



# Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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## Committee against Torture Seventy-fifth session

### Summary record of the 1949th meeting\*

Held at the Palais Wilson, Geneva, on Tuesday, 8 November 2022, at 10 a.m.

*Chair:* Mr. Heller

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\* No summary records were issued for the 1948th meeting.

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*The meeting was called to order at 10 a.m.*

**Consideration of reports submitted by States parties under article 19 of the Convention** *(continued)*

*Initial report of Somalia (CAT/C/SOM/1; CAT/C/SOM/QPR/1)*

1. *At the invitation of the Chair, the delegation of Somalia joined the meeting.*
2. **Mr. Hashi Jimale** (Somalia), introducing his country's initial report (CAT/C/SOM/1), said that the commitment of Somalia to the rule of law and respect for human rights was enshrined in the Provisional Federal Constitution. Although domestic criminal legislation did not currently include a definition of torture, the Government was hoping to complete a comprehensive review of the Somali Penal Code in 2023 and to incorporate into it a definition of torture consistent with the Convention. The Government also intended to push through the Sexual Offences Bill, which had been submitted to parliament in 2018 and which included a separate definition of torture.
3. Despite the challenges caused by the coronavirus disease (COVID-19) pandemic, the Federal Government had been working hard to improve detention conditions in Somalia. It had put in place mechanisms aimed at improving the judicial oversight of detention centres and had strengthened its coordination with federal member states in order to ensure that the rights of persons deprived of their liberty were upheld all over the country. Efforts were also being made to ensure that all legislation on torture and ill-treatment was properly enforced. In that regard, members of the Somali Police Force and the security forces received regular training on human rights in general and respect for the fundamental rights of detainees in particular.
4. Unfortunately, since the federal system of governance was still relatively new, the Government was not yet able to collect statistics on complaints, investigations, prosecutions, convictions and sentences relating to harmful traditional practices or on the assistance and compensation afforded to the victims of such practices. However, the National Bureau of Statistics was working in coordination with different government agencies to strengthen its capacities and tentative plans had been made to develop an advanced data collection system in the next few years.
5. With regard to human rights institutions, the first phase of the process to establish the National Human Rights Commission had been completed in 2017. The Ministry of Women and Human Rights Development had subsequently initiated a process to appoint members of the Commission through a special selection panel. Unfortunately, that process had stalled. The Ministry had recently formed a committee to review the first phase of the establishment process and to put forward a new plan to ensure that the Commission would be established in the following months.
6. **Mr. Liu** (Country Rapporteur) said that, following many years of armed conflict and political instability, Somalia had recently made significant progress in rebuilding its government institutions, including through the establishment of the Ministry of Women and Human Rights Development. He also noted with interest that the Federal Government had made legislative and policy reform a key priority and that it hoped to carry out a review of the Penal Code in 2023. The Committee would welcome further information on that review, including any planned measures to incorporate a definition of torture into criminal law. It would be useful to know exactly how torture was defined in the Sexual Offences Bill, as well as whether any new progressive pieces of legislation in line with the Convention had been developed. He wished to know what penalties applied to acts amounting to torture and whether the State party had taken any steps to ensure that such acts were not subject to a statute of limitations. He invited the delegation to explain how the application of sharia could be compatible with the provisions of the Somali Provisional Constitution and laws on the prohibition of torture and other ill-treatment.
7. The protracted delay in enacting human rights laws and policies and appointing members to crucial human rights institutions had called into question the political will of the Somali authorities to make progress in the field of human rights. The Committee would therefore appreciate further information on the efforts being made by the State party to

establish a national human rights institution with a broad mandate in compliance with the Paris Principles, and on whether it would seek the support and advice of the Office of the United Nations High Commissioner for Human Rights in that process. He also wished to know whether the Federal Government was considering ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. He wondered if the Ministry of Women and Human Rights Development played a coordinating role when assisting non-governmental organizations and other representatives of civil society in the fight against torture.

8. In response to allegations that the State party's security forces did not respect fundamental legal safeguards, he would like to know what the State party considered to be a reasonable time for detainees to be held while awaiting trial and in what proportion of cases that time limit had been observed in recent years. It would also be helpful to understand the nature of the steps taken to ensure that cases brought before the courts proceeded efficiently and in a timely manner. The Committee would like to know specifically if any measures had been taken to guarantee detainees their rights to a lawyer, to request and receive an examination by an independent physician of their choice, to be informed of their rights and of the charges against them, and to notify a person of their choice of their arrest. He also wondered whether the State party had taken any steps to ensure the availability of an effective remedy to detainees whose rights had been violated.

