

**Check against delivery**



**Statement of**

**Ms Isha Dyfan**

**Independent Expert on the Situation of Human Rights in Somalia**

**General Assembly 76th Session**

**New York, 25 October 2021**



**Honourable Chairperson,**

**Excellencies,**

**Ladies and gentlemen,**

***Tracking Somalia's Human Rights Record***

I am honoured to address the 76<sup>th</sup> Session of the General Assembly and present my second report on the situation of human rights in Somalia. Somalia's re-election as a member of the Human Rights Council by this General Assembly is a welcome opportunity for the country to renew its efforts to uphold its human rights obligations, including through continued engagement with the international human rights mechanisms and my mandate.

I urge the Federal Government of Somalia and federal Member States to implement tangible and concrete measures, in line with the plan outlined in my report and recommendations from its latest Universal Periodic Review, to address the various human rights challenges in Somalia.

**Honourable Chairperson,**

Advancing the electoral processes and security arrangements have been key priorities for the Somali authorities and the international community. I reiterate my concern at the slow progress in the implementation of the electoral processes, and note the need for a free, fair, inclusive and secure electoral process as a precursor to the holding of one-person-one vote elections in the 2024/2025 elections.

History and experience have shown that these goals cannot be achieved without fully embracing the principles of equality and non-discrimination. I strongly urge Somali authorities to establish a mechanism to implement the minimum 30 per cent quota for women's representation in elections at all levels as agreed in various commitments. The inclusion of women, persons belonging to minority groups and marginalized communities, youth, persons with disabilities and internally displaced persons in public life in Somalia is a proven prescription for peace, security, reconciliation and development. I also note the recent Communiqué of the African Union Peace and Security Council on the Situation in Somalia and stress the need for a suitable agreement on security arrangements in line with

the revised security transition plan, towards the goal of the full assumption of security responsibilities by Somali security forces to address any protection gaps.

Mr. Chairperson,

Respect for human rights and the rule of law are preconditions for accelerating progress on peace, security and sustainable development and should not be neglected. The Somali authorities at the Federal and state levels have the primary duty to respect, protect and fulfill human rights in Somalia and ensure that no one is left behind. Regrettably, there has been limited progress over the past year. Economic and social disparities among vulnerable populations have deepened leading to an increase in housing evictions; lack of progress in women's and children's health; and reduced social service delivery in terms of water and sanitation. Moreover, the protracted delay in enacting human rights related laws and policies and appointing members to crucial human rights institutions obstructs Somali authorities' vision to advance human rights.

Somalia continues to be plagued with a high number of civilian casualties because of the armed conflict and frequent attacks by Al-Shabaab and other parties to the conflict. Other concerns include the high number of grave violations against children and a rise in sexual and gender-based violence against women and girls during the COVID-19 pandemic. This is compounded by attempts by several stakeholders to weaken protection afforded to women and children. Furthermore, online, and offline threats, attacks, arbitrary arrests, prolonged and unlawful detention of journalists, media workers and human rights defenders remain worrisome.

**Excellencies,**

**Ladies and gentlemen,**

The lack of concrete action and follow-up by the Government on human rights obligations and commitments has resulted in increased violations and abuses against civilians, emboldened perpetrators to continue committing violations with impunity and left survivors without access to justice and effective remedies. It has also further weakened the country's fragile rule of law and accountability institutions. I strongly urge the Somali authorities to hold accountable all those responsible for human rights violations, to swiftly adopt the policy on the protection of civilians and the counterterrorism bill, and to ensure their full compliance with international human rights norms and standards.

I call for the operationalization of the National Human Rights Commission, for it to begin its work of systemically assessing, monitoring and reporting on human rights in Somalia; for a review of the bill on Rape, Fornication and Other Related Offences in Somaliland and reversion to the draft Sexual Offences Bill of 2018, a review of the 1964 Penal Code and the 2020 amended Media Law, to comply with international human rights law and standards.

**Mr. Chairperson,**

The human rights challenges in Somalia are complex, but not insurmountable. The plan outlined in my report, with its benchmarks and indicators, centers on human rights principles and provides guidance for investments and calculated steps for improved human and institutional capacities. The plan draws from the revised security transition plan, the ninth national development plan (2020–2024) and the commitment in the Mutual Accountability Framework, to maximize the efforts of the Federal Government, national stakeholders, and international partners in targeting human and financial resources to implement these plans concurrently to advance change.

I look forward to engaging with the Somali authorities and international partners on these issues and thank the Government of the Federal Republic of Somalia for its support to my mandate and look forward to visiting Somalia soon.

I thank you for your attention.