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ORAL STATEMENT

Item 10: Interactive Dialogue with the Independent Expert on the situation of human rights in Somalia

UN Human Rights Council
Forty-second session
9 – 27 September 2019

Mr. President,

Amnesty International welcomes the report of the Independent Expert on the situation of human rights in Somalia.

We share his concerns about civilian casualties in Somalia resulting from air strikes by the United States of America (USA), which are being conducted with the consent of Somalia's government. Strikes have increased dramatically since 2017; at the same time, the USA has weakened protections afforded to civilians.¹

Our research into five air strikes carried out since 2017 found that they had killed 14 civilians and injured eight more. These attacks, each of which appear to have violated international humanitarian law (IHL), were carried out with Reaper drones and manned aircraft in Lower Shabelle, a region largely under Al-Shabaab control. Some may amount to war crimes.² Given the USA has conducted at least 120 additional strikes across Somalia in the past two-and-a-half years,³ the true number of civilian casualties is likely to be higher.

The USA and Somalia have failed to adequately investigate allegations of civilian casualties, and it is near impossible for those affected by strikes to report the killing or injury of relatives, given the location of attacks and associated security risks. Amnesty International found that neither the USA nor Somalia has any mechanism in place to enable such reporting.

Therefore, Amnesty International calls on Somalia and the USA to:

¹ In March 2017, the US President issued a directive designating southern Somalia an "area of active hostilities" and stating that war targeting rules would henceforth apply. For further discussion on the results of this directive, see: Amnesty International, *The hidden US war in Somalia: Civilian casualties in Lower Shabelle*, pp. 25 – 27, <https://www.amnesty.org/en/documents/afrc52/0952/2019/en/>

² For a detailed description and legal analysis of these five cases see pp.34 – 57 of Amnesty International, *The hidden US war in Somalia*, <https://www.amnesty.org/en/documents/afrc52/0952/2019/en/>

³ See AFRICOM's press releases announcing strikes, available at: <https://www.africom.mil/media-room/press-releases>

- urgently conduct independent and impartial investigations into all credible allegations of civilian casualties;
- provide victims and their families access to justice and full reparation, including compensation; and
- implement an effective mechanism to ensure a safe and accessible means for people to self-report civilian casualties of military operations.

We would like to ask the Independent Expert what further steps he thinks should be taken to prevent future civilian casualties and violations of IHL, and to ensure redress for victims and their families.

Thank you, Mr. President.