había seguido el procedimiento de registro y marcado en el caso de las armas contenidas en dos remesas recibidas durante el mandato, aunque se encontraron algunas discrepancias. También se observó que era necesario mejorar el proceso relativo al registro de municiones.

135. En el anexo 8.2 se describen los procedimientos actuales de gestión de armas en el Arsenal Central de Halane.

136. En el momento de redactar el presente informe estaban en funcionamiento siete de los ocho máquinas utilizadas para el marcado de las armas, tres en el Arsenal Central de Halane, tres en el Ministerio de Seguridad Interna del Gobierno

¹⁰⁰ Véase en S/2016/919, anexo 8.2, la evaluación anterior del Grupo de Supervisión sobre la presentación de informes por parte del Gobierno Federal de Somalia.

¹⁰¹ En relación con la carta de fecha 3 de abril de 2014 dirigida al Presidente del Consejo de Seguridad por el Secretario General (S/2014/243) y la declaración de la Presidencia del Consejo de Seguridad de 22 de mayo de 2014 (S/PRST/2014/9), de conformidad con la resolución 2182 (2014) del Consejo de Seguridad, el Gobierno Federal estableció un Equipo Conjunto de Verificación encargado de llevar a cabo inspecciones rutinarias de las existencias, los inventarios, los registros y la cadena de suministro de armas de las fuerzas de seguridad del Gobierno con el propósito de mitigar el desvío de armas y municiones.

¹⁰² El Arsenal Central de Halane actúa como punto inicial oficial de almacenamiento de todas las armas, municiones y equipo militar que llegan a Somalia, y está situado en el complejo del aeropuerto de Mogadiscio.

Federal, y dos equipos móviles sobre el terreno. Según el Gobierno Federal, hasta el 30 de marzo de 2017 se habían marcado en total 8.800 armas¹⁰³.

Distribución de armas y municiones

137. Durante su visita al Arsenal Central de Halane el 26 de abril de 2017, el Grupo de Supervisión recibió copias de formularios de aprobación de la distribución de municiones que se remontaban a diciembre de 2015. El Grupo también examinó los registros correspondientes en los que se detallaba la distribución de un total de 1.366.970 cartuchos a las fuerzas de seguridad somalíes entre diciembre de 2015 y marzo de 2017.

138. Si bien el Grupo de Supervisión observó una mejora en la gestión de la distribución de municiones en el Arsenal Central de Halane, aún quedaban algunas cuestiones que eran motivo de preocupación. Por ejemplo, no existía un procedimiento normalizado para registrar el destino previsto del material; en algunos casos, solo se consignaba la ciudad o el sector, sin indicación de la unidad concreta. El 31 de julio de 2017, el Grupo solicitó información adicional al Gobierno Federal sobre los destinatarios de esas municiones. En su respuesta de fecha 18 de agosto, el Gobierno Federal reconoció que no se había facilitado la documentación sobre la información posterior a la distribución de algunas remesas según lo establecido en los párrafos 6 y 7 de la resolución 2142 (2014) del Consejo de Seguridad. El Grupo no pudo, por tanto, comprobar si las municiones habían llegado a sus destinatarios previstos.

139. En el anexo 8.3 (estrictamente confidencial) figura un examen de la documentación del Gobierno Federal sobre la distribución de armas y municiones.

140. El 29 de agosto de 2017, el Grupo de Supervisión realizó un examen detallado de la documentación relativa a la entrega, el registro, y el posterior transporte de las armas que habían llegado de Djibouti en junio de 2017¹⁰⁴. Aunque se había elaborado un gran volumen de documentación, no fue posible hacer un seguimiento de cada pieza hasta su destino. En algunos casos, las entradas en el registro no coincidían con las órdenes de distribución y los correspondientes documentos de notificación posterior a la distribución.

141. En el anexo 8.4 (estrictamente confidencial) figuran los detalles de ese caso concreto.

142. En el anexo 8.5 figuran los pormenores de las armas marcadas por el Gobierno Federal incautadas durante operaciones de seguridad del Gobierno Federal o cuya presencia en los mercados de armas ha sido documentada.

¹⁰³ Informe del Gobierno Federal presentado al Consejo de Seguridad de conformidad con el párrafo 9 de su resolución 2182 (2014), 30 de marzo de 2017. El Ejército Nacional Somalí había marcado unas 6.000 armas y el Ministerio de Seguridad Interna 2.800 pertenecientes al Organismo Nacional de Inteligencia y Seguridad, la Policía de Somalia, funcionarios públicos y empresas privadas de seguridad. El Gobierno Federal notificó al Grupo de Supervisión (véase S/AC.29/2017/NOTE.24/Add.1) que desde entonces se habían marcado otras 1.600 armas donadas por Djibouti.

¹⁰⁴ La notificación anticipada al Comité se hizo el 26 de mayo de 2017 (véase S/AC.29/2017/NOTE.24). El 17 de agosto de 2017 el Gobierno Federal de Somalia hizo una notificación posterior a la entrega y posterior a la distribución, y el 6 de septiembre de 2017 facilitó información complementaria (véase S/AC.29/2017/NOTE.24/Add.1).

C. Otras instituciones somalíes del sector de la seguridad: cumplimiento del embargo de armas

143. Si lo aprobase el Comité, otras instituciones somalíes del sector de la seguridad podrían recibir apoyo y material que de otro modo les estarían prohibidos en virtud del embargo de armas¹⁰⁵. Como se describió en 2016, durante el presente mandato los Estados Miembros han seguido prestando un apoyo significativo a fuerzas ajenas al Gobierno Federal (véase S/2016/919, anexo 8.3). No obstante, durante el período que se examina el Comité solo recibió una notificación para su examen, correspondiente una remesa enviada a la Policía de Somalilandia.

Envíos de armas a Kismayo y Baidoa que no se notificaron

144. En el transcurso de su mandato, el Grupo de Supervisión pidió aclaraciones al Gobierno de Etiopía en relación con informes de que se habían producido entregas de armas a las fuerzas regionales de seguridad en Kismayo y Baidoa. En agosto de 2017, un representante del Gobierno de Etiopía presentó dos certificados de usuario final correspondientes a las armas entregadas a la Oficina del Presidente de la Administración Provisional del Estado Sudoccidental fechados el 18 de febrero y el 23 de septiembre de 2016, y una orden de compra de la Oficina del Presidente de la Administración Provisional de Yuba fechada el 20 de julio de 2016. Esta última incluía una solicitud de adquisición de materiales diversos, entre ellos el siguiente:

- a) 1.000 rifles de asalto AK47;
- b) 20 ametralladoras PKM;
- c) 50 lanzagranadas RPG-7;
- d) 30 ametralladoras DShK;
- e) 5 ametralladoras de 14,5mm .

145. En el momento de redactar el presente informe, pese a las solicitudes formuladas, la información concreta sobre esas entregas a la Administración Provisional del Estado Sudoccidental o a la Administración Provisional de Yuba seguía siendo poco clara.

D. Establecimiento de una base militar de los Emiratos Árabes Unidos en Berbera

146. A fines de 2016, el Grupo de Supervisión recibió informes sobre los planes de los Emiratos Árabes Unidos para establecer una base militar en Berbera, Somalilandia. El 18 de enero de 2017, el Grupo envió cartas a los Emiratos Árabes Unidos y Somalilandia en las que solicitaba aclaraciones sobre su acuerdo sobre la base militar y ofrecía asesoramiento sobre el cumplimiento del embargo de armas¹⁰⁶. El 12 de febrero, antes de que el Grupo recibiera respuesta a esas cartas, el Parlamento de Somalilandia aprobó la decisión de acoger la base militar de los Emiratos Árabes Unidos¹⁰⁷.

147. Durante una misión a Somalilandia realizada en mayo de 2017, un alto miembro del Gabinete informó al Grupo de Supervisión de que la administración de

¹⁰⁵ Véase la resolución 2111 (2013), párr. 11 a).

¹⁰⁶ S/AC.29/2017/SEMG/OC.23, 18 de enero de 2017.

¹⁰⁷ El 8 de agosto de 2017, el Gobierno de los Emiratos Árabes Unidos respondió a la carta del Grupo de Supervisión alentándolo a que se dirigiese a las autoridades competentes de Somalia en caso de que tuviera alguna pregunta que formular sobre las actividades realizadas en su territorio (2017/338).

Somalilandia había dado permiso a los Emiratos Árabes Unidos para renovar y utilizar como base militar las instalaciones aeroportuarias existentes en Berbera, base que debía ser utilizada únicamente por la fuerza aérea de los Emiratos Árabes Unidos durante un período de 25 años. El funcionario informó además al Grupo de que la base se utilizaría principalmente para realizar patrullas marítimas destinadas a luchar contra la piratería y no se utilizaría para llevar a cabo ataques aéreos¹⁰⁸. Sin embargo, un segundo funcionario de alto rango anunció públicamente que los Emiratos Árabes Unidos utilizarían la base con fines de formación, vigilancia y realización de operaciones militares en el Yemen¹⁰⁹.

148. De las imágenes obtenidas por satélite entre diciembre de 2016 y septiembre de 2017 se desprende que unos 2 km al norte de la pista del aeropuerto de Berbera se estaban construyendo nuevas instalaciones permanentes en la costa, incluido un nuevo muelle. En el anexo 9 pueden verse imágenes de las obras obtenidas por satélite.

149. El establecimiento de una base militar extranjera en Berbera, que implica el transporte de material militar al territorio, constituiría una violación del embargo de armas impuesto a Somalia. De la información de que dispone el Grupo de Supervisión sobre la función de la base cabe deducir que no es probable que pudiera aplicarse ninguna de las actuales exenciones al embargo de armas. Además, cualquier asistencia que tuviera también el efecto de dar apoyo a las instituciones del sector de seguridad somalí de Somalilandia requeriría una notificación previa al Comité y la aprobación de este de conformidad con lo establecido en el párrafo 11 a) de la resolución 2111 (2013) del Consejo de Seguridad.

150. Por último, la decisión de tratar unilateralmente con la administración de Somalilandia sobre una iniciativa de tal naturaleza y magnitud contribuye a socavar aún más las relaciones entre el Gobierno Federal y la administración de Somalilandia y, de ese modo, la estabilidad de Somalia a largo plazo.

E. Equipo militar capturado durante las operaciones ofensivas de la Misión de la Unión Africana en Somalia y las fuerzas de seguridad del Gobierno Federal

151. En el párrafo 6 de su resolución 2182 (2014) el Consejo de Seguridad solicitó que el Ejército Nacional Somalí y la AMISOM documentaran y registraran todo el equipo militar capturado en el marco de las operaciones ofensivas y facilitasen su inspección por el Grupo de Supervisión. En el párrafo 12 de la resolución 2317 (2016), el Consejo de Seguridad instó a que se intensificara la cooperación de la AMISOM en el cumplimiento de esa obligación.

152. Durante el mandato, la dirección de la AMISOM difundió procedimientos y directrices sobre la gestión de las armas capturadas, pero la aplicación a nivel de sector seguía siendo deficiente. Pese al aumento del interés y de expresiones de voluntad de cooperar, la AMISOM ha proporcionado al Grupo de Supervisión escasa información sobre siete armas capturadas durante el período.

¹⁰⁸ Entrevista del Grupo de Supervisión con un alto funcionario del gabinete de Somalilandia en Hargeisa, 25 de mayo de 2017. El Grupo de Supervisión fue informado de que, a cambio, los Emiratos Árabes Unidos habían acordado construir un nuevo aeropuerto civil en las proximidades y rehabilitar la carretera que iba de Berbera hasta la frontera con Etiopía en Wajaale.

¹⁰⁹ Abdulaziz Osman, "Somaliland says UAE can launch attacks from new base", VOA, 26 de mayo de 2017. Puede consultarse en www.voanews.com/A/somaliland-says-united-arab-emirates-launch-attacks-new-air-base/3872972.html.

153. El Grupo de Supervisión también solicitó en varias ocasiones al Gobierno Federal que proporcionara acceso a las armas capturadas en las operaciones ofensivas durante el mandato, pero el Gobierno Federal no facilitó esas visitas.

F. Reforma del sector de la seguridad

154. A medida que la retirada de las tropas de la AMISOM de Somalia meridional y central durante los próximos dos a cinco años se ha ido haciendo cada vez más probable, han ido aumentando las preocupaciones respecto de la capacidad de las fuerzas somalíes para mantener y reforzar los logros en materia de seguridad alcanzados durante los últimos diez años.

155. El sector de la seguridad de Somalia recibió gran atención antes y durante la Conferencia de Londres sobre Somalia celebrada el 11 de mayo de 2017, que desembocó en la firma de un Pacto de Seguridad por los representantes del Gobierno Federal y la comunidad internacional. En el Pacto de Seguridad se establecía un acuerdo político entre el Gobierno Federal y las administraciones regionales sobre una nueva estructura nacional para las fuerzas somalíes¹¹⁰; un plan para la reforma gradual del sector de la seguridad en Somalia; y unos compromisos de los asociados internacionales en apoyo de ese proceso¹¹¹.

156. Diversos agentes han expresado su oposición a esos planes, entre ellos altos representantes del Gobierno Federal y del Ejército Nacional Somalí, en particular en lo que respecta a la descentralización del mando de Mogadiscio y el aumento de la autoridad de las administraciones regionales¹¹².

157. Debido principalmente a la falta de voluntad política, se han estancado la mayoría de los esfuerzos realizados desde 2015 para integrar en el Ejército Nacional Somalí a las fuerzas de seguridad regionales, incluidos 3.000 soldados *darawish* de Puntlandia¹¹³ (véase S/2016/919, párr. 52). Está por ver si el nuevo Gobierno Federal y las administraciones regionales estarán dispuestos a aplicar de forma colectiva y sistemática la nueva estructura de seguridad. Sin embargo, en el momento de redactar el presente informe era poco probable que se cumplieran los objetivos establecidos en la Conferencia de Londres sobre Somalia para octubre de 2017, cuando se programó una conferencia de seguimiento.

158. Al Grupo de Supervisión le preocupa que el intento de imponer una nueva estructura de seguridad a unos agentes renuentes, pero con influencia, pueda

¹¹⁰ Con arreglo a la nueva estructura de seguridad propuesta, la representación regional equitativa en el Ejército Nacional Somalí requeriría probablemente una redistribución de la representación de los clanes. Por tanto, probablemente tendría que reducirse la representación de los clanes actualmente dominantes en el Ejército, en particular los clanes abgaal y haber gedir (ambos hawiye).

¹¹¹ Departamento de Desarrollo Internacional del Reino Unido, Ministerio de Relaciones Exteriores y Asuntos del Commonwealth, y Ministerio de Defensa, “Security pact”, documento de políticas, 11 de mayo de 2017. Se puede consultar en: www.gov.uk/government/uploads/system/uploads/attachment_data/file/613720/london-somalia-conference-2017-security-pact.pdf.

¹¹² Entrevistas con el personal diplomático y los consultores internacionales que trabajan en la reforma del sector de la seguridad en Nairobi y Mogadiscio celebradas entre mayo y agosto de 2017. El Grupo de Supervisión también ha examinado la documentación interna del Ejército Nacional Somalí que indica la negativa a atender las solicitudes formuladas por los asociados internacionales para conseguir la autorización de las administraciones regionales en la distribución de asistencia.

¹¹³ La integración de los *darawish* en el Ejército Nacional Somalí sigue siendo una de las principales prioridades de la administración de Puntlandia. Entrevista con el Jefe de Gabinete del Presidente de Puntlandia, Abdinasir Sofe, Nairobi, 29 de agosto de 2017.

impulsar la aparición de saboteadores del proceso y la posibilidad de un rápido deterioro de la seguridad en las regiones meridional y central de Somalia.