9. The Committee would welcome further information on the implementation mechanism for the provision of free legal aid and on the conditions for receiving it. Details of any steps taken by the State party to increase the capacity of legal aid services so that they were able to represent detainees would also be of interest. Since the Committee had received reports suggesting that legal aid provision was inadequate, he would like to receive updated statistical data on the number of people who had received free legal aid, disaggregated by gender, age, location, alleged crime and socioeconomic status.

10. It would be useful to understand what measures the State party had taken to modernize the police and judicial systems and what challenges it had encountered during that process. He also wished to know more about any steps taken by the Federal Government to fight corruption in the judicial and law enforcement sectors, including any laws, policies and mechanisms that had been put in place to create a transparent and clean environment in which human rights could be firmly upheld. He would be particularly interested to hear about the ways in which efforts to prohibit torture might be hampered by the threat of corruption.

11. He would like to receive an update on the current status of the Federal Government's project to put in place a centralized data management facility to handle data on detentions and prisons. He recommended that the State party should make use of advanced digital technology in developing that facility. The Committee would also appreciate an update on the current status and effectiveness of the case management system developed for use by the courts. In general, it would be helpful to understand what action had been taken to increase the efficiency of the judicial system, including any steps taken to address the shortage of judges and court administrators.

12. He invited the delegation to comment on reports that prison overcrowding remained a significant problem in Somalia and that levels of sanitation and hygiene, medical care and food and water supply were inadequate in most prisons. Information on any measures taken to ensure that men were separated from women, pretrial detainees from convicted prisoners and adults from minors in all places of detention would also be of interest, as would some indication of the steps the State party was taking to meet the special needs of minors, women and persons with disabilities in detention. The Committee would appreciate general information concerning current conditions of detention in the State party and any measures taken to ensure their compliance with international standards, as well as action taken to address inter-prisoner violence, the spread of HIV/AIDS and hepatitis C and the issue of access to illegal drugs in prisons. He also wondered how, in the face of drought and famine, the Federal Government ensured that it could continue to supply enough food to persons deprived of their liberty and to control the spread of drought-induced diseases such as cholera. On a related note, it would be interesting to know what steps the Federal Government had taken to address the needs of persons deprived of their liberty during the COVID-19 pandemic.

13. The Committee was concerned about reports it had received regarding the existence of unlawful detention centres in the State party. He wished to know what legal safeguards had been put in place to prevent arbitrary detention and arrests without a warrant and what steps the State party had taken to end the use of unofficial detention centres. He also wondered what oversight mechanisms had been set up to ensure that detention centres, including those in Somaliland, were kept clean and in compliance with international norms.

14. In reference to the prison visits undertaken by the Parliamentary Committee on Human Rights, Women and Humanitarian Affairs, he would like to know whether parliament's legislative and judicial oversight of human rights issues had an enforceable long-term mechanism and whether the legal system protected persons deprived of liberty against ill-treatment, including torture.

15. Statistics relating to the continuing use of military courts to try civilians would be appreciated. The Committee would also appreciate a clarification of the "special circumstances" in which civilian cases were tried by military courts. Could cases incorrectly deemed to involve "special circumstances" subsequently be heard in a civilian court? It would be interesting to know exactly what due process safeguards were in place when civilian trials were held in military courts. Details of any specific procedures in place for transferring civilian cases to civilian courts would be welcome.

16. He would like to have some clarification on allegations made in recent years of torture, abduction and extrajudicial executions committed by the Danab anti-terrorist unit and the Somali special forces and those carried out in secret detention facilities run by the National Intelligence and Security Agency. He would appreciate details of the legislation, policies and measures adopted by the Government to curb violence by terrorist groups, as well as details of the key provisions of the national counter-terrorism bill. Examples illustrating the trade-offs made between human rights and legitimate security concerns when drawing up those measures would be useful. The Committee would also welcome comments on the alleged detention between 2015 and 2018 of hundreds of boys suspected of joining and supporting the terrorist group Al-Shabaab. Details of the current terrorist threat to Somalia would be appreciated. In the light of abuses that had allegedly taken place in Somaliland, including arbitrary arrests for exercising free speech and the taking of individuals into custody without a warrant, he would like to know what, if any, measures were being taken to improve the human rights situation in territories not under the control of the Federal Government.

