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Agenda item 10

Technical assistance and capacity-building

Australia*, Canada*, Czech Republic, Denmark*, Estonia*, Finland*, France*, Germany*, Honduras*, Ireland*, Israel*, Italy, Lithuania*, Maldives, Norway, Poland, Portugal*, Republic of Moldova, Senegal (on behalf of the African Group), Serbia*, Somalia*, Turkey*, United Kingdom of Great Britain and Northern Ireland*, United States of America: draft resolution

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

The Human Rights Council,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights, and recalling General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolution 5/1 of 18 June 2007,

Acknowledging that peace and security, development and human rights are the pillars of the United Nations system,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia,

Recalling its previous resolutions on the situation of human rights in Somalia,

Acknowledging the commitment of and efforts made by the African Union and the Intergovernmental Authority on Development, especially those of States contributing to the African Union Mission in Somalia and Intergovernmental Authority on Development member States, to support efforts to achieve security, reconciliation and stability, and the efforts made by the international community and regional partners to help Somalia consolidate peace and security, as well as the rule of law, on its national territory,

Commending the African Union Mission in Somalia for its efforts, as requested by the Peace and Security Council, to minimize civilian casualties during its operations, encouraging the African Union Mission in Somalia to intensify its efforts in this regard, and also encouraging the African Union to support the African Union Mission in Somalia in increasing awareness and training among its troops on human rights and international humanitarian law,

* Non-Member State of the Human Rights Council.

Welcoming the work of the Independent Expert on the situation of human rights in Somalia,

Acknowledging the constructive engagement of the Transitional Federal Government and Somali regional authorities in the universal periodic review,

1. *Expresses its continued serious concern* at the human rights and humanitarian situation in Somalia;

2. *Strongly condemns* the grave and systematic human rights abuses perpetrated against the civilian population, in particular by Al-Shabaab and its affiliates, and calls for their immediate cessation;

3. *Urges* all parties to take immediate steps to protect children and end abuses and violations committed against them, and in particular calls for an immediate end to the recruitment and use of child soldiers;

4. *Stresses* the primary responsibility of the transitional federal institutions to implement the Somalia End of Transition Road Map, encourages them and the Somali regional authorities to redouble their efforts, with the support of the United Nations Political Office for Somalia and the international community, to implement fully the key benchmarks set out in the Roadmap before the end of the transitional period on 20 August 2012, and to continue to use the process initiated at the two constitutional conferences held in Garowe in December 2011 and February 2012, to ensure that post-transition political arrangements are inclusive and representative, recognizing that a resilient and responsive political framework is the best basis on which to improve the human rights environment;

5. *Welcomes* the valuable role of women in efforts to build a better future for Somalia and, in particular, calls on the Transitional Federal Government and Somali regional authorities to take the necessary steps to enable the full and equal participation of women in conflict prevention, management and resolution, as well as in peacebuilding and political processes;

6. *Emphasizes* that protecting, respecting and fulfilling human rights will be essential for the legitimacy of any future Somali political leadership, and also emphasizes the importance of training in human rights and international humanitarian law for Somali security forces;

7. *Calls on* Somalia to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights contained in the International Covenant on Economic, Social and Cultural Rights;

8. *Also calls on* Somalia to fulfil its obligations under international human rights law;

9. *Welcomes* the London Conference on Somalia, held on 23 February 2012, which demonstrated the international community's political will and determination to support the people of Somalia as they build peace and stability;

10. *Also welcomes* the communiqué from the London Conference, in which the delegations affirmed that respect for human rights must be at the heart of the peace process, called for action to address in particular the grave human rights violations and abuses that women and children face, emphasized that journalists must be able to operate freely and without fear and that civilians must be protected, called upon the Somali authorities to take measures to uphold human rights and end the culture of impunity, and agreed to step up international efforts, including through the United Nations human rights architecture;

11. *Calls on* all parties to ensure that the progress made at the London Conference is consolidated through effective action and to redouble their efforts to support the people of Somalia in their search for a better future for their country and, in this regard, welcomes the intention of the Government of Turkey to hold a conference on Somalia in Istanbul;

12. *Requests* the Secretary-General to submit to the Human Rights Council, at its twenty-first session, a report assessing current United Nations support for the Somali authorities in fulfilling their obligations under international human rights law and combating impunity, as reflected in the report of the Working Group on the Universal Periodic Review on Somalia,¹ and containing proposals for a more integrated approach across the United Nations system, considering in this context the role of the field presence of the Office of the United Nations High Commissioner for Human Rights in Somalia;

13. *Urges* all parties to facilitate rapid and unhindered humanitarian access;

14. *Notes* the importance of sustainable development in supporting national and international peacebuilding efforts and, in this context, emphasizes the role that the realization of all human rights can play in building sustainable peace in Somalia;

15. *Encourages* Somalia to implement the recommendations it accepted following its review during the eleventh session of the Working Group on the Universal Periodic Review, including through bilateral and multilateral cooperation;

16. *Looks forward* to the reports of the Independent Expert on the situation of human rights in Somalia and of the Special Rapporteur on violence against women, its causes and consequences, to be presented to the Human Rights Council at its twenty-first and twentieth sessions, respectively;

17. *Welcomes* the ongoing role of the Office of the High Commissioner in providing technical assistance for the Transitional Federal Government and regional authorities, within the legal framework of the Memorandum of Understanding, and encourages the speedy and effective implementation of the Memorandum of Understanding between the Office of the High Commissioner and the Transitional Federal Government for this purpose;

18. *Requests* the Office of the High Commissioner to continue to provide the Independent Expert with all the human, technical and financial assistance necessary to carry out his mandate;

19. *Decides* to remain seized of the matter.

¹ A/HRC/18/6.