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COMMISSION ON HUMAN RIGHTS
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Agenda item 17

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Belgium*, Ireland, Italy, Portugal*, Republic of
Korea, Romania*, South Africa, Spain*, Sweden*,
United States of America: draft resolution

1998/... 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 1997/47 of 11 April 1997, in which it invited the independent expert, inter alia, to study ways and means of how best to implement, at the earliest possible date, a programme of advisory services for Somalia, upon request, through the contributions of agencies and programmes of the United Nations,

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

Recognizing, as stated by the independent expert, that the people of Somalia should not be abandoned by the international community and that human rights should be placed on the agenda of talks regarding the future of Somalia,

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

Recognizing also 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,

1. Welcomes the report of the independent expert and, in particular, her conclusions and recommendations (E/CN.4/1998/96);

2. Expresses deep concern at reports of arbitrary and summary executions, torture and other cruel, inhuman or degrading treatment or punishment and violence, in particular against women and children, and at the absence of an effective judicial system, essential to ensure the right to a fair trial in accordance with international standards;

3. Strongly urges all parties in Somalia:

(a) To respect human rights and international humanitarian law pertaining to internal armed conflict;

(b) To support, as recommended by the independent expert, the re-establishment of the rule of law throughout the country, in particular by applying internationally accepted criminal justice standards;

(c) To protect United Nations personnel, humanitarian relief workers and representatives of non-governmental organizations and of the international media;

4. Calls upon:

(a) All parties to the conflict in Somalia to work towards a peaceful solution to the crisis;

(b) Regional and subregional organizations and concerned countries to continue and intensify the coordinated efforts aimed at facilitating the national reconciliation process in Somalia, aware of the fact that the peaceful coexistence of all parties and groups is an important foundation for the respect of human rights;

(c) Individual donor countries, international organizations and non-governmental organizations to incorporate human rights principles and objectives into the humanitarian and development work they carry out in Somalia and to cooperate with the independent expert;

5. Requests the independent expert to report on the human rights situation in Somalia to the Commission at its fifty-fifth session, in particular on the basis of a detailed assessment of the means necessary to

establish a programme of advisory services and technical assistance through, inter alia, the contribution of agencies and programmes of the United Nations in the field, as well as of the non-governmental sector;

6. Welcomes the decision by the High Commissioner for Human Rights to appoint a human rights officer in the framework of the Office of the United Nations Resident and Humanitarian Coordinator for Somalia;

7. Requests the Secretary-General to provide the independent expert with all necessary assistance in carrying out her mandate and to provide adequate resources, from within existing overall United Nations resources, to fund the activities of the independent expert and the High Commissioner for Human Rights for the implementation of advisory services and technical assistance;

8. 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;

9. Decides to continue consideration of the question at its fifty-fifth session under the same agenda item.
