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Item 10
Technical assistance and capacity-building

Oral Intervention by Amnesty International in the Inter-active Dialogue
with the Independent Expert on the situation of human rights in Somalia

Madam President, Mr. Bari,

A desperate humanitarian situation prevails in south and central Somalia. It is caused primarily by ongoing armed conflict, violations of international human rights and humanitarian law by all parties to the conflict, and restrictions on humanitarian access. A comprehensive approach is required to address the crisis's multiple facets.

Amnesty International welcomes the Transitional Federal Government's (TFG) support for recommendations made at the Universal Periodic Review of Somalia and its engagement to respect international human rights and humanitarian law, as part of the 6 September 2011 roadmap.¹ To build on these positive developments, international support for Somalia must include more robust, regular, and detailed human rights monitoring, documenting and reporting to ensure that attention is given where it is most needed.

Among human rights issues to be addressed are impunity, child soldiers and the death penalty.

Amnesty International supports the Independent Expert's recommendations to the TFG to address impunity. Decades of impunity for serious human rights abuses and war crimes suffered by Somali's must be remedied. The international community must lend its support to the establishment of an independent and impartial Commission of Inquiry, or similar mechanism, to

¹ Somalia End of Transition Roadmap, Consultative Meeting on Ending the Transition, Mogadishu, 6 September 2011

investigate violations of international human rights and humanitarian law committed in Somalia.

We welcome the TFG's commitment to prevent the use of children in armed conflict. We are however concerned at the lack of effective mechanisms to ensure that children are not recruited and used by the TFG armed forces and aligned militia, as underlined by the Independent Expert. We urge the TFG to work with the UN to finalize, sign and implement an action plan to end the killing, maiming, recruitment and use of children in armed conflict. As part of its support to the TFG security forces, the international community has an obligation to assist them in screening TFG units to ensure the demobilisation and reintegration of ex-child soldiers into society.

Amnesty International is concerned about an increase in death sentences and executions ordered by TFG military courts without guarantees of basic fair trials standards. A recent state of emergency decree gives the military court jurisdiction over civilians in some areas of Mogadishu. The international community must assist the TFG in strengthening civilian courts and a justice system which adheres to human rights standards. The TFG must declare a moratorium on the use of the death penalty with a view to its abolition.

Thank you Madam President.