IV. Obstrucción de la asistencia humanitaria

159. La alerta de hambruna lanzada por las Naciones Unidas el 2 de febrero de 2017 desencadenó una importante escalada de la actividad humanitaria en Somalia¹¹⁴. Mientras la carga y el riesgo de proporcionar suministros esenciales recayó sobre las organizaciones no gubernamentales y las comunidades, la aparición de nuevos ciclos de conflicto, la intensificación de las operaciones contra Al-Shabaab y el hecho de que las rutas de suministro se mostraran intransitables dificultaron el acceso. Al-Shabaab demostró su capacidad para perturbar y manipular las actividades humanitarias dentro y fuera de las zonas sobre las reconoce su control.

A. Al-Shabaab¹¹⁵

160. En 2011 la denegación del acceso a la ayuda humanitaria por parte de Al-Shabaab contribuyó de manera significativa a las 260.000 muertes que se produjeron a causa de la hambruna en Somalia. En cambio, durante el presente mandato, Al-Shabaab llevó a cabo una respuesta a la sequía bien publicitada mediante la creación de comités regionales de lucha contra la sequía y la activación de su rama humanitaria Al-Xhasan¹¹⁶. En marzo de 2017, el grupo realizó con gran resonancia una serie de distribuciones de alimentos y agua en las regiones de Bay, Bakol, Galgadud, Hiran, Bajo Shabelle y Mudug. Al mismo tiempo, sin embargo, otras políticas de Al-Shabaab han agravado la situación de las poblaciones necesitadas, tanto dentro como fuera de las zonas bajo su control¹¹⁷. Cabe mencionar las siguientes:

a) La prohibición continuada de la presencia del sector humanitario formal en la mayoría de las zonas, aplicada de manera agresiva mediante la incautación y la destrucción de la ayuda alimentaria y el castigo de quienes aceptaran asistencia humanitaria;

¹¹⁴ A fines de julio se habían recibido o se había prometido aportar 897 millones de dólares para la respuesta humanitaria en Somalia con apoyo de las Naciones Unidas en 2017.

¹¹⁵ Los estudios de casos concretos que se muestran en la presente sección se basan en entrevistas corroboradas realizadas con trabajadores humanitarios nacionales e internacionales, funcionarios regionales y de distrito, periodistas locales, ancianos de las comunidades y receptores de ayuda realizadas en Baidoa, Galkayo y Mogadiscio entre diciembre de 2016 y el 1 de septiembre de 2017. El Grupo de Supervisión también realizó entrevistas a distancia con exmiembros de Al-Shabaab, ancianos y representantes de las comunidades presentes en las zonas controladas por Al-Shabaab o desplazados de esas zonas.

¹¹⁶ Al-Shabaab dio amplia publicidad a sus propias actividades humanitarias y criticó los esfuerzos internacionales. Véase, entre otras cosas, la entrevista mantenida con Sheikh Ali Dhere, portavoz de Al-Shabaab, en Radio Al-Furqan, que puede consultarse en <http://radioalfurqaan.com/?p 9523> (comprobado el 20 de septiembre de 2017).

¹¹⁷ La situación humanitaria en algunas zonas controladas por Al-Shabaab fue grave: en junio de 2017, en el distrito de Mataban, la tasa de malnutrición aguda grave se estimó en el 6%, tres veces superior al umbral de emergencia.

b) El aumento de la presión fiscal sobre los bienes comunitarios, los productos de la cosecha y la asistencia humanitaria (incluidas las transferencias de efectivo), a menudo exigida con violencia¹¹⁸;

c) El aumento de los secuestros y detenciones de trabajadores humanitarios y de ancianos que trataban de negociar el acceso humanitario¹¹⁹;

d) El aumento de las tasas en los puestos de control y el bloqueo constante del transporte de mercancías comerciales y suministros humanitarios a las zonas bajo control del Gobierno¹²⁰.

161. Hubo excepciones al rechazo de la asistencia humanitaria externa por Al-Shabaab. En febrero de 2017, el grupo pidió a las organizaciones no gubernamentales locales que respondiesen a un brote de cólera que había surgido en diversos lugares. A principios de marzo, Al-Shabaab permitió a un subclan de Yuba Medio que recaudase fondos en la diáspora para adquirir ayuda alimentaria para su comunidad, aunque impuso un gravamen a todos los suministros.

162. Al-Shabaab permitió una libertad de circulación limitada a quienes trataban de abandonar sus bastiones para acceder a la ayuda¹²¹. Sin embargo, no siempre se garantizaba el regreso. El Grupo de Supervisión documentó cómo familias desplazadas en Bajo Shabelle pagaban un impuesto mediante transferencias a través del teléfono móvil para mantener sus títulos de propiedad de tierras. En algunos lugares de la región de Bay, el precio de regresar a casa para cultivar después de la llegada de las lluvias de la estación gu se estableció en 15 dólares y una parte de la cosecha.

B. Obstáculos burocráticos¹²²

163. El 28 de febrero de 2017, las autoridades federales y regionales prometieron eliminar todos los obstáculos que impidiesen la prestación de asistencia, en particular la importación y exportación de alimentos y suministros esenciales, así como las remesas de fondos, y suspender temporalmente la imposición de nuevos requisitos burocráticos a nivel subfederal a los proveedores de asistencia¹²³. Salvo por algunos gestos modestos, el compromiso no se cumplió¹²⁴. Entre enero y agosto de 2017, la Oficina de Coordinación de Asuntos Humanitarios de la Secretaría documentó 62 casos de impedimentos burocráticos a las operaciones humanitarias.

¹¹⁸ En marzo de 2017, en Shabelle Medio, Al-Shabaab secuestró a cinco ancianos de la localidad de Gaaleefto, e incendió viviendas y escuelas tres semanas después de que la comunidad local se hubiera negado a pagar los nuevos impuestos exigidos por el grupo.

¹¹⁹ En Qoryoley, Bajo Shabelle, un anciano fue asesinado por Al-Shabaab el 25 de abril de 2017 por su participación en esas negociaciones.

¹²⁰ El 1 de julio, Al-Shabaab atacó un convoy de nueve carros tirados por burros que viajaban a Wajiid desde Buurdhuxunle, mató a los animales y quemó los alimentos.

¹²¹ En Bakool, hubo una gran diferencia de opiniones entre los dos dirigentes de Al-Shabaab sobre si debía permitirse la marcha de la población, que llegó a provocar enfrentamientos armados.

¹²² El Grupo de Supervisión define los obstáculos burocráticos como las normas y prácticas impuestas por autoridades reconocidas que tienen por objeto o por efecto impedir el acceso de la asistencia humanitaria, incluida su desviación para otros fines. Véase S/2016/919, anexo 6.1.

¹²³ Misión de Asistencia de las Naciones Unidas en Somalia, comunicado emitido tras la mesa redonda de alto nivel celebrada en Mogadiscio sobre la respuesta a la sequía en Somalia, 28 de febrero de 2017, se puede consultar en <https://unsom.unmissions.org/communique-following-high-level-roundtable-meeting-held-mogadishu-drought-response-somalia>.

¹²⁴ El Ministerio de Planificación y Cooperación Internacional de la Administración Provisional del Estado Sudoccidental suspendió la aplicación de su Ley de Organizaciones no Gubernamentales para facilitar la respuesta a la sequía.

En ausencia de un marco claro que regule las actividades humanitarias ¹²⁵, continuaron las prácticas obstruccionistas, diseñadas para obstaculizar y desviar la asistencia humanitaria, entre las que cabe citar:

- a) La imposición de gravámenes a los suministros humanitarios;
- b) La imposición de procedimientos y tasas irregulares de registro, supervisión de proyectos, revisión de contratos e investigación de antecedentes del personal;
- c) La exigencia de prestar servicios de “asistencia de seguridad” y el cobro de esos servicios, y la retirada de dicha asistencia a fin de forzar negociaciones;
- d) La prohibición intermitente por parte de Puntlandia del acceso humanitario por tierra desde Somalilandia.

164. Las autoridades federales y regionales también obstaculizaron la labor humanitaria mediante la expulsión de trabajadores humanitarios nacionales e internacionales de las zonas bajo su control. En al menos tres casos examinados por el Grupo de Supervisión durante el mandato, bajo la expulsión se ocultaba la intención de obstaculizar las actividades lícitas de las organizaciones, obtener recursos mediante la extorsión o facilitar un ajuste de cuentas privado.

165. Por último, el cierre de las fronteras de Kenya y Etiopía en diversas ocasiones dificultó la circulación de la ayuda humanitaria, haciendo que el acceso solo fuese posible contraviniendo los procesos oficiales.

C. Principales rutas de suministro

166. Los puestos de control ilegales controlados por fuerzas federales y regionales, las milicias de los clanes y Al-Shabaab obstaculizaron el paso de la ayuda e hicieron subir el precio de las mercancías comerciales. Esto, a su vez, tuvo una influencia en el valor de la asistencia humanitaria, ya que más del 80% de la ayuda alimentaria como respuesta a la sequía se entregó en forma de efectivo o cupones.

167. En una evaluación de las principales rutas de tránsito en las zonas central y meridional de Somalia realizada por una organización humanitaria en agosto de 2017 se determinó que había 82 puestos de control en los que se exigía un pago, 20 de los cuales estaban en poder de Al-Shabaab. La mayoría de los demás estaban controlados por el Ejército Nacional Somalí, además de otros cinco, en los que el Ejército compartía los ingresos con las fuerzas de la Administración Provisional del Estado Sudoccidental.

168. Las autoridades locales y los agentes armados aprovecharon la respuesta a la sequía para triplicar las tarifas a pagar en los puestos de control en algunas zonas. En abril de 2017, 60 camiones fueron bloqueados en Wanlaweyne, región de Bajo Shabelle, cuando fuerzas de seguridad del Gobierno Federal intentaron obligar a los conductores de camiones comerciales a pagar “atrasos” por las veces que habían utilizado la ruta alternativa a Baidoa controlada por Al-Shabaab ¹²⁶. En muchos lugares, los transportistas preferían las rutas de Al-Shabaab, en las que los pagos se

¹²⁵ En su resolución 2317 (2016), el Consejo de Seguridad instó al Gobierno Federal de Somalia a que mejorase el entorno normativo para los donantes de ayuda (párr. 27). Aunque se elaboró un proyecto de ley federal de organizaciones no gubernamentales, sin consulta ni armonización en el plano regional, y sin integración en un marco legislativo más amplio, el proyecto de ley tendería a dificultar las actividades humanitarias en lugar de facilitarlas.

¹²⁶ Entrevistas con miembros del personal de las Naciones Unidas, 17 de abril y 7 de agosto de 2017.

respetaban, se expedían recibos y se evitaba la violencia asociada con las fuerzas de seguridad¹²⁷.

169. Las iniciativas de la AMISOM, la Administración Provisional de Galmudug y el Gobierno Federal en el segundo trimestre de 2017 para garantizar la seguridad de las rutas de abastecimiento tuvieron un éxito moderado, aunque en algunos casos lo único que se logró fue desplazar el problema, ya que los puestos de control fijos fueron sustituidos por otros móviles.

D. Desvío de la asistencia humanitaria¹²⁸

170. Sobre la base de la experiencia adquirida desde la hambruna de 2011/12, la comunidad humanitaria incrementó su respuesta a la sequía con un mayor conocimiento de los riesgos y con el apoyo de un nuevo conjunto de mecanismos para la supervisión y gestión del riesgo. No obstante, el Grupo de Supervisión recibió denuncias y reconocimientos verosímiles de la desviación de la asistencia humanitaria por parte de funcionarios gubernamentales, personal de las organizaciones no gubernamentales y de las Naciones Unidas y de los beneficiarios en relación con:

a) El robo de los fondos de ayuda por miembros de los comités de lucha contra la sequía;

b) La extorsión por parte de los guardianes y los “terratenientes” de los campamentos para desplazados internos, que a veces eran funcionarios gubernamentales;

c) La distribución orquestada de asistencia humanitaria mediante el “pago por aparecer” a beneficiarios que luego se veían obligados a entregar los suministros recibidos;

d) El control de las tarjetas SIM y la connivencia con vendedores y comerciantes para desviar las ayudas en efectivo y eludir los mecanismos de vigilancia;

e) La colusión entre las comunidades de acogida y los guardianes de los campamentos de desplazados para establecer “tiendas de arroz” (es decir, falsos campamentos para desplazados internos) para registrarse para recibir asistencia;

f) El abuso del poder administrativo y de la seguridad del Estado para extorsionar a las operaciones humanitarias¹²⁹.

171. Al-Shabaab también ejerció el control en lugares que supuestamente se encontraban bajo la jurisdicción del Gobierno Federal en los que imponía gravámenes a las organizaciones humanitarias y los beneficiarios, exigía que se negociara el acceso y, en algunos casos, interfería en la gestión de la organización.

¹²⁷ Los puestos de control instalados por las fuerzas federales y regionales siguieron siendo lugares donde se practicaba la extorsión y la violencia contra los civiles.

¹²⁸ El presente resumen se preparó sobre la base de entrevistas con personal local e internacional de asistencia humanitaria, funcionarios regionales y federales, representantes de las comunidades beneficiarias y exoficiales de Al-Shabaab.

¹²⁹ Véase en el anexo 11.3 información actualizada sobre la investigación de las denuncias contra el Ministro de Seguridad de la Administración Provisional de Yuba, Abdirahshid Hasan Abdirur.

E. Ataques contra trabajadores humanitarios

172. Desde 2016 se ha registrado un marcado aumento de los ataques y las coacciones contra los trabajadores humanitarios, y una mayor violencia durante la distribución de asistencia humanitaria¹³⁰.

173. Con el aumento de las necesidades en la esfera humanitaria, los trabajadores humanitarios asumieron nuevos riesgos, llevando su labor a zonas controladas por Al-Shabaab. Ese grupo aprovechó la oportunidad para detener y multar a los trabajadores humanitarios cuando se producía alguna variación en las actividades acordadas, obteniendo mediante la extorsión dinero, vehículos, y en ocasiones armas de sus clanes afines. Desde principios de 2017 hasta el 15 de septiembre de ese año, Al-Shabaab había secuestrado a 27 trabajadores humanitarios, 6 de los cuales seguían en cautiverio en el momento de redactar el presente informe.

174. Cuando recuperaba territorio, Al-Shabaab detenía y torturaba a los trabajadores humanitarios presentes. La esperada intensificación de la ofensiva contra Al-Shabaab también creó nuevas amenazas para la comunidad humanitaria: en mayo de 2017, los Estados Unidos solicitaron a los organismos humanitarios información relacionada con la supresión del conflicto, lo que desencadenó preocupaciones por la repercusión de las operaciones aéreas.

175. Más de 70 personas resultaron muertas o heridas con motivo de la violencia que estalló durante las operaciones de distribución de asistencia humanitaria en 2017, ya fuese por la desesperación de los que recibían apoyo, por la inexperiencia en la gestión o por una supuesta parcialidad en la selección de los beneficiarios¹³¹. Los civiles también se llevaron la peor parte en los ataques perpetrados contra las operaciones humanitarias: el 16 de abril, Al-Shabaab reivindicó la responsabilidad de un ataque contra un convoy humanitario que atravesaba el campamento de desplazados de Weedow, en Mogadiscio, en el que un niño resultó muerto y otros dos heridos.