17. Notwithstanding the adoption of the National Action Plan on Ending Sexual Violence in Conflict, grave concerns remained about the reported increase in cases of rape, sexual and gender-based violence and domestic violence. He would like to know how the State party was combating such violence and protecting women's rights. In view of the apparent ineffectiveness of the existing legal and policy frameworks, he urged the State party to adopt the Sexual Offences Bill without delay. The Committee would welcome information on the State party's preparations and process for ratifying the Convention on the Elimination of All Forms of Discrimination against Women. Clarification relating to the legal framework for combating gender-based violence would be appreciated, as would information on the protection and support available to the victims of such violence. He would like to receive statistical data, disaggregated by the victims' age and ethnic origin or nationality, on the number of complaints of gender-based violence and the investigations, prosecutions, convictions and punishments resulting from those complaints since the accession of the State party to the Convention against Torture. What measures were in place to protect victims from reprisals, stigmatization and discrimination? In particular, he would like to have information on the cases involving Al-Shabaab, the Danab counter-terrorism unit, Ahmed Madobe's militias and the Kenya Defence Forces, including the action being taken by the State party in response to their actions.

18. The Committee would also like to hear about measures taken to address concerns about traditional justice mechanisms arbitrating in cases of rape and other forms of sexual and gender-based violence. Information about any legislative efforts to prevent domestic violence would be useful. Would domestic violence be included as a separate crime in the revised Penal Code? What obstacles and difficulties were hindering the implementation of international standards and national laws on domestic violence?

19. In the light of reports of an increase in the number of cases of female genital mutilation, he would be interested to know whether the Female Genital Mutilation Bill had been passed and whether female genital mutilation had been established as a criminal offence. It would be helpful to have disaggregated data on victims of female genital mutilation and to know what measures were in place to protect and support victims. He would also welcome examples of measures the State party had taken to combat other harmful traditional practices such as early or forced marriage.

20. The Committee would appreciate receiving disaggregated data on investigations, prosecutions and convictions related to trafficking in persons, including information on administrative, legal or judicial efforts to combat the practice. Information on the services available to victims of trafficking would be helpful, as would information on the monitoring by law-enforcement bodies of commonly used trafficking routes. Given that children were at particular risk, were any specific steps being taken to protect them from falling victim to trafficking? Was Somalia considering ratifying the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime?

21. He welcomed the ratification by Somalia in 2019 of the Convention on the Rights of Persons with Disabilities and would be grateful for an update on the status of the National Disability Agency. He would also like to know whether the proposed Disability Bill had been passed and what it contained. He would be interested to learn more about any administrative regulations and monitoring mechanisms for institutions for persons with disabilities, mental health institutions and rehabilitation centres.

22. In the light of concerns that corporal punishment of children was widely accepted and continued to be permitted in the home and various other settings, he would welcome information relating to any progress on legislation prohibiting such punishment. What was the current status of the Child Rights Bill? The Committee would like to know how the State party responded to allegations of abuses committed by officials and staff at social service centres, youth rehabilitation centres and drug rehabilitation centres: it would appreciate receiving information on the outcome of any corresponding investigations and disciplinary or criminal proceedings. It would be useful to know whether there were any mechanisms in place to detect corporal punishment in schools and families. An update on progress in implementing birth-registration and age-verification procedures, which could help protect children from ill-treatment, would be appreciated.

23. Lastly, he would appreciate any information the delegation could provide on measures taken to ensure that all crimes and acts of violence targeting persons on the basis of their sexual orientation or gender identity were properly and promptly investigated and prosecuted.

24. **Ms. Maeda** (Country Rapporteur) said that the Committee would welcome an update on the status of the draft national policy on refugee-returnees and internally displaced persons (IDPs). There were concerns that insufficient numbers of police officers meant that existing laws designed to protect IDPs were not applied fairly, especially in cases where the victims were women and children. She would appreciate statistics, disaggregated by age, sex and current location, on IDPs in Somalia. Information on the resources available at each IDP camp and the number of people accessing those resources would also be useful. She asked to what extent the State party cooperated with civil society and international organizations to improve the situation in IDP camps in terms of human and budgetary resources. She would also like to know how many IDPs had been evicted from their camps and whether they had been informed of their rights.

