



# DEFEND DEFENDERS

East and Horn of Africa Human Rights Defenders Project

UN Human Rights Council – 54<sup>th</sup> regular session

Item 10: Interactive dialogue with the Independent Expert on Somalia

Oral statement

*Delivered by: Nicolas Agostini*

Mr. President, Madam Independent Expert,

We thank you for your comprehensive report. You make the best possible use of current available resources. In this regard, we draw the Council's attention to the fact that adequate resources should be allocated to the mandate. Somalia is the only country-specific special procedure that does not benefit from full-time dedicated OHCHR staff support. The main aim of the draft resolution is to renew the Independent Expert's mandate, and we call on states to adopt it by consensus.

We salute the Expert's work on benchmarks. We stress the need to prioritise the fight against impunity, which is entrenched in Somalia. It is of utmost importance to investigate and prosecute attacks against human rights defenders (HRDs), including journalists, and to provide redress. In this regard, the Special Prosecutor on crimes committed against journalists has a key role to play. His office should be strengthened. Fighting impunity and creating a more open civic space also require signals from the highest level that attacks against civil society actors will not be tolerated.

HRDs, including journalists, also face legal insecurity. Many of the 1964 Penal Code provisions are contrary to the Constitution and international standards, and are used to suppress media freedom, including those that enable prosecution on vaguely-worded offences.

Legal reform should also include enacting an Access to Information Law in line with African and international standards on freedom of opinion and expression.

Madam Dyfan:

Operative paragraph 21 of the draft resolution requests you to present options on "possible adjustments to the scope of the mandate in order to better respond to the technical assistance needs of the Federal Government of Somalia."

How will you ensure that consultations on fine-tuning technical cooperation for Somalia are inclusive of all rights-holders?

Thank you.