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HUMAN RIGHTS COUNCIL
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TECHNICAL ASSISTANCE AND CAPACITY-BUILDING

Egypt (on behalf of the African Group): draft resolution

10/... Assistance to Somalia in the field of human rights

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and the relevant human rights instruments,

Recalling its resolution 7/35 of 28 March 2008,

Welcoming the commitment and efforts undertaken by the African Union to support Somali-led efforts towards reconciliation and stability and the efforts made by international and regional stakeholders to help Somalia re-establish stability, peace and security in its national territory, as well as the recent extension of the mandate of the African Union Mission in Somalia for an additional three months,

Emphasizing that the above-mentioned declaration adopted by the Assembly of the African Union stressed the need for the deployment of a United Nations peacekeeping operation in Somalia that will take over from the African Union Mission in Somalia and support the long-term stabilization and post-conflict reconstruction of Somalia,

Reiterating that humanitarian, human rights and development assistance is of paramount importance to alleviate poverty and to promote a more peaceful, equitable and democratic society in Somalia,

Welcoming the latest developments in Somalia, which, after the voluntary resignation of former President Abdullahi Yusuf Ahmed on 29 December 2008, 10 months ahead of the conclusion of his term, led to the convening of the Transitional Federal Parliament meeting in Djibouti, to the election of President Sheikh Sharif Sheikh, to the appointment of Prime Minister Omar Abdel-Rashid Sharmarke on 14 February 2009, and to the subsequent formation of a new Government,

Reiterating that, despite the daunting challenges confronting the peace and reconciliation process, the opportunity that arose in February 2009, when the new leadership of the Transitional Federal Government began their duties in Mogadishu to achieve a lasting solution to the crisis in Somalia, still exists,

Stressing the need for both the Somali stakeholders and the international community as a whole to seize this new opportunity to address decisively and in a timely manner the conflict in Somalia, to help implement the reconciliation process and to take all steps required to this end,

Seriously concerned about the human rights and humanitarian situation in Somalia,

Noting with concern that the security situation remains fragile throughout the country, despite the recent reduction in the intensity of the fighting and terrorist attacks,

Emphasizing that efforts to combat terrorism in Somalia must respect international law, including human rights and fundamental freedoms, which are inseparable from the establishment of peace in Somalia,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling Human Rights Council resolutions 5/1 on institution-building of the United Nations Human Rights Council and 5/2 on the Code of Conduct for Special Procedures

Mandate-holders of the Human Rights Council, of 18 June 2007, and stressing that the mandate-holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

1. *Expresses its serious concern* at the human rights and humanitarian situation in Somalia, and calls for an immediate end to all violations;
2. *Demands* that all parties in Somalia, in particular those who have yet to commit to the reconciliation process, reject and stop all acts of violence, abstain from engaging in hostilities, prevent any act likely to increase tension and insecurity, and fully respect their obligations under international human rights law and international humanitarian law;
3. *Expresses its concern* for the sake of displaced persons, internally or abroad, as a consequence of the conflict, the violations of human rights and international humanitarian law and terrorist attacks;
4. *Urges* all parties in Somalia to uphold the principles and spirit enshrined in the Transitional Federal Charter and to work towards genuine national reconciliation within that framework, including by holding fair, national and regional multiparty elections in 2011, as envisaged by the Transitional Federal Charter;
5. *Calls upon* the international community to stand by the legitimate Somali institutions and to provide adequate, timely and concrete support in order to enhance their capacity, in particular that of the Transitional Federal Government, as part of an integrated approach that encompasses political, security and programmatic dimensions;
6. *Appeals* to the partners of the African Union to provide increased logistical and financial support for the African Union Mission in Somalia, especially in view of the fact that the African Union, in extending its operation in Somalia, is also acting on behalf of the international community at large;

7. *Urges* the international community to provide, as a matter of urgency, development assistance to Somalia, so as to effectively contribute to the reconstruction of Somalia and the rebuilding of its institutions, as well as technical assistance and human and institutional capacity-building at the national and regional levels in the field of human rights;

8. *Also urges* the international community to provide adequate and timely humanitarian assistance to the needy population, to assist in implementing a socio-economic voluntary reintegration programme for internally displaced persons in their respective areas of origin, and to ensure that all necessary steps are taken to create conditions conducive to the provision of humanitarian assistance, including unhindered access to the needy population and security for humanitarian workers and organizations;

9. *Acknowledges* the work undertaken by the independent expert on the situation of human rights in Somalia, and notes his report (A/HRC/10/85);

10. *Decides* to renew the mandate of the independent expert for a period of one year, with a view to providing technical cooperation and human and institutional capacity-building at the national and regional levels in Somalia, including for the legislative sector, the judiciary, law enforcement agencies and education, as well as conducting public-awareness campaigns, all in line with the priorities and the framework determined by the Somali authorities. The renewal of the mandate shall take effect upon the conclusion of an agreement between the Somali authorities and the Office of the United Nations High Commissioner for Human Rights on the implementation of the activities outlined in the present paragraph;

11. *Invites* the independent expert to carry out his mandate as outlined above in a manner that promotes all efforts aimed at achieving reconciliation in Somalia and restoring peace and stability as the immediate priority for improving the human rights situation;

12. *Requests* the Secretary-General to provide the independent expert with all necessary human, technical and financial assistance in carrying out his/her mandate;

13. *Requests* the Office of the United Nations High Commissioner for Human Rights to establish and maintain an office in Somalia with a view to assisting the independent expert in carrying out the mission entrusted to him, as outlined in paragraph 9 of the present resolution;

14. *Invites* relevant United Nations bodies and agencies to provide support and technical assistance to Somalia in the field of human rights;

15. *Requests* the independent expert to report to the Human Rights Council at its twelfth and thirteenth sessions.