25. Inadequate security measures in IDP camps left women and girls extremely vulnerable to sexual violence. Had the State party taken any specific measures to increase the number of security personnel in the camps? She would appreciate information about any measures taken to facilitate the reintegration of child returnees and internally displaced children and to ensure their access to shelter, food, water, sanitation and medical and psychological care in refugee camps and IDP camps.

26. She commended the State party for taking in large numbers of refugees from Yemen and Syria and for establishing the National Commission for Refugees and Internally

Displaced Persons. However, she wished to have an update on the activities of the Commission, as well as data, disaggregated by age, sex and country of origin, on the number of individuals who had been granted asylum or refugee status or who had been expelled, returned or extradited from Somalia. While noting with appreciation the enshrinement of the principle of non-refoulement in the Constitution, she would be grateful to know whether individuals facing expulsion, return or extradition were informed of their right to seek asylum and to appeal deportation decisions, and whether such appeals had suspensive effect.

27. She would be interested to know whether the State party planned to include explicit references to universal jurisdiction over crimes of torture in the Penal Code, and whether universal jurisdiction had been cited in any judgments handed down in the domestic courts. In addition, she would like to know whether torture was defined as an extraditable crime under extradition treaties to which Somalia was a party, how the State party ensured the principle of “extradite or prosecute” (*aut dedere aut judicare*) and whether it had signed extradition treaties with other States since submitting its initial report. She would welcome data on the number of persons extradited from Somalia under such treaties, disaggregated by ethnic origin, age, sex, type of offence and requesting country.

28. She would be grateful to know whether the State party had acceded to any further treaties for the provision of mutual judicial assistance since ratifying the Riyadh Arab Agreement on Judicial Cooperation in 1985 and, if so, with which countries and under what conditions. She wondered whether such treaties or agreements had led in practice to the transfer of any evidence in connection with legal proceedings concerning torture or ill-treatment.

29. In the light of reports that a number of national security agents had militia backgrounds and had received scant human rights training, she would appreciate up-to-date information on the training programmes developed by the State party to ensure that all law enforcement officials were fully aware of the Convention and understood that perpetrators of torture and ill-treatment would be prosecuted. She would like to know whether judges, prosecutors, forensic doctors and medical personnel received specific training on the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol), and whether the State party had taken steps to assess the effectiveness of training programmes in reducing cases of torture and ill-treatment. Did those programmes reference the Principles on Effective Interviewing for Investigations and Information Gathering?

30. It would be useful to know whether the State party intended to impose a moratorium on the death penalty with a view to abolishing it altogether; whether the death sentence was mandatory for certain crimes; and whether persons sentenced to death could request a judicial review or avail themselves of any other legal safeguards. She would like to know, in particular, whether judges were prohibited from handing down death sentences to persons who were under 18 years of age at the time of the offence for which they were being prosecuted.

31. The Attorney General’s Office was to be lauded for regularly interviewing prisoners about the conditions in which they were detained. She wished to know how frequently the interviews were conducted, whether conditions in detention facilities had tangibly improved as a result of those interviews and whether the Attorney General’s Office ever made unannounced visits to such facilities. She also wished to know how the impartiality and independence of the Attorney General’s Office was ensured, and whether any other independent third parties visited detention facilities. She would welcome information on the frequency of inter-prisoner violence, including any cases involving possible negligence on the part of law enforcement personnel, the number of complaints made in that regard and their outcomes, and what measures had been taken to prevent such violence. In particular, she would appreciate receiving statistical data on deaths in custody and in places of detention during the period under review, as well as information on how those deaths had been investigated, the results of those investigations and the measures taken to prevent further such deaths. She wondered whether a specific protocol was in place for informing relatives of the deceased and whether those relatives were entitled to compensation.

32. She would be grateful to learn what measures were being taken to ensure the observance of interrogation rules by law enforcement officials, and whether civil society organizations were involved in reviewing those rules. In addition, she was curious to know whether the Police Oversight Committee was provided with sufficient funding to discharge its duties, under what conditions it investigated allegations of torture, how many such allegations it had investigated during the reporting period, and how it coordinated its work with that of the Attorney General's Office.

33. The establishment of the Serendi Rehabilitation Centre to reintegrate low-risk former members of the terrorist group Al-Shabaab into society was commendable. She would like to know what kind of programmes were run at the centre, how many persons had been reintegrated into society since the centre had been established, and whether the centre was provided with sufficient human and financial resources to carry out its work.

