



**Economic and Social  
Council**

Distr.  
LIMITED

E/CN.4/1996/L.71  
16 April 1996

Original: ENGLISH

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COMMISSION ON HUMAN RIGHTS  
Fifty-second session  
Agenda item 17

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Germany, Ireland\*, Italy, Republic of Korea and Spain\*:  
draft resolution

1996/... 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 its resolution 1995/56 of 3 March 1995, in which it requested 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, upon request, 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,

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

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,

Noting with appreciation 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, 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 reports of arbitrary and summary executions, torture and other cruel, inhuman or degrading treatment or punishment, violence against women and children and attacks against humanitarian personnel and at the absence of an effective judicial system essential to ensure the right to a fair trial in accordance with international standards,

Deploping 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 under the prevailing circumstances, it has been extremely difficult for the independent expert to fulfil his mandate as envisioned by the Commission,

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. Takes note of the report of the independent expert (E/CN.4/1996/14);
2. Calls upon all parties to the conflict in Somalia to work towards a peaceful solution to the crisis;
3. Strongly urges all parties in Somalia to respect human rights and humanitarian law, to apply criminal justice standards and to protect United Nations personnel, humanitarian relief workers and representatives of the international media;
4. Requests the independent expert to report to the Commission at its fifty-third session within his mandate;
5. 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;
6. Decides to continue consideration of the question at its fifty-second session under the item "Advisory services in the field of human rights".

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