F. Manipulación de la ayuda para excluir a las comunidades marginadas y alimentar el conflicto

176. Durante la hambruna de 2011/12, se excluyó sistemáticamente del acceso a la asistencia a las comunidades marginadas del sur de Somalia, muchas de ellas bajo el control de Al-Shabaab. Aunque esas pautas de exclusión se repitieron durante el presente mandato, existen pruebas de que la comunidad humanitaria está empezando a abordar la cuestión. En el anexo 10.1 se documentan casos de denegación del acceso y las medidas realizadas para remediar la exclusión sistemática de esas comunidades.

177. Los antecedentes de cómo se desarrolló el modelo de actuación humanitaria en Somalia, junto con su magnitud y su papel en la economía, han creado condiciones propicias para el uso indebido de la ayuda en favor de los intereses comerciales y de los clanes, incluida la intensificación del conflicto (véase S/2015/801, anexo 5.3). En el anexo 10.2 (estrictamente confidencial) se presenta la investigación realizada por el Grupo de Supervisión de una organización no gubernamental con sede en Bajo Shabelle.

¹³⁰ Según la Oficina de Coordinación de Asuntos Humanitarios, entre enero y agosto de 2017 se produjeron más de 110 incidentes violentos que afectaron a organizaciones humanitarias y provocaron la muerte de cuatro trabajadores humanitarios.

¹³¹ Casi todos los incidentes que entrañaron el uso de la violencia contra la población civil se produjeron cuando las distribuciones de alimentos no se organizaron a través de las estructuras y los procedimientos humanitarios establecidos.

178. Se necesita lograr una mayor eficacia en la gestión del riesgo por parte de la comunidad humanitaria en la que se tengan en cuenta los análisis de la situación y de los conflictos, más allá del que se mantiene con Al-Shabaab, se haga hincapié en un mejor intercambio de información y en la forma de obtener una alerta temprana en relación con la rendición de cuentas, especialmente entre los organismos de las Naciones Unidas, y se intente hacer frente a algunos centros de poder profundamente arraigados en la propia comunidad humanitaria.

V. Violaciones del derecho internacional humanitario relacionadas con ataques contra la población civil

179. Si bien los niveles absolutos de violencia contra la población civil han permanecido en general constantes desde 2013, la proliferación de agentes armados y el despliegue de métodos de guerra más destructivos aumentaron la letalidad (es decir, el número de víctimas mortales por acto violento) de los ataques contra la población civil durante el mandato. En el anexo 11.4 figura una serie de gráficos elaborados para el Grupo de Supervisión en los que se describen esas tendencias¹³².

A. Al-Shabaab y el Estado Islámico en el Iraq y el Levante

180. Al-Shabaab siguió siendo responsable del mayor número de incidentes con ataques contra la población civil y de víctimas civiles, en particular durante una campaña de ataques complejos contra hoteles y oficinas públicas en zonas urbanas, que se intensificaron entre noviembre de 2016 y enero de 2017¹³³.

181. Al-Shabaab intensificó la utilización de la violencia para coaccionar o castigar colectivamente a las comunidades ubicadas en las zonas bajo su control. Con el aumento de la presión sobre los recursos durante la sequía, el grupo incendió aldeas y secuestró y decapitó a algunos ancianos para imponer sus exigencias de pago de impuestos¹³⁴. En junio de 2017, Al-Shabaab también inició una campaña de secuestros de niños, ancianos y maestros para obligar a las comunidades a que proporcionasen niños para nutrir sus filas (véase el anexo 11.2).

182. El papel de Al-Shabaab en la violencia entre clanes y entre estados se hizo más patente. En Bajo Shabelle, Al-Shabaab y las fuerzas contrarias a ese grupo fortalecieron sus alianzas con las partes enfrentadas en el antiguo conflicto por los recursos y el control del territorio entre los clanes haber gedir y biimaal (y digil). En una serie de ataques que se iniciaron en octubre de 2016 y se intensificaron de nuevo en mayo y agosto de 2017, Al-Shabaab incendió aldeas y mató y secuestró a civiles en comunidades biimaal y digil (*ibid.*).

¹³² Esos gráficos fueron preparados para el Grupo de Supervisión por el Armed Conflict Location and Event Data Project (ACLED). El proyecto ACLED reúne y analiza datos sobre la violencia política en los países en desarrollo. Véase www.acleddata.com.

¹³³ Según el Armed Conflict Location and Event Data Project, Al-Shabaab participó en 188 ataques contra la población civil que causaron 356 muertes registradas entre el 1 de septiembre de 2016 y el 1 de agosto de 2017. Véase www.acleddata.com. Al 21 de junio las Naciones Unidas habían verificado que Al-Shabaab era responsable del 46% de las víctimas civiles en 2017.

¹³⁴ En Harardhere, Al-Shabaab decapitó a ancianos, incendió viviendas y robó ganado, dejando hasta 20 muertos cuando la comunidad rechazó nuevas exigencias de pago de impuestos a fines de noviembre de 2016.

183. Posiblemente en respuesta a la creciente prominencia del EIIL, Al-Shabaab impuso castigos más violentos, como amputaciones, decapitaciones y lapidaciones, a los culpables de espionaje, desertión, o incumplimiento del derecho islámico¹³⁵.

184. La facción del EIIL presente en Somalia, centrada de manera general en objetivos militares desde su creación, cambió de rumbo durante el mandato, decapitó a civiles y causó el desplazamiento de más de 22.000 personas durante la toma de Qandala a fines de octubre de 2016 y cometió asesinatos, incendió viviendas y robó ganado (véanse los anexos 2.1 y 11.4).

B. Fuerzas federales y regionales, milicias de los clanes y otros elementos delictivos

185. En una continuación de la tendencia positiva observada por el Grupo de Supervisión en 2016, las fuerzas del Gobierno Federal no llevaron a cabo ataques a gran escala contra la población civil¹³⁶. No obstante, entre el 1 de enero y el 30 de junio de 2017, las Naciones Unidas determinaron que el Ejército Nacional Somalí fue responsable de 129 víctimas civiles, entre ellas 76 muertes; 42 de ellas estaban relacionadas con los puestos de control ilegales y operaciones de extorsión.

186. Las fuerzas regionales fueron responsables, sin embargo, de la mayoría de las víctimas civiles relacionadas con el conflicto investigadas por el Grupo de Supervisión. En octubre de 2016, la ciudad de Galkayo sufrió otro período de enfrentamientos, principalmente entre fuerzas de Puntlandia, la Administración Provisional de Galmudug, y las milicias locales, en el que todas las partes hicieron uso de armas pesadas¹³⁷. Más de 90.000 personas se vieron obligadas a huir, y hubo al menos 45 muertos y 162 heridos.

187. La sequía desencadenó una violenta contienda entre clanes por el acceso al agua y el pastoreo. Tan solo entre el 1 de mayo y el 22 de agosto de 2017, los conflictos entre clanes causaron al menos 175 víctimas civiles¹³⁸. Resultó complicado evaluar los efectos de la violencia de las milicias de los clanes por el hecho de que esas milicias solían operar como elementos de fuerzas federales o regionales, y viceversa, o, en algunos casos, lucharon del lado de Al-Shabaab.

188. Pese al compromiso, que se remonta a 2011, del Gobierno Federal de aplicar una moratoria, el uso de la pena de muerte por las autoridades federales y regionales aumentó bruscamente durante el mandato, en particular en Puntlandia¹³⁹. En algunos casos, los procedimientos que desembocaron en condenas carecían de las garantías procesales básicas, especialmente cuando el acusado no contaba con la protección de un clan. El Grupo de Supervisión recibió denuncias fiables del uso de la tortura para conseguir confesiones en contravención del derecho internacional.

189. Si bien el número total de incidentes con artefactos explosivos improvisados, colocados por Al-Shabaab u otras entidades, ha registrado una ligera tendencia al

¹³⁵ A mediados de mayo de 2017, Al-Shabaab dio publicidad a la amputación de las manos de dos hombres por robo en Tiyeglow como primer castigo impuesto de conformidad con el derecho islámico desde que las tropas etíopes se retirasen días antes. En agosto, dos jóvenes bantúes que trataban de desertar de Al-Shabaab y unirse a otro desertor con quien el Grupo de Supervisión mantenía contactos en Kismayo fueron descubiertos y decapitados.

¹³⁶ En abril, sin embargo, hubo personal del Ejército Nacional Somalí implicado en ataques contra varias aldeas en Shabelle Central. Véase el anexo 11.1.

¹³⁷ En el anexo 3.1 figura una exposición detallada del conflicto. También se acusó a las fuerzas federales de participar en los combates.

¹³⁸ Informe interno de las Naciones Unidas, 24 de agosto de 2017.

¹³⁹ Hasta el 10 de septiembre de 2017, las autoridades federales y las administraciones regionales habían llevado a cabo 24 ejecuciones, la mitad de ellas en Puntlandia.

alza desde 2014, entre el 1 de enero de 2016 y mediados de agosto de 2017 las Naciones Unidas determinaron que se habían producido 1.432 víctimas civiles, entre ellas 931 muertes, en 533 incidentes con artefactos explosivos improvisados¹⁴⁰.

190. Después del 8 de febrero de 2017, el asesinato de personas relacionadas con el proceso electoral de 2016/17 pasó a ser un nuevo patrón de violencia, en particular en Mogadiscio. Los diferentes métodos utilizados, y el hecho de que Al-Shabaab reivindicase solo 8 de los 90 asesinatos ocurridos en el primer trimestre de 2017, sugiere que los motivos eran más personales que políticos, aunque no careciesen necesariamente de relación con las elecciones.

191. El Grupo de Supervisión siguió reuniendo denuncias y pruebas convincentes relativas a la responsabilidad de Abdirahshid Hassan Abdinur, Ministro de Seguridad de la Administración Provisional de Yuba, en actos de tortura, tratos inhumanos y degradantes, detenciones ilegales y entregas ilícitas de personas (véanse S/2016/919, anexos 7.8 y 7.8.1 (estrictamente confidenciales) y el anexo 11.3 del presente informe).

C. Misión de la Unión Africana en Somalia y las fuerzas internacionales

192. En múltiples ocasiones durante el mandato, las fuerzas internacionales se retiraron casi sin avisar de zonas en Bakool, Galgadud, Hiran y Bajo Shabelle¹⁴¹. Al-Shabaab las volvió a ocupar inmediatamente y respondió con muertes, torturas, secuestros, destrucción de la ayuda humanitaria y reclutamiento forzado en las comunidades locales¹⁴². Lo sucedido tras esas retiradas, y la pérdida y recuperación cíclicas de lugares clave, también socavó la voluntad de las comunidades de prestar apoyo a la coalición contra Al-Shabaab.

193. Hasta el 31 de agosto de 2017, el Grupo de Supervisión había recibido informes sobre 32 ataques aéreos realizados por Kenya, los Estados Unidos y fuerzas no identificadas en 2017¹⁴³. Había indicios de mejora en la elección de los objetivos. Representantes de las comunidades del valle de Yuba, informaron al Grupo de que el impacto de los ataques aéreos contra la población civil se había reducido desde 2016¹⁴⁴.

194. Las Naciones Unidas atribuyeron a la AMISOM 81 víctimas civiles entre enero de 2016 y junio de 2017¹⁴⁵. Aunque la AMISOM fue responsable de tan solo el 4% de todos los incidentes en que se produjeron daños a la población civil en 2016, la frustración por la falta de comunicación sobre las investigaciones y la opacidad del proceso de pago de indemnizaciones, contribuyó a la percepción de

¹⁴⁰ Estadísticas sobre Somalia proporcionadas por el UNMAS. La letalidad de los incidentes que afectaron a la población civil y el uso de la violencia a distancia aumentó en general durante el mandato. Véase el anexo 11.4.

¹⁴¹ En declaraciones públicas y privadas de las autoridades de Etiopía se atribuyeron esas retiradas a la imposibilidad de que Etiopía asumiera la “carga” en Somalia indefinidamente; otros observadores las vincularon con la persistencia de la agitación política en Etiopía.

¹⁴² El 1 de noviembre, cinco civiles, incluidos dos empresarios que habían prestado servicios de apoyo a contingentes etíopes, fueron asesinados por miembros de Al-Shabaab cuando retomaron la población de Tiyeglow, en Bakool.

¹⁴³ Como contraste, durante el mismo período de 2016 el Grupo de Supervisión había documentado 29 ataques aéreos. Véase S/2016/919, anexo 7.7.

¹⁴⁴ Las Naciones Unidas documentaron 36 víctimas civiles relacionadas con 58 ataques aéreos realizados entre enero de 2016 y junio de 2017. El temor a los ataques aéreos provocó el desplazamiento de civiles en otras zonas: en Gedo, unas 1.200 personas fueron desplazadas por los ataques aéreos en torno a Bardera en junio de 2017.

¹⁴⁵ Correo electrónico de un funcionario de las Naciones Unidas, 15 de septiembre de 2017.

que las fuerzas internacionales eran responsables de un mayor nivel de violencia¹⁴⁶. Esto fue en detrimento de la misión de la AMISOM y sus asociados estratégicos.

Desplazamiento forzado

195. Desde el 1 de noviembre de 2016 hasta fines de julio de 2017, las Naciones Unidas habían registrado más de 859.000 desplazamientos relacionados con la sequía¹⁴⁷. Entre enero y julio de 2017, 87.000 personas se vieron desplazadas de la región de Bajo Shabelle como consecuencia del conflicto y la inseguridad¹⁴⁸.

196. Los desalojos forzosos de desplazados internos continuaron durante 2017, con más de 90.000 casos registrados a fines de julio, la mayoría en Mogadiscio. Se trató de desalojos realizados por agentes privados, desencadenados por controversias entre guardianes y residentes acerca del reparto de la asistencia humanitaria y desalojos a resultas de la aplicación de las políticas del Gobierno Federal y los gobiernos regionales¹⁴⁹.

197. El 16 de noviembre de 2016, el Gobierno de Kenya anunció que había aplazado de fines de noviembre de 2016 al 31 de mayo de 2017 el cierre del campamento de Dadaab. La nueva fecha límite pasó sin que se adoptaran medidas para llevar a cabo una devolución masiva forzosa de refugiados, aunque las Naciones Unidas registraron algunos casos de devolución.

D. Reclutamiento y utilización de niños

198. Aunque en los tres últimos meses de 2016 se observó un descenso del 50% en el número de incidentes de reclutamiento y utilización de niños, a fines de junio de 2017 el reclutamiento de niños por Al-Shabaab aumentó considerablemente, en particular en las regiones de Galgadud, Hiran y Mudug. La campaña de Al-Shabaab estuvo reforzada por el secuestro de ancianos, maestros y parientes de niños, lo que provocó que familias huyeran o enviaran a sus hijos fuera de la zona en busca de seguridad.

199. El anexo 11.2 contiene un panorama general del reclutamiento y la utilización de niños durante el mandato.

VI. Violaciones de la prohibición relativa al carbón vegetal

200. El volumen global de exportaciones ilegales de carbón vegetal de Somalia sigue siendo similar al mandato anterior, pero ha habido algunas nuevas tendencias dignas de mención. A diferencia de la forma en que actuó durante la mayor parte de 2015 y 2016, cuando prohibió de manera intermitente el comercio de carbón vegetal en las zonas bajo su control (véase S/2016/919, párr. 129), Al-Shabaab ha reanudado

¹⁴⁶ Los procedimientos operativos estándar para la respuesta ante las víctimas civiles provocadas por la AMISOM fueron finalmente aprobadas en julio de 2017. Con ello se logró normalizar los procedimientos para tramitar las denuncias de daños causados a la población civil, determinar las indemnizaciones y proponer la adopción de otras medidas. La AMISOM comunicó al Grupo de Supervisión que no había podido aplicar los procedimientos operativos estándar debido a la falta de financiación.