34. Reports of the excessive use of force by the police against civilians, especially journalists, human rights defenders and persons suspected of terrorism, were concerning. She wished to know which legal standards the State party applied to determine the appropriate use of force and firearms by law enforcement officials and whether those standards had been incorporated into domestic law. It would be useful to have information on the legal framework for investigating complaints of torture and ill-treatment made against police and military personnel, as well as on the sentences handed down to officials who were found guilty. She would be interested to learn whether victims of torture and ill-treatment were aware of the mechanism in place for submitting such complaints, whether adequate compensation was provided to such victims, what steps were being taken to protect complainants and witnesses from intimidation and abuse, and what efforts were being made to codify the right to submit complaints to judicial authorities without censorship. She would appreciate up-to-date statistics on the number of complaints submitted and on the complainants themselves, disaggregated by sex, age, ethnic origin, nationality and place of detention. What steps did the National Human Rights Commission take to identify the violation of detainees' human rights?

35. She would be grateful for more detailed information on the status of the National Truth and Reconciliation Commission, as well as on the procedures for nominating and appointing the members of the Commission. Furthermore, she would like to know what measures were being taken to combat impunity, particularly with respect to serious historical human rights violations, and to ensure that the perpetrators of such violations were brought to justice and that the victims were provided with adequate compensation.

36. She would welcome information on any orders issued by the domestic courts for the provision of redress to victims of torture. In particular, she wished to know how many requests for compensation the State party had received, how much compensation it had been ordered to pay and how much it had actually provided in each case. She also wished to know what medical, psychiatric and other forms of support were provided to victims of torture and ill-treatment, and what human and financial resources the State party had allocated to that end. Did victims have access to qualified and independent legal expertise free of charge?

37. It would be useful to know what criteria, standards and methods were used to determine that a confession had been made involuntarily, and whether judges received any specific training in that regard. Given reports that pre-recorded confessions obtained under duress were still being admitted as evidence in court proceedings, she was curious to know how many convictions had been based on such confessions. Furthermore, she wondered what procedures and safeguards were in place for defendants who claimed that their confessions had been obtained by torture or other coercive techniques, and what specific measures were being taken to combat such practices.

38. **Ms. Pūce** said that, if the State party did not plan to abolish the death penalty, she would be interested to know whether it might at least abolish public executions, which were inhuman and degrading and were carried out in very few other countries. In addition, she wished to know how and when relatives of persons sentenced to death were informed of such sentences.

39. **Mr. Tuzmukhamedov** said that he would like to know whether capital punishment was provided for in any law other than the Penal Code, and how many persons had been

sentenced to death and executed in the State party in the past five years. He would also like to know how many persons were currently on death row and what the longest time spent on death row had been. Lastly, he wondered how the State party reconciled its use of capital punishment with its vote to adopt General Assembly resolution 75/183 on a moratorium on the use of the death penalty.

40. **Mr. Buchwald** asked why the definition of torture that was due to be incorporated into domestic legislation from 2023 referred to the “unlawful” infliction of severe pain and suffering and made no reference to the infliction of such pain or suffering with the consent or acquiescence of a public official or other person acting in an official capacity – putting it at odds with the definition given in the Convention.

*The meeting was suspended at 11.55 a.m. and resumed at 12.20 p.m.*

41. **A representative of Somalia** said that, during the current review of the Penal Code, the definition of torture would be amended to bring it into line with the definition in the Convention.

42. **A representative of Somalia** said that the measures taken by the Government with regard to torture included the signing of the African Charter on Human and Peoples’ Rights in 1986. Somalia had also signed a number of international human rights instruments and its national legislation contained provisions relating to universal human rights, including provisions on torture. A strong coordination mechanism for promoting and protecting human rights at the federal and state level, focusing on eliminating all forms of torture, had been established.

43. The State party was working with Save the Children on a project to promote the protection of children from physical and humiliating ill-treatment. The project helped parents and caregivers to better understand child development, child rights and the concept of positive parenting. Improving the relationship between parents and children could make it easier to combat ill-treatment. Other measures taken to prevent torture included projects to promote peaceful coexistence, to provide additional human rights training to security officers and to prevent and respond to all cases of gender-based violence, particularly in areas of conflict between the Government and Al-Shabaab. In those areas, awareness-raising activities were conducted in the media in an effort to prevent civilian casualties.

44. The Government was collaborating with the International Committee of the Red Cross on a project to ensure that detainees received humane treatment and were able to maintain their dignity. The project would focus on ensuring that detainees had a fair trial, medical care and access to justice: it also aimed to improve accountability and efficiency in the bodies responsible for justice in the Government, the judiciary and the correctional services.

