



# DEFEND DEFENDERS

East and Horn of Africa Human Rights Defenders Project

UN Human Rights Council – 48<sup>th</sup> regular session

Item 6: UPR outcome of Somalia

Oral statement

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Madam President,

We welcome the acceptance, by the Federal Government of Somalia, of more than 90% of the recommendations it received during its third UPR.

Regarding the protection of women's and girls' rights, we encourage the government to ratify the CEDAW Convention and the Maputo Protocol at the earliest opportunity, as well as to implement recommendations to withdraw the Sexual Intercourse and Related Crimes Bill and instead adopt the originally introduced Sexual Offences Bill. While this is a matter for the legislature to consider, in international law the state (represented by the executive) is responsible.

Somalia accepted all recommendations pertaining to these areas. The test is now implementation.

We highlight priority areas for legislative and policy reforms, in line with accepted recommendations and as follows:

- First, Somalia should fully respect freedom of opinion and expression. The government accepted numerous recommendations in this regard. They include Somalia's obligation to uphold freedom of the media. This obligation triggers an obligation to revise the amended Media Law 2020, which unduly restricts freedom of the media and impedes the work of journalists. It also triggers an obligation to protect journalists, investigate all attacks against them, and hold perpetrators to account, irrespective of their rank or status.
- Second, Somalia should amend its criminal law. Defamation and national security provisions of the outdated 1964 Penal Code continue to be used to suppress fundamental freedoms, including freedom of expression online and offline.
- Third, Somalia should prioritise protecting human rights defenders and civil society actors. All should be free from harassment, intimidation, threats, and attacks. While distrust and political uncertainty remain high, we stress that there will be no democratic and stable Somalia, and no sustainable peace, without an open [civic space](#).

Thank you for your attention.