¹⁴⁷ Véase Oficina del Alto Comisionado de las Naciones Unidas para los Refugiados (ACNUR), “Somalia: displacement dashboard—Protection and Return Monitoring Network (PRMN), displacements during July 2017”, 29 de agosto de 2017.

¹⁴⁸ ACNUR, “Somalia: flash report—PMRN displacement update”, 10 de agosto de 2017.

¹⁴⁹ Solo en la primera semana de agosto se desalojó de Baidoa a más de 5.000 desplazados. Entre mayo y junio de 2017, el Ministerio del Interior de Somalilandia ordenó la demolición de asentamientos irregulares dentro y en los alrededores de la población de Ainabo, en Sool, lo que causó el desplazamiento de 327 familias que habían huido de los efectos de la sequía.

la imposición sistemática de un gravamen al carbón en los puestos de control situados en las rutas que conducen a los depósitos cercanos a los puertos de Buur Gaabo y Kismayo. Un cálculo prudente sería que Al-Shabaab recauda actualmente al menos 10 millones de dólares al año con el comercio ilícito de carbón vegetal.

201. Dubái (Emiratos Árabes Unidos), y en particular Port Al Hamriya, sigue siendo el principal destino de las exportaciones, aunque ha habido algunos intentos de los traficantes por diversificar su actividad a otros puertos de la región, entre ellos Bahrein, Kuwait y posiblemente Omán. El tipo más frecuente de documentación falsa utilizada para ocultar el origen somalí de cargamentos de carbón vegetal durante el actual mandato han sido los certificados de origen de Djibouti. Mientras tanto, las redes de delincuencia transnacional, basadas principalmente en Dubái y Kismayo, parecen estar trabajando hacia una estructura de colaboración más formal.

202. Con la notable excepción de los esfuerzos de las Fuerzas Marítimas Combinadas y de Kuwait, la aplicación de la prohibición de exportar carbón vegetal ha sido deficiente, en particular por la Administración Provisional de Yuba y el contingente de las Fuerzas de Defensa de Kenya integrado en la AMISOM, y por los Emiratos Árabes Unidos entre los países importadores. La falta de una disposición real a aplicar las sanciones y, en algunos casos, un incumplimiento notoriamente deliberado de no respetar la prohibición relativa al carbón vegetal, permite la financiación de Al-Shabaab y socava la lucha contra el terrorismo y contra la insurgencia en Somalia.

A. Producción, transporte y almacenamiento

203. La producción de carbón vegetal en Somalia, incluida la destinada a la exportación ilícita, ha continuado a un ritmo acelerado. Según el análisis de las imágenes obtenidas por satélite por la FAO, entre 2011 y 2017 se han observado unos 26.000 lugares de producción de carbón, unos 4.000 solo en 2017¹⁵⁰. En 2017, la principal zona de producción de carbón ha sido la parte meridional de Badhadhe, en Bajo Yuba, en el extremo sudoriental de Somalia. La segunda zona de producción de carbón ha sido cerca de Bu'ale, en Yuba Medio. Ambos han sido territorios ocupados por Al-Shabaab.

204. El Grupo de Supervisión ha recibido información de que, a diferencia de las tácticas observadas durante el mandato anterior, Al-Shabaab ha reanudado la imposición sistemática de un gravamen al carbón vegetal en los puestos de control situados en las rutas que unen las zonas de producción de carbón vegetal y los puertos. El impuesto asciende a 2,50 dólares por saco, unos 750 dólares para un camión cargado con sacos de carbón vegetal. El carbón producido al sur de Badhadhe se transporta por pequeños caminos hasta el depósito de Buur Gaabo, mientras que el producido cerca de Bu'ale se transporta por la carretera que pasa por Jilib y de ahí a los depósitos de Kismayo.

205. Los depósitos de Kismayo y Buur Gaabo siguen siendo el origen principal de las exportaciones de carbón vegetal, mientras que el depósito de Barawe también puede representar una amenaza para la paz y la seguridad. Los días 11 y 12 de junio de 2017, miembros del Grupo de Supervisión visitaron los dos depósitos de carbón situados cerca del puerto de Kismayo. El Grupo también obtuvo posteriormente fotografías del tercer depósito de carbón de Kismayo, situado en el norte de la ciudad. Entre el 11 y el 14 de junio, miembros del Grupo observaron los depósitos situados cerca del Puerto de Kismayo y en Buur Gaabo (véanse en el anexo 12.1

¹⁵⁰ Reunión con funcionarios de la FAO, Nairobi, 14 de julio de 2017.

imágenes de satélite de los depósitos) Por último, el Grupo sigue preocupado porque el depósito de carbón de Barawe constituye una amenaza a la paz y la seguridad, ya que podría convertirse en objetivo de una ofensiva de Al-Shabaab o provocar un conflicto entre los traficantes (véase S/2016/919, párr. 131). El 3 de marzo de 2017, en una reunión con el Presidente de la Administración Provisional del Estado Sudoccidental, el Grupo de Supervisión reiteró que esa Administración, en consulta con el Gobierno Federal, debería recabar la orientación del Comité en relación con el depósito de carbón vegetal de Barawe¹⁵¹.

B. Exportación ilícita de carbón vegetal

206. De las pruebas disponibles se desprende que el volumen de las exportaciones de carbón vegetal de Somalia no ha cambiado sustancialmente desde el mandato anterior del Grupo de Supervisión. El Grupo estima, de manera conservadora, que, salvo durante la estación de los monzones que va de agosto a octubre, salen de Kismayo y Buur Gaabo unas 15 bagalas al mes, un total de unas 135 al año, cargadas con carbón vegetal¹⁵². Con cargamentos que alcanzan en promedio los 30.000 sacos, con un peso de 25 kg cada uno, eso equivaldría a 750.000 kg de carbón vegetal por bagala, es decir, más de 100.000 toneladas métricas de carbón vegetal exportadas por año. Estimando en 30 dólares por saco el precio al por mayor en los mercados de exportación (véase S/2016/919, anexo 9.2), la exportación anual de unos cuatro millones de sacos de carbón vegetal alcanzaría un valor cercano a los 120 millones de dólares.

207. Los Emiratos Árabes Unidos, en particular Port Al Hamriya, en Dubái, siguen siendo el principal destino de las exportaciones ilegales de carbón vegetal procedente de Somalia. Durante el mandato actual, el Grupo de Supervisión también ha recibido información sobre la importación de carbón vegetal somalí a través del puerto de Fujairah (Emiratos Árabes Unidos), si bien todavía no se han verificado las cantidades. Se ha confirmado también que otros Estados del Consejo de Cooperación del Golfo, como Bahrein y Kuwait, han sido destino de algunas exportaciones de carbón vegetal somalí (véase anexo 12.2). Además, el Grupo ha recibido informes de bagalas cargadas con carbón que navegaban con destino a puertos de Omán, pero dichos informes no han sido verificados.

C. Tramitación de documentos y redes delictivas

208. La utilización de documentación de aduanas falsa, como certificados de origen, sigue siendo el principal método para facilitar la importación ilegal de carbón vegetal procedente de Somalia. Durante el mandato anterior, los principales tipos de documentación falsa de carbón vegetal eran los certificados de origen de las Comoras, Ghana y el Pakistán (véase S/2016/919, párr. 138 y anexo 9.7). Durante el mandato actual, el tipo más frecuente de documentación falsa han sido los certificados de origen de Djibouti, habiéndose observado ese tipo de documentos en Port Al Hamriya (Emiratos Árabes Unidos) y en el puerto de Doha (Kuwait). Las investigaciones del Grupo de Supervisión indican que la fuente principal de la documentación falsa de Djibouti es Basheer Khalif Moosa, un nacional de ese país que reside actualmente en Dubái (véase el anexo 12.2.2). Durante el mandato actual también se han presentado en Port Al Hamriya y en el puerto de Fujairah de los

¹⁵¹ Reunión con Sharif Hassan Sheikh Aden, Nairobi, 3 de marzo de 2017.

¹⁵² Esa cifra es una extrapolación basada en las muestras de cargamentos verificados de carbón vegetal somalí aumentada por la observación del Grupo de Supervisión de las tendencias generales de exportación durante los mandatos anteriores y el actual.

Emiratos Árabes Unidos certificados de origen de Ghana falsos. Otros tipos de documentación posiblemente falsa que ampara remesas de carbón vegetal todavía bajo investigación del Grupo de Supervisión son los certificados de origen de Côte d'Ivoire y de la República Unida de Tanzania. El Grupo de Supervisión también ha descubierto el uso por traficantes de carbón de documentos falsificados de registro de buques de Sri Lanka (véase el anexo 12.2.3).

209. Las pautas del comercio ilícito de carbón vegetal observadas por el Grupo de Supervisión han revelado la presencia de redes delictivas transnacionales que operan en Somalia y los Emiratos Árabes Unidos (véase S/2016/919, anexo 9.6). Durante el mandato actual, esas redes delictivas transnacionales pueden haber asumido una estructura más formal. El Grupo de Supervisión ha obtenido información relativa a All Star Group, también conocido como All Star General Trading Company, integrado por los principales proveedores de carbón vegetal, traficantes e inversores ilícitos de Kismayo y Dubái. El Grupo no ha podido confirmar los numerosos informes de que All Star Group ha concertado un acuerdo exclusivo con el Presidente de la Administración Provisional de Yuba, Ahmed Madobe, para la exportación de carbón vegetal de Somalia. El Grupo tampoco ha podido confirmar las denuncias relativas a un acuerdo de reparto de los ingresos entre All Star Group y Al-Shabaab. No obstante, eso concordaría con la información de que Ali Ahmed Naaji, antiguo recaudador de impuestos de Al-Shabaab, actual miembro de All Star Group y asociado desde hace tiempo de Madobe (véase S/2016/919, párr. 133), habría recibido amenazas de muerte de la Amniyat, que exigía la reanudación del reparto de los ingresos derivados del carbón vegetal¹⁵³.

D. Aplicación de la prohibición relativa al carbón vegetal

210. Aunque en el párrafo 22 de su resolución 2317 (2016) el Consejo de Seguridad reiteró que las autoridades somalíes debían adoptar las medidas necesarias para impedir la exportación de carbón vegetal de Somalia, en la práctica el Gobierno Federal no controla los puertos de Kismayo o Buur Gaabo. La Administración Provisional de Yuba, que sigue dependiendo de la imposición de gravámenes ilícitos a las exportaciones de carbón para financiar sus operaciones, ha evadido sistemáticamente la aplicación de la prohibición de exportar carbón vegetal desde que esta se impuso en febrero de 2012. La AMISOM, cuyos contingentes de las Fuerzas de Defensa de Kenya siguen desplegados en los puertos de Kismayo y Buur Gaabo, no ha ayudado a las autoridades somalíes en la aplicación de la prohibición de exportar carbón ni ha facilitado al Grupo de Supervisión el acceso a los puertos exportadores de carbón, según se dispone en el párrafo 23 de la resolución 2317 (2016). El 14 de junio de 2017, tras llegar a Buur Gaabo desde Kismayo en un helicóptero de las Naciones Unidas, se impidió a tres miembros del Grupo de Supervisión que salieran de una base de la AMISOM utilizada por las Fuerzas de Defensa de Kenya para inspeccionar los depósitos de carbón cercanos¹⁵⁴.

211. La aplicación por los Estados Miembros de la prohibición relativa al carbón vegetal ha sido desigual. La actuación de los Emiratos Árabes Unidos, a pesar de los progresos realizados durante el mandato anterior, como la confiscación de varios cargamentos ilícitos de carbón vegetal, ha retrocedido en lo que respecta a la

¹⁵³ Entrevista con una fuente de Kismayo, 14 de junio de 2017.

¹⁵⁴ La razón que adujo el comandante de sector de las Fuerzas de Defensa de Kenya para no proporcionar una escolta y no permitir que los tres miembros del Grupo de Supervisión salieran de la base de la AMISOM fue que antes de aterrizar en la base, el Grupo de Supervisión no había formulado por cauces oficiales su petición de inspeccionar los almacenes de Buur Gaabo. La seguridad no era la razón principal, ya que la zona se había despejado para garantizar un aterrizaje en condiciones de seguridad para el helicóptero de las Naciones Unidas.

coherencia y eficacia (véanse los anexos 12.2.2 y 12.2.4). Djibouti, en particular su Embajador ante los Emiratos Árabes Unidos, Osman Moussa Darar, tiene una responsabilidad sustancial en el menoscabo de la aplicación de la prohibición de exportar carbón vegetal al haber afirmado repetidamente que unos certificados de origen falsos eran legales (véase el anexo 12.2.2). Kuwait ha mostrado un alto nivel de compromiso activo con la aplicación de la prohibición y ha cooperado ampliamente con el Grupo de Supervisión (véase el anexo 12.2.3). También cabe destacar la cooperación de Bahrein con el Grupo, que dio lugar a la incautación parcial de un cargamento (véase el anexo 12.2.1).

212. El Grupo de Supervisión desearía mencionar la cooperación de las Fuerzas Marítimas Combinadas, en particular la Fuerza Combinada de Operaciones 152, en la aplicación de la prohibición de exportar carbón vegetal. Eso incluyó el rápido intercambio de información y la facilitación de los contactos entre el Grupo y las autoridades de Kuwait durante los meses de abril y mayo que permitió la incautación de carbón en dos bagalas (véase el anexo 12.2.3). En julio y agosto, las Fuerzas Marítimas Combinadas realizaron vuelos de reconocimiento sobre cinco bagalas que navegaban desde Somalia al fondeadero de Port Al Hamriya que el Grupo había identificado. Las Fuerzas Marítimas Combinadas enviaron la descripción, datos de localización y fotografías de las bagalas a las autoridades de los Emiratos Árabes Unidos, que tienen competencia para abordar e inspeccionar las bagalas dentro de sus aguas territoriales. En el momento de redactar el presente informe, todavía no se conocían los resultados (véase el anexo 12.2.4).

VII. Corrección del informe anterior del Grupo de Supervisión para Somalia y Eritrea establecido en virtud de la resolución 2244 (2015) del Consejo de Seguridad (S/2016/919)

213. En una nota de pie de página insertada en el párrafo 77 del informe anterior del Grupo de Supervisión (S/2016/919), el Grupo informaba de que la empresa Hormuud Telecom había sido sancionada en 2012 por la Oficina de Control de Activos Extranjeros de los Estados Unidos. El Grupo desea aclarar que la empresa Hormuud no ha sido nunca sancionada por esa Oficina.

VIII. Cooperación estatal y no estatal con el Grupo de Supervisión

214. La colaboración con el Gobierno Federal se complicó por la transición política que siguió a las elecciones celebradas en febrero de 2017. El Grupo de Supervisión desea señalar la cooperación de la nueva administración en respuesta a la mayor parte de la correspondencia oficial hacia el final de su mandato. El Banco Central de Somalia fue particularmente útil con las investigaciones del Grupo.

215. El Grupo de Supervisión desea agradecer su cooperación a las autoridades de Puntlandia, en particular en las investigaciones relacionadas con el EIL.

216. El Grupo de Supervisión desea expresar su reconocimiento a la República Islámica del Irán por potenciar la cooperación iniciada durante el mandato anterior recibiendo al Grupo en la República Islámica del Irán por segunda vez en septiembre de 2017.

217. El Grupo de Supervisión desea agradecer a Kuwait su cooperación en la aplicación de la prohibición de exportar carbón vegetal, a Francia por facilitar la

inspección de las armas capturadas por la fragata FS Provence y a Turquía por su asistencia en una investigación sobre pistolas de fogeo.