45. A strategy for preventing, reducing and responding to gender-based violence had been developed. It focused on medical care, social security, mental health and access to justice. An action plan on gender-based violence included activities which reflected the priorities and needs identified by communities and key stakeholders. With the support of the United Nations Children’s Fund, a training programme for social workers had been developed in universities to ensure that, in future, professional social workers would continue to implement the strategy for dealing with gender-based violence. Services for the victims of domestic violence were mostly provided by civil society organizations and included specialized emergency housing and medical and legal assistance.

46. The National Commission for Refugees and Internally Displaced Persons was responsible for coordinating the work of the various ministries in promoting the welfare and protection of refugees and internally displaced persons and in formulating strategy, policies and programmes, with the help of government institutions and various partners, including agencies of the United Nations and the African Union. The Commission ensured that internally displaced persons and refugees were issued with national documentation so that they could enjoy international protection and were not subjected to discrimination. The Commission worked closely with partners under the Humanitarian Response Plan for Somalia, and the reintegration of child returnees was supported through microfinancing and various child development programmes.



47. **A representative of Somalia** said that detainees enjoyed all relevant practical and legal safeguards for the duration of their detention and had the right to have access to a lawyer, to request and receive an examination from a medical professional of their choice, to be informed of the charges brought against them, to notify their relatives or any person of their choice that they had been arrested, and to be brought before a judge. A register of detainees was kept up to date and legal aid was available to persons with disabilities.

48. Training on human rights issues and legal procedure was provided for police officers and members of the National Intelligence and Security Agency. Such training helped to reduce the number of cases of torture and abuse of authority. Allegations of torture in rehabilitation centres were investigated by the police, in collaboration with other agencies. A new digital system for maintaining criminal records had been developed with the help of the United Nations Office on Drugs and Crime and other international partners, and would help to provide the police with more accurate data.

49. The State party's military courts usually only dealt with offences committed by members of the security forces or armed militants. However, civilians were sometimes required to appear before the court in cases involving terrorism.

50. Offices for the protection of women and children had been established within the police force and women were now able to speak for themselves when accused of a crime. Four police stations had desks where women could speak to female police officers, which would facilitate the filing of complaints. A policy was in place to increase the participation of women in the security forces and decision-making forums.

51. The Defector Rehabilitation Programme continued to provide training on the rule of law and human rights issues in its rehabilitation centres. Measures were in place to enforce the prohibition of corporal punishment for children in those centres. New centres would be opened in Jubbaland and South-West State, as many defectors from the armed groups involved in the conflict with Al-Shabaab were expected in those areas. The centres would also take in children under the age of 18 who had been taken from their families and forced to fight.

52. **A representative of Somalia** said that the process to establish the National Human Rights Commission had begun in 2017 but, despite a transparent selection process, there had been delays in the approval of candidates to be appointed to the Commission. The new Government was committed to ensuring that the Commission was established by the middle of 2023. To that end, a committee had been appointed to review the selection process, which would lead to a list of potential candidates being brought before the Council of Ministers and then parliament.

53. The State party had no immediate plans to ratify the Optional Protocol to the Convention against Torture. However, community-level dialogues on the ratification of many international instruments, including the Optional Protocol, were ongoing and would help to ascertain whether Somalia currently had the capacity to fulfil the obligations to the Protocol which ratification would bring with it.

54. It was difficult for the delegation to provide many statistics or disaggregated data as the State party was emerging from a difficult situation and the National Bureau of Statistics had only recently been established.

55. The Sexual Offences Bill had been drawn up in consultation with vulnerable groups, including women and children, and had been submitted to parliament in 2018. The Government was looking to adopt the Bill, along with the Female Genital Mutilation Bill and the Child Rights Bill, within a year or so. The Sexual Offences Bill included provisions for the protection of victims, redress for survivors and witness protection. Such provisions were not in the current Penal Code but would soon be included as part of the ongoing review process. The Government would be working with institutions at the federal and state levels to ensure that the bills led to tangible results.

56. Somalia had ratified the Convention on the Rights of Persons with Disabilities and had established the National Disability Agency as part of the process of incorporating the Convention into domestic law. National legislation which would provide comprehensive protection and access to opportunities for persons with disabilities was being drawn up, and an action plan for the rights of persons with disabilities was in development.

*The meeting rose at 12.55 p.m.*