

113TH CONGRESS
1ST SESSION

S. 1745

To promote security, stability and good governance in Somalia through a coordinated interagency strategy that supports the consolidation of recent security and political gains in Somalia.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 20, 2013

Mr. COONS introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To promote security, stability and good governance in Somalia through a coordinated interagency strategy that supports the consolidation of recent security and political gains in Somalia.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Somalia Stabilization
5 Act of 2013”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) Since the collapse of the Siad Barre regime
 2 in 1991, Somalia has struggled to rebuild a govern-
 3 ment and assert order and control over warlords,
 4 clan militias, and extremist groups.

5 (2) The lack of functioning state and governing
 6 structures led to chronic humanitarian need within
 7 Somalia and enabled terrorist groups, maritime
 8 crime, illicit trafficking, and mass refugee flows to
 9 flourish.

10 (3) In 2007, the Ethiopian military ousted the
 11 Islamic Courts Union and the United Nations au-
 12 thorized the African Union to deploy a peacekeeping
 13 force to Somalia, the African Union Mission to So-
 14 malia (AMISOM), in order to support the Transi-
 15 tional Federal Government to establish order in So-
 16 malia. AMISOM currently consists of troops from
 17 Burundi, Djibouti, Kenya, Sierra Leone, and Ugan-
 18 da.

19 (4) In 2008, Harakat al-Shabaab al-Mujahideen
 20 (al-Shabaab) was designated a Foreign Terrorist Or-
 21 ganization and a Specially Designated Global Ter-
 22 rorist entity by the United States Government.

23 (5) In 2010, al-Shabaab took control of south-
 24 ern and central Somalia and instituted strict Sharia
 25 law.

1 (6) In July 2010, Al-Shabaab retaliated against
2 a contributor to AMISOM by carrying out an attack
3 in Kampala, Uganda, which killed 74 people and in-
4 jured 70 others.

5 (7) In 2010, in response to growing al-Shabaab
6 dominance and brutality, the AMISOM mandate was
7 expanded to directly target and counter al-Shabaab
8 in Somalia.

9 (8) In 2011 and 2012, when many parts of the
10 country were suffering from severe food insecurity
11 and famine, al-Shabaab denied humanitarian access
12 to its residents, resulting in the death of close to
13 260,000 people and acute food insecurity for mil-
14 lions.

15 (9) In 2011, the Kenyan Defense Force joined
16 AMISOM, to help take control of urban areas like
17 Mogadishu and Kismayo from al-Shabaab control.

18 (10) In 2012, improved security in much of
19 urban Somalia enabled the Transitional Federal
20 Government to complete a draft constitution and
21 end its transitional term.

22 (11) In 2012, a regionally representative Somali
23 constituent assembly elected a new Federal par-
24 liament, which in turn elected President Hassan
25 Sheikh Mohamud.

1 (12) The United States, Arab and European
2 countries, the United Nations, and the African
3 Union officially recognized the new Somali govern-
4 ment, citing the process that created it as being the
5 most credible and inclusive process to date.

6 (13) On March 6, 2013, the United Nations Se-
7 curity Council passed Resolution 2093, creating a
8 new exemption to the 21-year-old arms embargo for
9 a period of 12 months, to allow for “deliveries of
10 weapons or military equipment or the provision of
11 advice, assistance or training, intended solely for the
12 development of the National Security Forces of the
13 Federal Government of Somalia”, and calling for the
14 training, equipping, and capacity-building of Somali
15 Security Forces, including both its armed forces and
16 police, with special focus on the development of in-
17 frastructure to “ensure the safe storage, registra-
18 tion, maintenance and distribution of military equip-
19 ment,” and “procedures and codes of conduct . . .
20 for the registration, distribution, use, and storage of
21 weapons”.

22 (14) On May 2, 2013, the United National Se-
23 curity Council passed Resolution 2102, establishing
24 the United Nations Assistance Mission in Somalia
25 (UNSOM) under the leadership of a Special Rep-

1 representative of the Secretary-General to support the
2 Government of Somalia with peace-building, state-
3 building and governance, as well as the coordination
4 of international assistance.

5 (15) Though greeted with great optimism, the
6 Government of Somalia has run into many chal-
7 lenges, which has stalled its efforts to finalize the
8 constitution, guide the structure of the new state, or
9 provide services to the population.

10 (16) President Hassan Sheikh Mohamud and
11 his government have committed to the completion of
12 these tasks and to holding a constitutional ref-
13 erendum and national election by 2016.

14 (17) On September 16, 2013, the international
15 community and a high level Somali delegation en-
16 dorsed a compact based on the “New Deal Strategy
17 for Engagement in Fragile States.” Donors pledged
18 \$2,400,000,000 over three years to support Somali
19 development priorities, including \$69,000,000 from
20 the United States.

21 (18) Al Shabaab continues to use terrorist tac-
22 tics to attack soft targets. On September 21–24,
23 2013, al-Shabaab perpetrated an attack on the
24 Westgate mall in Nairobi, Kenya, killing at least 67
25 people.