218. El Grupo de Supervisión desea expresar su agradecimiento a las Fuerzas Marítimas Combinadas por su cooperación relacionada con la prohibición de exportar carbón vegetal y la Fuerza Naval de la Unión Europea en Somalia (EUNAVFOR Atalanta) por su cooperación en las investigaciones sobre el tráfico de armas y la piratería.

219. Una organización no gubernamental denominada C4ADS, con sede en Washington D.C., ayudó en múltiples investigaciones del Grupo de Supervisión; y Arquebus Solutions, un grupo consultor con sede en el Reino Unido, proporcionó al Grupo un análisis de gran utilidad sobre las pistolas de fogeo y otras armas.

Falta de cooperación

220. El Grupo de Supervisión desea señalar que continúa la falta de colaboración en materia de intercambio de información de la empresa Thuraya, una empresa de telecomunicaciones, en particular en relación con las investigaciones sobre el contrabando de armas.

IX. Aplicación de sanciones selectivas

221. Fares Mohammed Mana'a (SOi.008), fue incluido en la lista de sanciones del Comité 1844 el 12 de abril de 2010 por vulnerar el párrafo 8 de la resolución 1844 (2008) del Consejo de Seguridad, que contiene los criterios relativos a las violaciones del embargo de armas. Tras analizar información adicional, en el resumen de los motivos para la inclusión en la lista se señala que Mana'a es un conocido traficante de armas. Mana'a es objeto de la prohibición de viajar y de la congelación de activos en virtud del régimen de sanciones contra Somalia.

222. Mana'a ha sido objeto en el Brasil de una acusación penal en relación con el desvío de armas de Djibouti al Yemen. Los fiscales también alegan que Mana'a viajó al Brasil en enero de 2015 para visitar la fábrica propiedad del fabricante de armas Forjas Taurus SA¹⁵⁵. Según el Grupo de Expertos sobre el Yemen, Mana'a viajó al Brasil, Chequia, Egipto y Francia en enero de 2015 con un pasaporte diplomático del Yemen. También es posible que haya viajado a dos países de África en octubre y noviembre de 2016 (véase S/2017/81, párr. 117 y figura VII). El Grupo de Expertos sobre el Yemen, con el que el Grupo de Supervisión sigue cooperando, ha investigado a Mana'a por violaciones del embargo de armas contra el Yemen (*ibid.*, párr. 80 y anexo 41), entre ellas transacciones que pueden constituir también un incumplimiento de la congelación de activos.

X. Recomendaciones

A. Amenazas a la paz y la seguridad

223. El Grupo de Supervisión recomienda al Consejo de Seguridad que:

a) Determine que los criterios relativos a la apropiación indebida de recursos financieros (véase la resolución 2060 (2012) del Consejo de Seguridad,

¹⁵⁵ Lisandra Paraguassu, "Exclusive: Brazil's Taurus sold arms to trafficker for Yemen war, prosecutors allege", Reuters, 5 de septiembre de 2016. Se puede consultar en www.reuters.com/article/us-brazil-arms-taurus/exclusive-brazils-taurus-sold-arms-to-trafficker-for-yemen-war-prosecutors-allege-idUSKCN11B1KM.

párr. 2 c)) se aplican a la apropiación indebida dentro de las administraciones regionales y los estados federales;

b) Aliente al Gobierno Federal de Somalia, los estados miembros federales y las administraciones regionales a que concierten un acuerdo en el que se establezca la distribución de los recursos y se aclaren sus derechos y obligaciones dentro de un sistema federal.

B. Embargo de armas

224. El Grupo de Supervisión recomienda al Consejo de Seguridad que:

a) Exhorte a los Estados Miembros, las autoridades somalíes y el sector privado a que cooperen con las investigaciones del Grupo de Supervisión, en particular facilitando la documentación de aduanas y de transporte relacionada con la exportación a Somalia de productos químicos que puedan ser utilizados como oxidantes en la fabricación de artefactos explosivos improvisados, como los precursores nitrato amónico, clorato potásico, nitrato potásico y clorato sódico;

b) Exhorte al Gobierno Federal de Somalia, los estados miembros federales y las administraciones regionales a que proporcionen al Grupo de Supervisión pleno acceso a todas las armas y municiones importadas antes de su distribución;

c) Exhorte al Gobierno Federal de Somalia, los estados miembros federales y las administraciones regionales a que establezcan procedimientos operativos estándar para la gestión de armas y municiones, entre ellos un sistema de recepción y entrega que permita hacer un seguimiento de todas las armas después de la distribución.

225. El Grupo de Supervisión recomienda a la Presidencia del Comité que:

a) En nombre del Comité, envíe cartas al Gobierno Federal de Somalia, la AMISOM, las administraciones regionales y los estados miembros federales, y los asociados internacionales pertinentes recordándoles sus obligaciones en relación con el embargo de armas, en particular el párrafo 11 a) de la resolución 2111 (2013) del Consejo de Seguridad, y adjunte la nota orientativa para la aplicación de resoluciones núm. 2 como referencia.

C. Derecho internacional humanitario

226. El Grupo de Supervisión recomienda al Consejo de Seguridad que:

a) Solicite a la Oficina del Alto Comisionado para los Derechos Humanos (ACNUDH) que emprenda un proceso de registro de violaciones graves del derecho internacional humanitario y del derecho internacional de los derechos humanos en Somalia, basándose en el precedente de los procesos de registro de incidentes empleados por el ACNUDH en la República Democrática del Congo en 2008 y en la República Centroafricana en 2017.

D. Prohibición relativa al carbón vegetal

227. El Grupo de Supervisión recomienda al Consejo de Seguridad que:

a) Autorice a los Estados Miembros a que, de conformidad con sus leyes nacionales, y dentro de sus aguas territoriales y puertos marítimos, confisquen las embarcaciones que se compruebe que han violado el embargo relativo a la exportación de carbón vegetal de Somalia y posteriormente procedan a enajenarlas mediante subasta pública, mientras que el Estado Miembro de nacionalidad de la tripulación deberá asumir los gastos de repatriación.

E. Lista de sanciones

228. El Grupo de Supervisión recomienda al Comité que:

a) Considere la utilización de todos los criterios de inclusión en la lista, incluidas las nuevas inclusiones que no están relacionadas con el EIIL o Al-Shabaab.

F. Desvinculación

229. El Grupo de Supervisión recomienda al Consejo de Seguridad que:

a) Considere la posibilidad de desvincular los regímenes de sanciones de Eritrea y Somalia¹⁵⁶.

¹⁵⁶ Véanse las recomendaciones contenidas en el informe final sobre Eritrea del Grupo de Supervisión, de 2017 (de próxima publicación). El Grupo de Supervisión observa que el Gobierno Federal de Somalia ha expresado su apoyo a la desvinculación de los regímenes de sanciones.

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

Attack on UPDF base in Baledogle, Lower Shabelle with 120mm 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 120mm mortar round.¹

Figures 1 and 2: Round tail of a 120mm 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 120mm mortar. Although Al-Shabaab has used 60mm and 80mm mortars since 2009, 120mm mortars have the potential to cause much higher civilian casualties.² The SEMG has received multiple reports that Al-Shabaab acquired several 120mm 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 120mm 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

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 105mm Howitzer, and one WZ-551 armoured personnel carrier. In addition, Al-Shabaab also captured a 81mm mortar launcher, as well as a M240B heavy machine gun.

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



The SEMG has been unable to find evidence of Al-Shabaab's use of the 105mm 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: 81mm 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> \t "_blank

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 the table below.

Table: 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

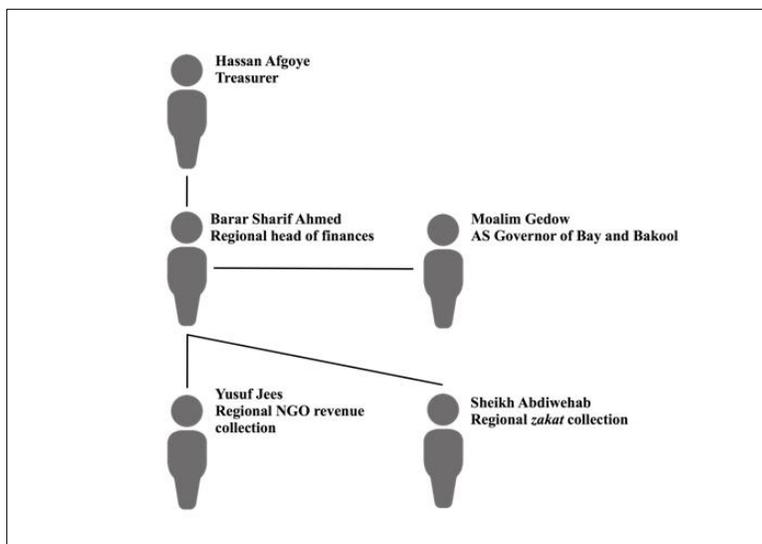
1. The following annex provides a snapshot of Al-Shabaab financing in Bay and Bakool regions, largely based on the testimony of a former Al-Shabaab senior finance officer, and partially corroborated by regional intelligence officials.

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.

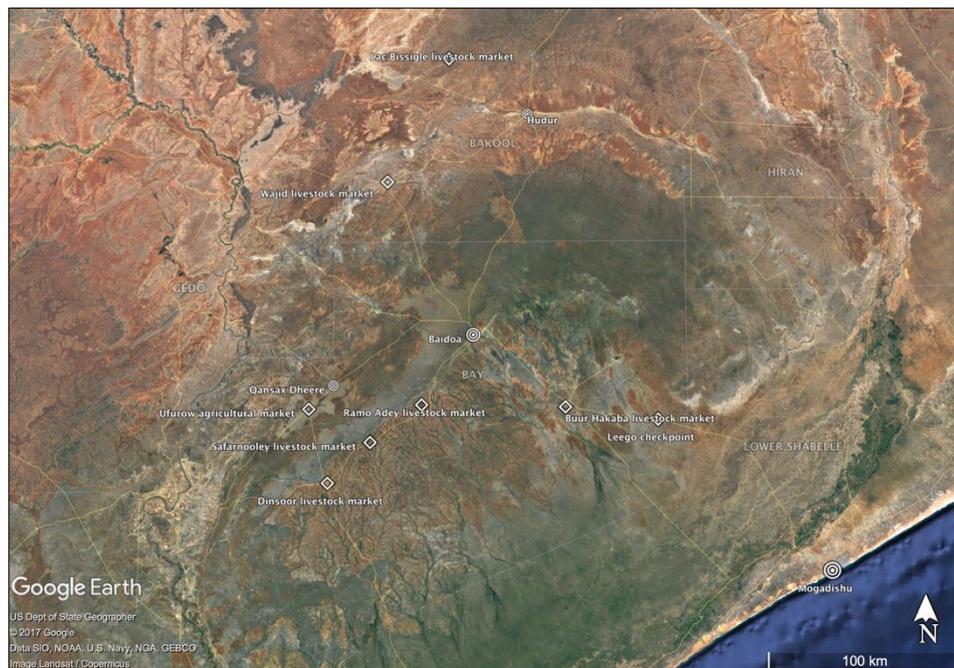
¹⁶ "Several al-Shabaab militants defect to government forces", Garowe Online, 24 July 2017. Available from <http://www.garoweonline.com/en/news/somalia/somalia-several-al-shabaab-militants-defect-to-government-forces>.

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 Safarnoley 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 Kooriga, 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 Kooriga, 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”.

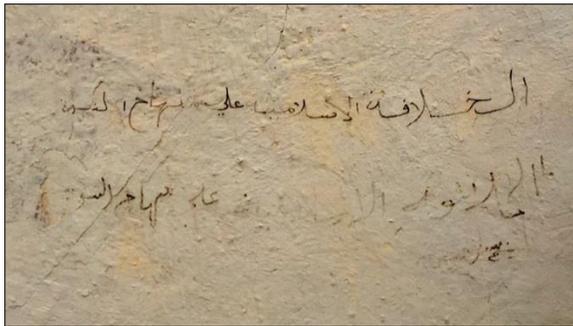


Figure 2: Residence used as a billet by ISIL fighters in Qandala, which they torched before leaving.



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) Abdurahman 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 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

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), *Gaalkacyo 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.

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.

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 Israac 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.

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

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).

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).

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

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

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.

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 — 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

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 Aadado, 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 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 Galkayo, igniting tensions and fueling conflict, yet present huge potential for resilience and positive impact”.

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 Galmudug 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 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.

⁴³ Communique 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.

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

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.

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 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

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.

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.

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, Galgadud 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 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”.

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>.

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 Communique, “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 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”.

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.

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

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>.

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>.

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

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>.

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>.

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.

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

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

¹³ Ibid.

Figure 3: Articles of Association for Jazeera Properties.

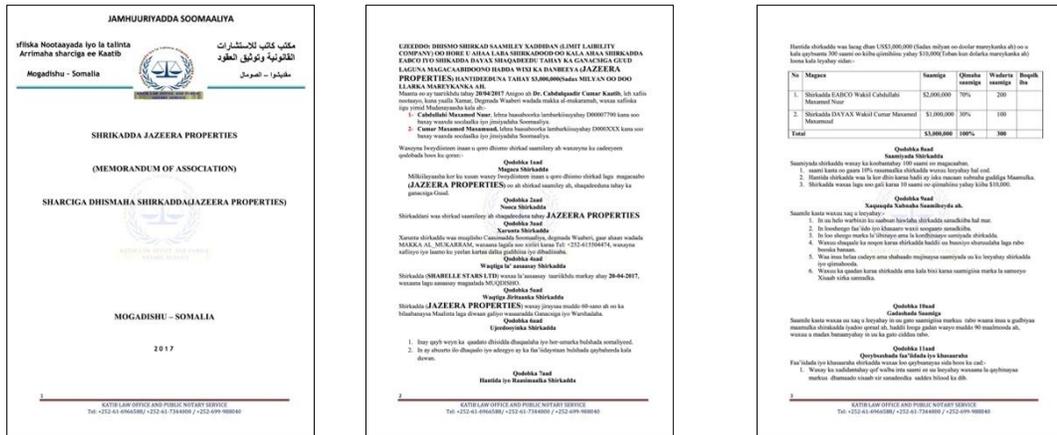
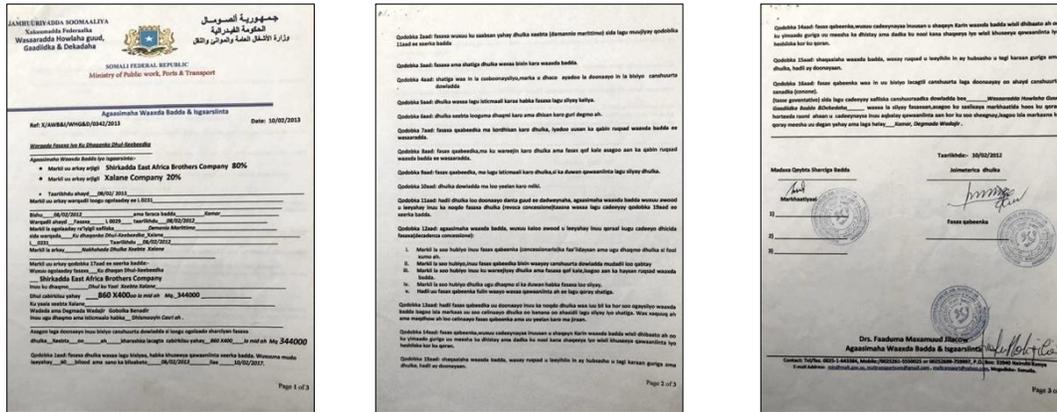


Figure 4: 10 February 2013 agreement between EABCO and the then-Ministry of Public Works, Ports, and Transport granting access to an 860 m x 400 m plot of public land.



