



**Economic and Social  
Council**

Distr.  
LIMITED

E/CN.4/1995/L.85  
1 March 1995

Original: ENGLISH

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COMMISSION ON HUMAN RIGHTS  
Fifty-first session  
Agenda item 21

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Ireland\*, Italy: draft resolution

1995/... Assistance to Somalia in the field of human rights

The Commission on Human Rights,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights and other relevant human rights instruments,

Recalling relevant resolutions of the General Assembly and of the Security Council, in particular Security Council resolution 954 (1994) of 4 November 1994,

Recalling also its own resolution 1994/60 of 4 March 1994, in which it requested the independent expert to report on conditions in Somalia and on the implementation of the resolution,

Noting with concern that the breakdown of governmental authority in Somalia has exacerbated the grave situation of human rights in the country,

Conscious that the United Nations Operation in Somalia II will complete its withdrawal during March 1995, and that therefore its human rights unit will cease to exist,

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\* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Noting in this respect assurances of cooperation and non-interference with such withdrawal expressed by all Somali parties,

Welcoming all efforts aimed at improving the humanitarian situation in Somalia, such as those of agencies and programmes of the United Nations, other humanitarian organizations and non-governmental organizations,

Recognizing that the people of Somalia have the principal responsibility for their national reconciliation process and that they are the ones to decide freely on their political, economic and social systems,

Taking note with appreciation of the efforts aimed at encouraging a peaceful political solution to the crisis, in particular those of neighbouring countries and the Organization of African Unity,

Appreciating also in this respect, the role of organizations such as the Organization of the Islamic Conference and the League of Arab States,

Affirming the need for a peaceful process leading to the disarmament of factions, political reconciliation and the re-establishment of effective government committed to the promotion and protection of human rights,

Deeply concerned at alleged sentences issued in disregard of international criminal justice standards, arbitrary and summary executions, torture and other cruel, inhuman or degrading treatment or punishment,

Deploring continued attacks, acts of reprisal, abductions and other acts of violence committed against United Nations personnel, personnel of other humanitarian organizations and non-governmental organizations and representatives of the international media in Somalia, sometimes resulting in serious injury or death,

Recognizing the negative impact the current situation is having on neighbouring countries, in particular through refugee outflows,

Noting that the independent expert has not been able to carry out his mandate owing to the circumstances prevailing in Somalia,

Believing none the less that the Centre for Human Rights should be in a position, through its programme of advisory services and technical assistance, to reinforce any positive political developments in Somalia by providing assistance, including to the police and the judicial and penal systems as well as to other institutions for the promotion and protection of human rights,

1. Calls upon all parties to the conflict in Somalia to work towards a peaceful solution to the crisis;

2. Strongly urges all parties in Somalia to respect the human rights and fundamental freedoms of all, to prevent violations of international humanitarian law and human rights, to apply criminal justice standards and to protect United Nations personnel, including contingents forming part of the United Nations Operation in Somalia II, humanitarian relief workers and representatives of the international media;

3. Requests the independent expert to study ways and means of how best to implement, at the earliest possible date, a programme of advisory services for Somalia, inter alia through the contributions of agencies and programmes of the United Nations currently in the field, aimed at re-establishing respect for human rights and the rule of law and strengthening the police and the judicial and prison systems in Somalia, in a manner consistent with internationally accepted criminal justice standards;

4. Requests the Secretary-General to provide adequate resources, from within the regular budget of the United Nations, to fund the activities of the independent expert and the Centre for Human Rights, and invites Governments and organizations in a position to do so to respond positively to requests by the Secretary-General for assistance in the implementation of the present resolution;

5. Requests the Secretary-General to report to the Commission at its fifty-second session on the situation of human rights in Somalia and the implementation of the present resolution;

6. Decides to continue consideration of the question at its fifty-second session under the appropriate agenda item, in the light of the report of the Secretary-General.

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