1 **SEC. 3. SENSE OF CONGRESS.**

2 It is the sense of Congress that the United States
3 should—

4 (1) support the Somali Federal Government, re-
5 gional administrations, Federal units, and people in
6 their ongoing efforts to consolidate political gains
7 and develop credible, transparent, and representative
8 government systems and institutions, and foster
9 complementary processes at the local, regional, and
10 national levels;

11 (2) continue to support African-led regional ef-
12 forts to improve security and stability in Somalia,
13 including through the African Union Mission to So-
14 malia (AMISOM) and the United Nations Assist-
15 ance Mission in Somalia (UNSOM);

16 (3) support the people and Government of So-
17 malia to develop professional and regionally and eth-
18 nically representative Somali security forces that are
19 capable of maintaining and expanding security with-
20 in Somalia, confronting international security
21 threats such as terrorism, and preventing human
22 rights abuses;

23 (4) continue to provide lifesaving humanitarian
24 assistance as needed, while bolstering resilience and
25 building a foundation for sustained, inclusive devel-
26 opment for the people of Somalia; and

1 (5) carry out all diplomatic, economic, intel-
2 ligence, military, and development activities in So-
3 malia within the context of a comprehensive strategy
4 coordinated through an interagency process.

5 **SEC. 4. REQUIREMENT OF A STRATEGY TO SUPPORT THE**
6 **CONSOLIDATION OF SECURITY AND GOVERN-**
7 **ANCE GAINS IN SOMALIA.**

8 (a) REQUIREMENT FOR STRATEGY.—Not later than
9 120 days after the date of the enactment of this Act, the
10 President shall submit to the appropriate committees of
11 Congress a strategy to guide future United States action
12 in support of the Government and people of Somalia to
13 foster economic growth and opportunity, counter armed
14 threats to stability, and develop credible, transparent, and
15 representative government systems and institutions.

16 (b) CONTENT OF STRATEGY.—The strategy required
17 under subsection (a) should include the following ele-
18 ments:

19 (1) A clearly stated policy toward Somalia on
20 supporting the consolidation of political gains at the
21 national level, while also encouraging and supporting
22 complementary processes at the local and regional
23 levels.

24 (2) Measures to support the development goals
25 identified by the people and Government of Somalia.

1 (3) Plans for strengthening efforts by the Gov-
2 ernment of Somalia, the African Union, and regional
3 governments to stabilize the security situation within
4 Somalia and further degrade al-Shabaab's capabili-
5 ties, in order to enable the eventual transfer of secu-
6 rity operations to Somali security forces capable
7 of—

8 (A) maintaining and expanding security
9 within Somalia;

10 (B) confronting international security
11 threats; and

12 (C) preventing human rights abuses.

13 (4) Plans for supporting the development and
14 professionalization of regionally and ethnically rep-
15 resentative Somali security forces, including the in-
16 frastructure and procedures required to ensure chain
17 of custody and the safe storage of military equip-
18 ment and an assessment of the benefits and risks of
19 the provision of weaponry to the Somali security
20 forces by the United States.

21 (5) A description of United States national se-
22 curity objectives addressed through military-to-mili-
23 tary cooperation activities with Somali security
24 forces.

1 (6) A description of security risks to United
2 States personnel conducting security cooperation ac-
3 tivities within Somalia and plans to assist the So-
4 mali security forces in preventing infiltration and in-
5 sider attacks, including through the application of
6 lessons learned in United States military training ef-
7 forts in Afghanistan.

8 (7) A description of United States tools for
9 monitoring and responding to violations of the
10 United Nations Security Council arms embargo,
11 charcoal ban, and other international agreements af-
12 fecting the stability of Somalia.

13 (8) A description of mechanisms for coordi-
14 nating United States military and non-military as-
15 sistance with other international donors, regional
16 governments, and relevant multilateral organiza-
17 tions.

18 (9) Plans to increase United States diplomatic
19 engagement with Somalia, including through the fu-
20 ture establishment of an embassy or other diplo-
21 matic posts in Mogadishu.

22 (10) Any other element the President deter-
23 mines appropriate.

24 (c) REPORTS.—Not later than 180 days from the
25 submission of the strategy required under subsection (a),

1 and annually thereafter for three years, the President
2 shall submit to the appropriate committees of Congress
3 an update on implementation of the strategy and progress
4 made in Somalia in security, stability, development, and
5 governance.

6 (d) FORM.—The strategy under this section shall be
7 submitted in unclassified form, but may include a classi-
8 fied annex. The reports may take the form of a briefing,
9 unclassified report, or unclassified report with a classified
10 annex.

11 (e) APPROPRIATE COMMITTEES OF CONGRESS DE-
12 FINED.—In this section, the term “appropriate commit-
13 tees of Congress” means—

14 (1) the Committee on Appropriations, the Com-
15 mittee on Armed Services, the Committee on For-
16 eign Relations, and the Select Committee on Intel-
17 ligence of the Senate; and

18 (2) the Committee on Appropriations, the Com-
19 mittee on Armed Services, the Committee on For-
20 eign Affairs, and the Permanent Select Committee
21 on Intelligence of the House of Representatives.

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