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 base 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.


 JAMHIURIYADDA SOOMAALIYA
 DOWLADDA FEDERAALKA SOOMAALIYA
 WASARADDA KALLUUMEYSIGA IYO
 XETRAADKA BAHDA
 جمهورية الصومال
 الحكومة الفيدرالية
 وزارة الثروة السمكية

FEDERAL GOVERNMENT OF SOMALI REPUBLIC
 MINISTRY OF FISHERIES AND MARINE RESOURCES

Date: 09/03/2017

TRANSLATED

To: Ministry of Fisheries
Puntland State

Ref: **Thaiian Fishing Vessels carrying Djibouti Flag**

We would like to inform you, according to the Fishing Law of Somali Federal Republic NO: 29 issued on 30/11/2014. The law provides the following:

- a. Article 33: All fishing vessels using trawler are legally banned in the fishing area of SFR water.
- b. Article 3 and 15 of law is clearly defined that the fishing area for the Somali fisheries which is 24 n/miles. Also it states area confined for the foreign fishing vessels. Further, Article 15, section 2 is affirming, any foreign fishing vessel that enters the water territory of Somalia without fishing license, will presented to the Court.

Therefore, you are kindly requested to give instructions to stop fishing for the foreign fishing vessels that violated SFR or fishing law with immediate effect. In case you have any international agreements with foreign governments you should have to acknowledge the Federal Government.

Best Regards,

Md. Saif Jama Mohamed
Deputy Minister




Figure 2: Letter from the MFMR to Thailand.


 JAMHIURIYADDA SOOMAALIYA
 DOWLADDA FEDERAALKA SOOMAALIYA
 WASARADDA KALLUUMEYSIGA IYO
 XETRAADKA BAHDA
 جمهورية الصومال
 الحكومة الفيدرالية
 وزارة الثروة السمكية
 مكتب الوزير

FEDERAL GOVERNMENT OF SOMALI REPUBLIC
 MINISTRY OF FISHERIES AND MARINE RESOURCES
 OFFICE OF THE MINISTER

Date: 04/05/2017

Ref: MFMR / OM / 35 / 17

To: **Thira Rodchevid**
 Fisheries License Implementation Group
 Department of Fisheries, Kasat Klang, Jatujak,
 Bangkok, Thailand

Subject: **Verification of Fishing License regarding MV Chotchaiwanee 35**

Dear Mr. Thira Rodchevid

Thanks for your e-mail dated on May 2, 2017 concerning verification of fishing license and relevant documents issued by the Somalia authority. The Ministry of Fisheries and Marine Resources of the Federal Government of Somalia is ready to cooperate with the regional states and comply with the terms of the Port State Measures Agreement (PSMA) to combat and eliminate IUU fishing.

Somalia is emerging from more than 25 years of civil war and instability. The country has adopted a federal system that consists of the Federal government and Federal Member States (FMS). Currently Somalia has five FMS namely Jubbaland, South West, Hirshabelle, Galmudug and Puntland.

Only the Minister of Fisheries and Marine Resources of the Federal Government of Somalia (FGS) in consultation with member states has the **sole authority** to issue fishing license for any vessel to fish in Somalia waters. Any other licenses issued by the FMS are **invalid and void**. According to Article 33 of Somali Fisheries Law, **illegal fishing is prohibited** in waters under the jurisdiction of the FGS.

The Ministry of Fisheries and Marine Resources of the federal government in consultation with federal member states is working on ways of establishing Somalia Fisheries Authority (SFA).

Contact Tel: +252-419122778, Email: minister@mfmr.gov.so

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

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

Serial No. 1864
 Licence No. 1864

This licence is issued under the provisions of the Somali Fisheries Law No. 24 of 19th November, 1995 and the Regulations under the Law No. 25 of 19th November, 1995, and any amendments thereto, and any other laws and regulations relating to fisheries and marine resources.

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

VESSEL DETAILS

Vessel Name: CHOTCHAINAVEE 35
 Official No.: 5127921
 Flag State: Djibouti
 Port of registry: Djibouti
 LOA (m): 35.0
 GRT (m³): 270
 Engine type and power: Caterpillar 3507H
 Fish hold capacity: 270 mt (9000 lbs)
 Other craft on board: -

FISHING AREAS & TARGET SPECIES

Species permitted: Tuna-like species
 Designated fishing area: 01 250g 40000
 Fishing methods & gear: 700w net

LICENCE DETAILS

Quantity permitted: 270 mt (9000 lbs)
 Head Office: Djibouti
 Office in Puntland: K. B. A. H.
 Telephone: 73941259
 E-mail: 73941259@pt.gov.so
 International call sign: N/A
 Satellite phone: -

RADIO COMMUNICATION

Normal transmitting frequencies: 480
 Access code and No.: -

TRANSPORTER/VEHICLE

Type: INHABITANT

OTHER POSITIONING EQUIPMENT

LOGAN: Yes
 OMEGA: Yes
 DECCA: Yes

OTHER EQUIPMENT

AUDIO RECORDERS: Yes
 EPIRBIS: Yes

Approved and signed by the Minister:
 Abdulkarim E. Ali
 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 role played by illegal, unreported and unregulated fishing on marine resources and for the livelihood of the Somali fishermen;
 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 this 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 Jubaland.
- All parties agreed that fisheries within 500M of shore shall be under the management of the Federal Member States of the Federal Republic of Somalia.
- As agreed by all parties, a National Committee for Offshore Licensing is established, headed by 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 Minister responsible for fisheries of the Hi-Shabelle State of Somalia,
 - the Minister responsible for fisheries of the South-West State of Somalia, and
 - the Minister responsible for fisheries of the Jubaland 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 negotiated by the Federal Ministry responsible for fisheries and the applicant(s) in accordance with these 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.

2

15. All parties agree that the Federal Government and Federal Member States will also work towards harmonisation of existing and future Federal and State fisheries legislation and regulations.

16. 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.

17. This agreement in no way sets a precedent or precludes future negotiations and agreement on the assignment of responsibilities for management of living marine resources within Somali waters through federal law.

18. Once signed, any unilateral change to this agreement will void this agreement.

19. This is an interim agreement valid until December 31, 2019. All licenses issued under this arrangement will expire with this arrangement.

Abdulkarim E. Ali
 Deputy Minister of Fisheries
 Federal Republic of Somalia

Mohamed Ahmed Farah
 Deputy Minister of Finance
 Galmudug

Mohamed Mohamud Abulle
 Minister of Fisheries
 Hi-Shabelle

Hassan Ibrahim Hassan
 Minister of Finance
 South-West

Abdulkarim E. Ali
 Minister of Fisheries
 Jubaland

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 entity owned by the Federal Republic of Somalia to participate in oil

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.

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 SRNM, 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.

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

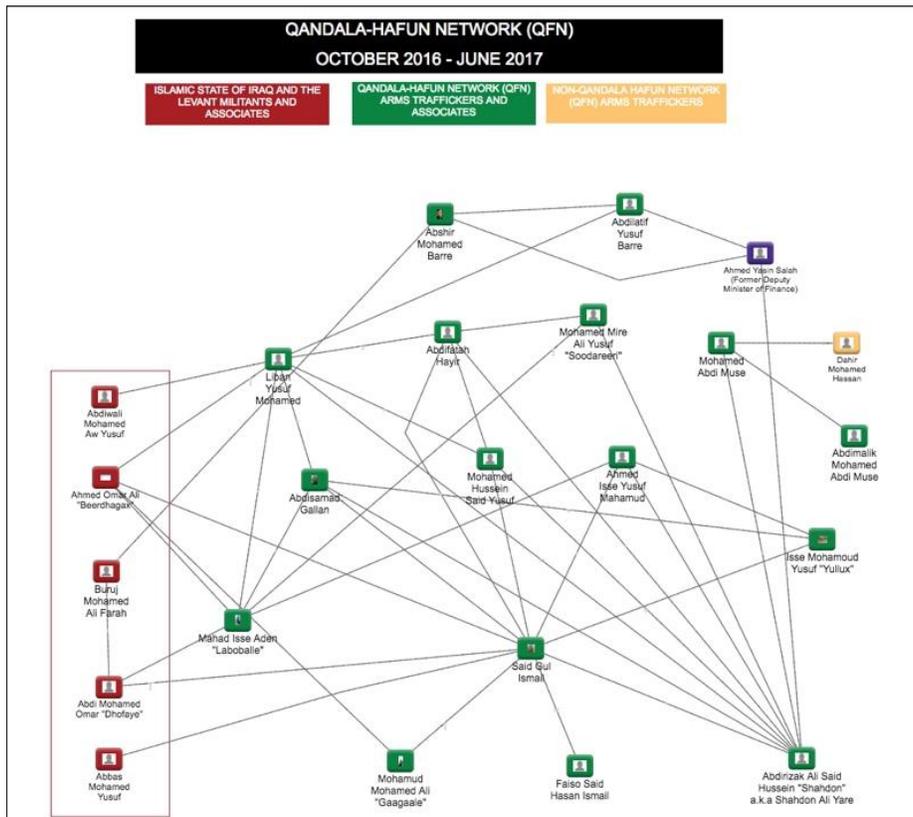


Figure 2: Said Gul Ismail in Qandala, 6 March 2017.



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.

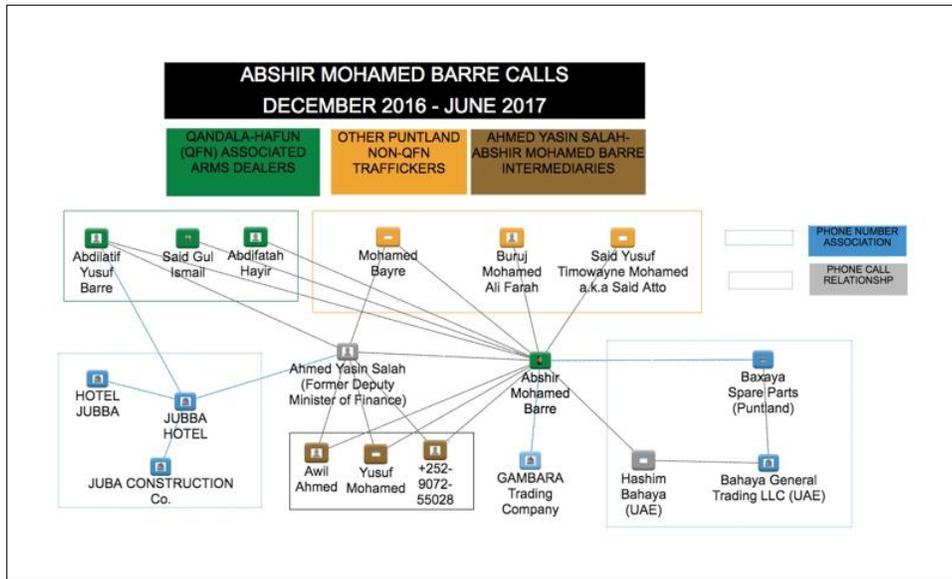


Figure 4: Bahaya Spare Parts flagship store in Bosaso, 8 March 2017.



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]	15.00 %
Nationality	Somali	
Name	Mr. Mahmoud Mohammed Berrri [CRIS No AEP44679628]	20.00 %
Nationality	Ethiopian	
Name	Mr. Asdran Mahmoud Abdullah Mohammed Marzouqi [CRIS No AEP44592291]	51.00 %
Nationality	UAE National	
Name	Mr. Hashem Mahmoud Mohammed [CRIS No AEP44748991]	14.00 %
Nationality	Ethiopian	
		Total: 100.00%
OPERATION		
Activities Details		
General Trading		
Standard Activity	UK SIC 2003 [51.9] - General dealer (wholesale) (Primary)	
UNITED ARAB EMIRATES (THE) COUNTRY REPORT SOCIO ECONOMIC AND POLITICAL OVERVIEW		
<p>The United Arab Emirates UAE is a federation of seven emirates (equivalent to principalities), each governed by a ruler. The emirates are Abu Dhabi, Ajman, Dubai, Fujairah, Ras al-Khaimah, Sharjah, and Umm al-Qaywayn.</p>		
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.

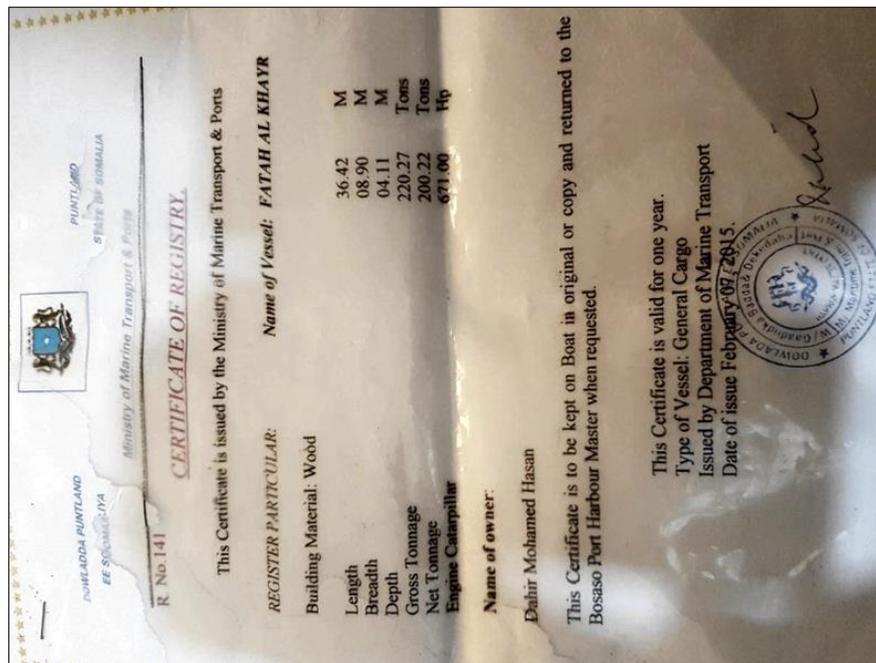
12. The arms shipment was supplied by Yemeni national Khaled Ahmed Ahmed Al-Sand (see figure 6, below, for Ahmed's passport image) and his partner Farah Ismail Ali, a Somali national living in Yemen. On the Somalia side, the shipment was brokered by known arms dealers belonging to the Qandala-Hafun network: 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 7: Phone network chart of the key individuals in the Fatah Al Khayr arms smuggling operation, April 2017.¹⁷

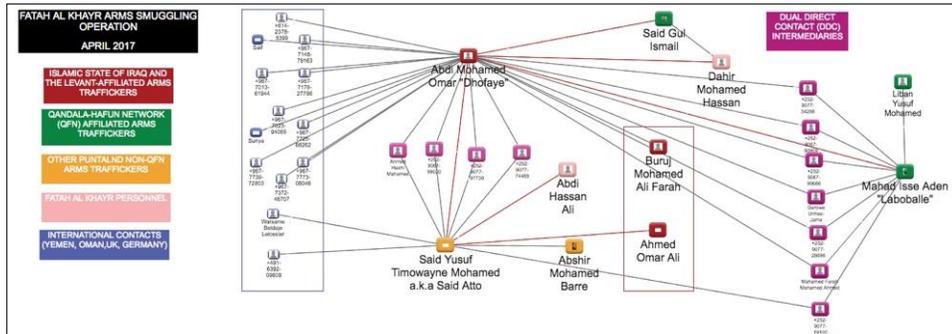


Figure 8: Storyboard of the flag verification boarding of the Fatah Al Khayr by the USS Hue City on 28 April 2017.



28 APR 17: USS HUE CITY

FATAH AL KHAYR FLAG VERIFICATION BOARDING



BLUF: USS HUE CITY (HUE) CONDUCTED A FLAG VERIFICATION BOARDING OF A SOMALI DHOW.



YEMEN
SOMALIA

LAT/LONG: 1126N 0432E

DISTANCE SCALE
1000YDS

(U) WEATHER:
TEMPERATURE: 92 °F
SEA STATE: 1-3 FT
VISIBILITY: 10 NM,
WINDS: 029 @ 8 KTS

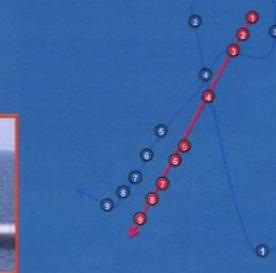
HUE
SOMALI DHOW



(U) Yemeni Dhow with crew on the forward part of the Dhow

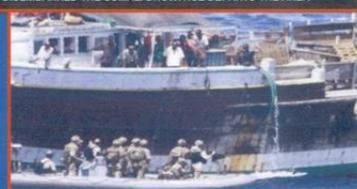


(U) Somali Boun class dhow



(U) TIMELINE OF EVENTS:

- 1.280800ZAPR2017: HUE WAS ON CRSE 300T AT 16KTS WHEN HUE VISUALLY NOTED 1X (U) BOUN CLASS DHOW AT 6NM.
- 2.0830Z: HUE CLOSED CPA TO 1000 YDS TO DETERMINE IF DHOW HAD FLAG. NO FLAG OBSERVED TOPSIDE.
- 3.0831Z: HUE NOTED A TOTAL OF 0X PERSONNEL TOPSIDE CONGREGATED NEAR THE BACK OF THE SHIP.
- 4.0900Z: HUE RECEIVES PERMISSION TO BOARD THE DHOW.
- 5.1057Z: BOTH RHIBS AWAY.
- 6.1005Z: 1ST RHIB TEAM EMBARKS. 2ND RHIB TEAM EMBARKS.
- 7.1043Z: MASTER (ARABIC ONLY) SIGNALS THAT HE AND HIS CREW ARE FROM SOMALIA. MASTER ALSO INDICATES THAT THEY ARE MERCHANTS THAT JUST OFFLOADED LIVESTOCK IN MUKALLA, YEMEN.
- 8.1111Z: BOARDING TEAM REPORTS THAT ALL CARGO SPACES WERE LEGITIMATE. ONLY DOCUMENT MASTER PRESENTED WAS STAMPED BY YEMENI AUTHORITIES 00252907740707.
- 9.1154Z: BOARDING TEAM FINISHED SURVEY OF DHOW AND DISEMBARKED THE SOMALI DHOW. HUE DEPARTS THE AREA.



(U) Boarding Team boarding the Somali Dhow

CO Assessment: HUE CONDUCTED A FVB IN RESPONSE TO POTENTIAL VISIBLE TRIPWIRES NOTED ONBOARD THE SOMALI DHOW. OVERALL, THE EVENT WAS CHARACTERIZED AS PROFESSIONAL AND SAFE WITH NO IMPACT TO MISSION.

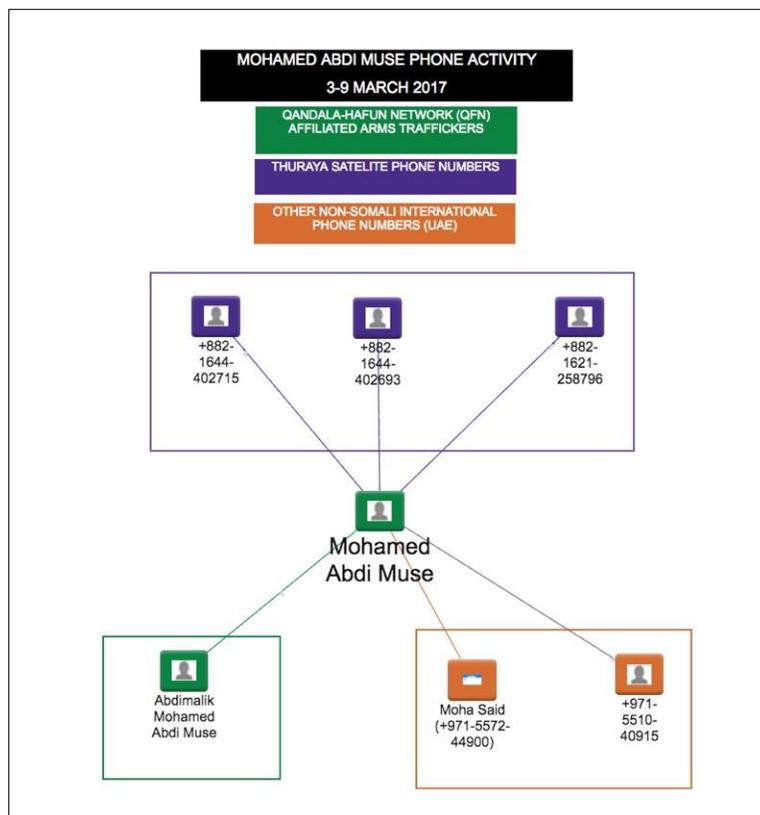
U.S. Naval Forces Central **Prepare - Pursue - Prevail**

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).

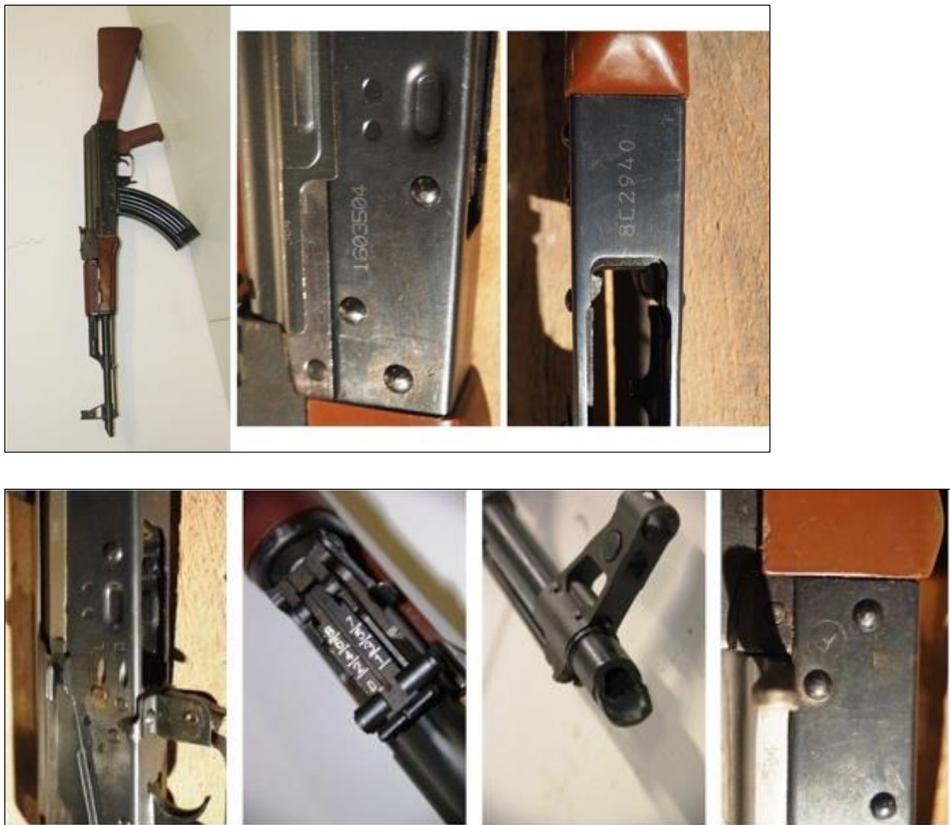
²³ Armament Research Services (ARES), “North Korean Type 73 GPMGs in Iraq, Syria & Yemen”, available from <http://armamentresearch.com/north-korean-type-73-gpmgs-in-iraq-syria-yemen> (accessed 18 September 2017).

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 DIHWAAN GALINTA HUBKA WEAPONS LOGBOOKS							BUUGA DIHWAAN GALINTA HUBKA WEAPONS LOGBOOKS						
RECEIPT=GELID							ISSUE=BINID						
No.	Tariixiibda (Date of entry)	Tiraaxa (CDF order reference number)	Nawa Hubka (Weapon model & Ammo Size)	Nawa Hubka (Serial No. & Lot number)	La Wareegaha (Receiving officer rank and name)	Degaanka (Receiving Unit location)	No.	Tariixiibda (Date received)	Binista (Issuing officer rank and name)	Tariixiibda (Date issued)	La Wareegaha (Receiving officer rank and name)	La Wareegaha (Receiving officer ID number)	Degaanka (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.

Taliska Ciidanka Xoogga Dalka Soomaaliyeed
 HOGGAANKA HUBKA IYO RASAASTA X.D.S = MUQDISHO =
 DEPUTY COMMANDER OF SNA FOR LOGISTICS AND ADMINISTRATION
 Office of the Deputy Commander
 Ujeedo: - Bixin Rasaas
 Hoogaanka Hubka iyo Rasaasta waxaa lafarayaa in uu siiyo Taliyaha Qeybta 12. APRIL Rasaasta hoos ka qoran:
 1. Rasaas

NO	Nooca Rasaasta	Tirada Sanduuqa
1	Rasaasta AK47	8640 sidood kun lix boqol iyo afaratan xababood
2	Rasaasta PKM	4000 afar kun xababood
3	Rasaas DSHK	640 lix boqol iyo afaratan xababood

S/Guuto
 Kusimaha Taliyaha X.D.S ahna Abb.duulaha Ar. Taakuleynta iyo Maamulka X. D. S
 Cabdulqaadir Macalim Nuur
 Tel:-252-61 5836892/0695002024
 Email:-delbat@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 No. 051 A
 Boonada Amar Bixinta Rasaasta
 Maqaasiinka Dhexe: HALANE waxaa lafarayaa in aad Urarto Colka Qb 12 April
 Hubka Hoos ku Qoran:

T/T	Taariikh	Nooca	Tirada	Culeyska	Fiiro gaar ah
1.	16/08/2016	AK-47	8.640//		
2.		PKM	4.000//		
3.		D.S.H.K	640//		
4.					
5.					
6.					
7.					

Saxiixa Qaataha: Abdielahi Osman Ajar
 Saxiixa Madaxa H.Hubka & Rasaasta: G/Kare Axmed Macalin Maxa

Figure 4: Logbook updated accordingly.

ISSUE								
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 M. Maxamed		COL Ahmed M. Maxamed	X/ABE/CXDS 424/16	053	27/8/2016	Dr. Col Ahmed	DAAAB	BMA/TEJARA
COL Ahmed M. Maxamed		COL Ahmed M. Maxamed	X/ABE/CXDS 428/16	052	02/9/2016	Dr. Col Ahmed	sector 12 APRN	sector HQ'S
COL Ahmed M. Maxamed		COL Ahmed M. Maxamed	LV: X/ABE/CXDS 0414/16	056	08/08/2016	Lieut. Col. Cagsey	9-12 APRN	9-12 APRN
COL Ahmed M. Maxamed		COL Ahmed M. Maxamed	LV: X/ABE/CXDS 0416	051	04/08/2016	Lieut. Col. Cagsey	9-12 APRN	9-12 APRN
COL Ahmed M. Maxamed		COL Ahmed M. Maxamed	LV: X/ABE/CXDS 112/16	054	06/09/2016	Lieut. Col. Cagsey	SH/Phere	SH/Phere
COL Ahmed M. Maxamed		COL Ahmed M. Maxamed	LV: X/ABE/CXDS 113/16	057	10/09/2016	Pharmacist	Lrr. BOWUKA	BD.
COL Ahmed M. Maxamed		COL Ahmed M. Maxamed	ABE/CXDS 116/16	055	15/9/2016	XII- Col. Xagasan	9-21-acc	9-21-acc
COL Ahmed M. Maxamed		COL Ahmed M. Maxamed	ABE/CXDS 115/2/16	058	17/9/2016	Lieut. Col. Xagasan	9-12 APRN	urr/2-acc
COL Ahmed M. Maxamed		COL Ahmed M. Maxamed	LV: ABB/CXDS 416/16	059	20/9/2016	Lieut. Col. Xagasan	Wayard	Wayard
COL Ahmed M. Maxamed		COL Ahmed M. Maxamed	LV: X/ABE/CXDS 4165/16	060	20/9/2016	Lieut. Col. Xagasan	Wayard	Wayard

3. The SEMG identified two areas where the procedure could be improved:
 - (a) Indication of the precise amount of ammunition required: Many distribution orders noted only the number of boxes (*sanduug* in Somali) instead of the exact number of rounds (*xabo* in Somali) distributed. To better monitor the distribution of ammunition, the exact amount of ammunition should be indicated on the distribution documents.
 - (b) Accurate completion of the logbook: In some cases, distributed ammunition was not indicated on the same line of the logbook that had recorded its receipt.

Figure 5: Weapon logbook with inadequately completed fields for distribution of PKM ammunition.

RECEIPT										ISSUE									
Log entry number	Date of entry	CDF order reference number	Projector locality	Ammunition type	Ammunition lot number	Qty received	Qty checked	Qty checked number	Receiving officer rank and name	Date received	Receiving officer rank and name	CDF order reference number	Issue voucher number	Date issued	Receiving officer rank and name	Receiving unit	Receiving unit location		
<div style="font-size: 2em; font-weight: bold; margin-bottom: 10px;">PKM-</div> <div style="border: 1px solid black; width: 100%; height: 100%; position: relative;"> X </div>										COL Ahmed M. Maxamed	27/8/2016	Dr. Col Ahmed	DAAAB	BMA/TEJARA					
										COL Ahmed M. Maxamed	02/9/2016	Dr. Col Ahmed	sector 12 APRN	sector HQ'S					
										COL Ahmed M. Maxamed	08/08/2016	Lieut. Col. Cagsey	9-12 APRN	9-12 APRN					
										COL Ahmed M. Maxamed	04/08/2016	Lieut. Col. Cagsey	9-12 APRN	9-12 APRN					
										COL Ahmed M. Maxamed	06/09/2016	Lieut. Col. Cagsey	SH/Phere	SH/Phere					
										COL Ahmed M. Maxamed	10/09/2016	Pharmacist	Lrr. BOWUKA	BD.					
										COL Ahmed M. Maxamed	15/9/2016	XII- Col. Xagasan	9-21-acc	9-21-acc					
										COL Ahmed M. Maxamed	17/9/2016	Lieut. Col. Xagasan	9-12 APRN	urr/2-acc					
										COL Ahmed M. Maxamed	20/9/2016	Lieut. Col. Xagasan	Wayard	Wayard					
										COL Ahmed M. Maxamed	20/9/2016	Lieut. Col. Xagasan	Wayard	Wayard					
										COL Ahmed M. Maxamed	22/9/2016	Lieut. Col. Xagasan	Wayard	Wayard					
										COL Ahmed M. Maxamed	22/9/2016	Lieut. Col. Xagasan	Wayard	Wayard					
										COL Ahmed M. Maxamed	23/9/2016	Lieut. Col. Xagasan	Wayard	Wayard					
										COL Ahmed M. Maxamed	23/9/2016	Lieut. Col. Xagasan	Wayard	Wayard					

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.

RPG7

WEAPON NAME												
RECEIPT												
Log entry number	Date of entry	CDF order reference number	Supplier country	Weapon model	Weapon serial number	Rack / stack number	SNA marking database number	Receiving officer rank and name	Date received	Issuing officer rank and name	CDF order reference number	Issued
1	22 July 2016	185/17		RPG7		36						
2												

101

WEAPON NAME									
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
			Colonel Mohamed	185/17	051	02/10/2016	S/2016/924	9-12 APR 16	9-12 APR 16
			Col Ahmed Mohamed	185/17	052	19/4/2017	600/1004	9-12 APR 17	7-12 APR 16

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, Gedo¹⁰

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)

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 Qoney, 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 Leysan 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.

to 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 Madiban 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 SRSG 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 Jameeco-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 Jameeco-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 Jameeco-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 (Iise); 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, Bulu 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
- (c) summoning teachers living in government-controlled areas to travel to Al-Shabaab strongholds and be schooled in the new curriculum;³⁵

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.

³⁵ On 11 July 2017, seven teachers in Middle Shabelle were arrested in Jowhar and accused of collaboration with Al-Shahab 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.

- (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 Tiye glow, 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.

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,

³⁶ On 6 July, for example, Al-Shabaab occupied five schools in El Bur district in Galgadud, in Elqoxle, Elgaras, Hindhere and Digidher 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 Moqkoo 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 Jiidde oo loosoo Xiray Machad Ay Ku Barteen 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-Jiidde-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.

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

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.

women and girls from Kenya and taking them to Somalia for purposes of sexual slavery.⁵⁰

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.

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>.

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 "Idlely 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 Diirriye, 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.

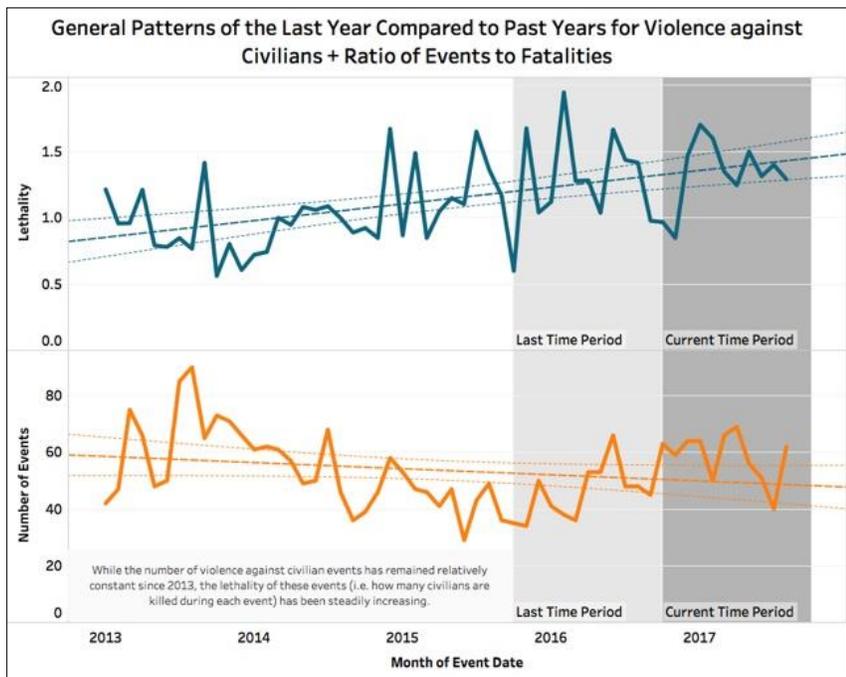
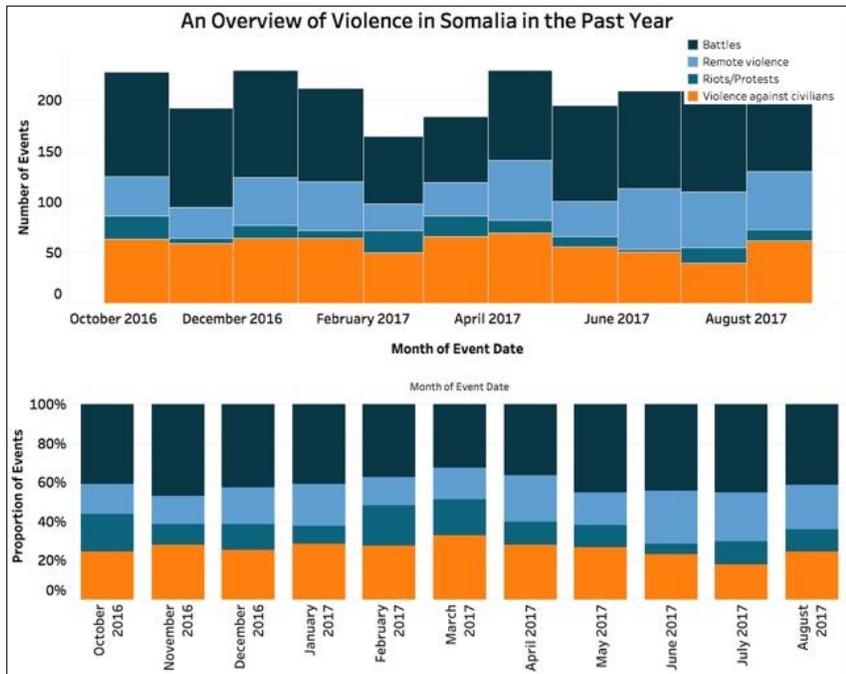
⁸² See annex 11.3.1 (strictly confidential).

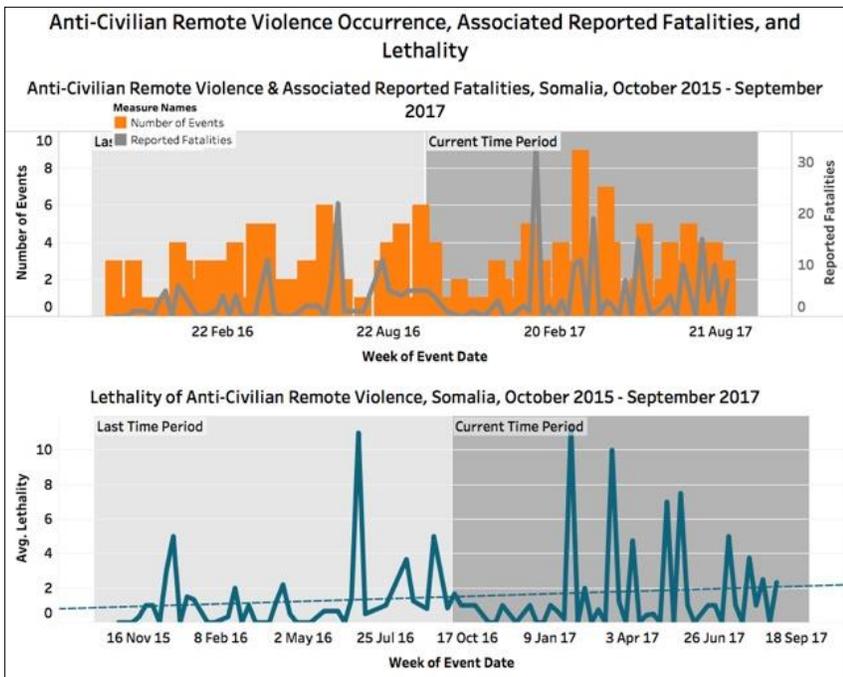
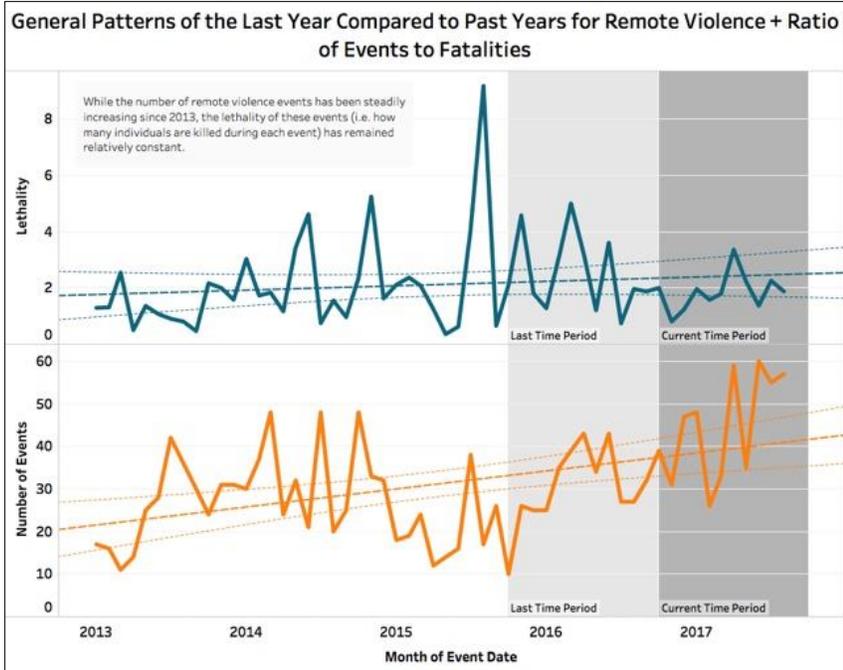
⁸³ One security source told the SEMG that Jamal had been warned about the attack by his son, Mohamed, who was among the Al-Shabaab attacking force.

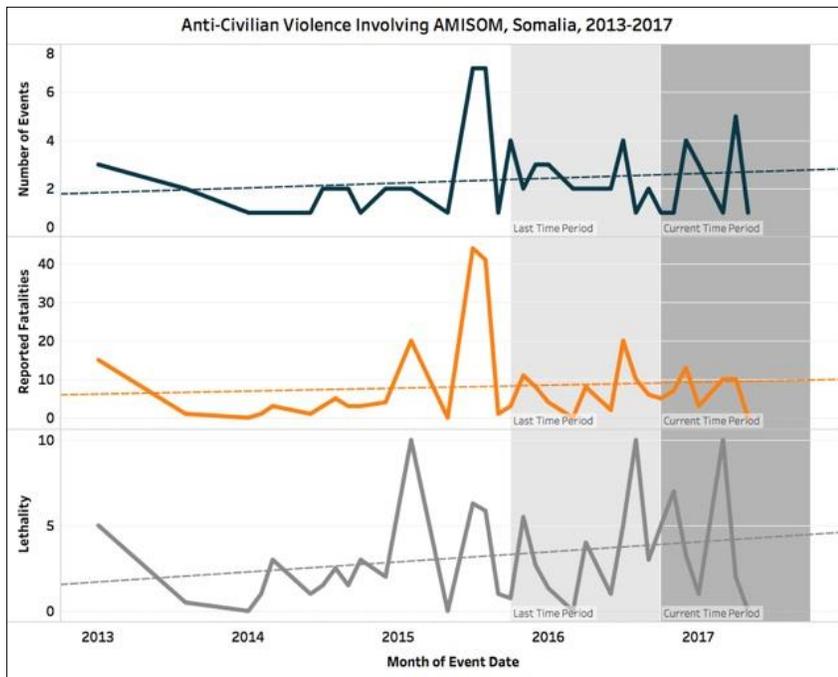
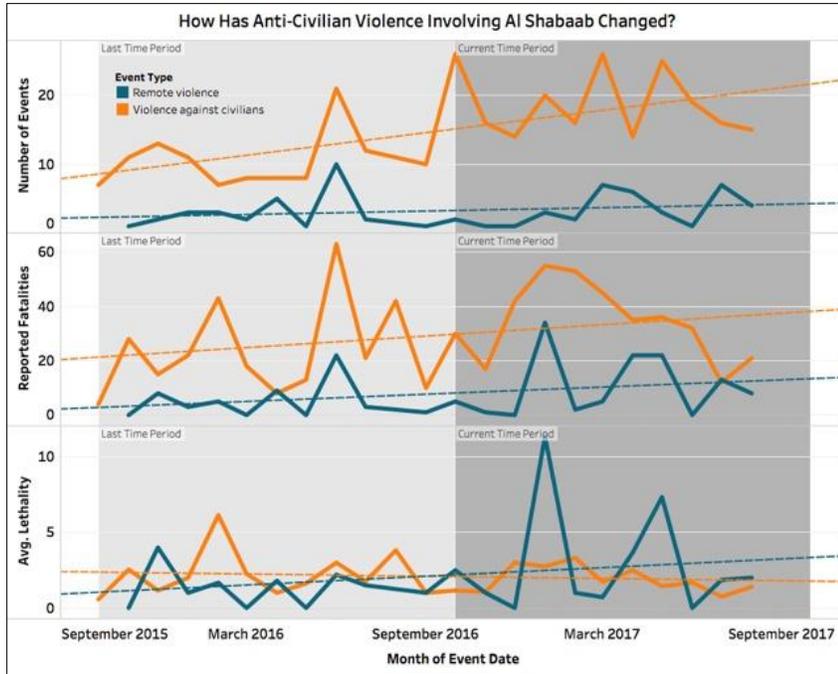
⁸⁴ See annex 11.3.1 (strictly confidential).

**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.



¹ Subsequent investigation during 2017 confirmed *Al Hussain*'s Sri Lankan ship registration had been forged.

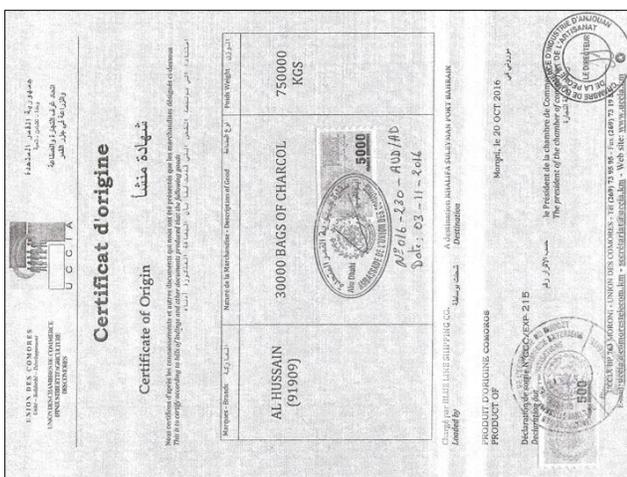
Figure 2: Saudi Arabia charcoal bag on board Al Hussain.



Figure 3: Crane loading confiscated charcoal cargo.



Figure 4: False Comoros certificate of origin.



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

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.

Monitoring Group remains unaware of any investigation by the UAE authorities into Mohd Ali Shaheen General Trading Co. (L.L.C.).

Figure 1: False Djibouti certificate of origin.



Figure 2: Letter from Djibouti Ports and Free Zone Authority.



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 3: Djibouti charcoal bag from Al Sahil.



Figure 4: Djibouti charcoal bag from Haruni.



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.

⁵ Email from a senior officer at CMF, 22 August 2017.

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 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 GENERALISED SYSTEM OF PREFERENCES (Combined declaration and certificate) FORM A	
Goods consigned to (Consignee's name, address, country) BER AL KHATTAL GROUP MARINE CONT TRADING (DIB) AF NEW TRADING (OHAN)		Issued in: GHANA (Country) See Notes overleaf.	
4. For official use Means of transport and route (as far as known) BY SEA, "OLA" (9330112)			
6. Marks and numbers of 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
11. Certification It is hereby certified, on the basis of control carried out, that the declaration by the exporter is correct.		10. Number and date of invoices B/L NO SSKS2098	
12. 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)		Place and date, signature of authorised signatory TEMA: 13/07/17 TEMA: 13/07/17	

**Annex 12.2.5: Charcoal dhows at Port Al Hamriya anchorage, Dubai, UAE
(STRICTLY CONFIDENTIAL)***
