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Somalia: Amnesty International welcomes commitments to protect internally displaced persons and child soldiers and urges Somalia to ratify key international human rights instruments

Human Rights Council adopts Universal Periodic Review outcome on Somalia

Amnesty International welcomes Somalia's acceptance of recommendations to protect the human rights of internally displaced persons (IDPs), to end the use of child soldiers, and to implement a zero tolerance policy on gender based violence.¹

However, Amnesty International is concerned about the lack of support to recommendations regarding ratification of key international human rights treaties, including the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty², the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment³, the Rome Statute of the International Criminal Court⁴, and Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.⁵ Amnesty International calls on Somalia to fast-track ratification of these treaties.

Protection of civilians, especially IDPs, is an important aspect of peacebuilding. Somalia has more than 500,000 IDPs living along the Afgooye corridor, between Mogadishu and Afgooye town in Lower Shabelle. The IDPs face limited access to health care, education and equal employment opportunities, as well as recruitment of child soldiers by both the Islamist al-Shaabab armed group and government forces. In January 2016, the Federal Parliament passed an IDPs and Refugees' Protection and Rehabilitation Law which had been pending since 2014. However, the implementation of the law has been encumbered by delays.

Amnesty International is concerned that the Government of Kenya is attempting to close the Daadab refugee camp and forcefully return the affected refugees to Somalia. The November 2013 Tripartite Agreement between Kenya, Somalia, and UNHCR commits the three parties to

¹ Human Rights Council, *Report of the Working Group on the Universal Periodic Review – Somalia*, A/HRC/32/12, 13 April 2016, recommendations 135.98 (Nigeria), 135.99 (Bahrain), 135.100 (Switzerland), 135.101 (France), 135.102 (Ukraine), 135.103 (Argentina), 135.42 (Turkey), 135.50 (Democratic Republic of Congo), 135.52 (Australia), 135.53 (Slovakia), 135.54 (Uruguay), 135.55 (Japan), 135.56 (Angola).

² A/HRC/32/12, recommendations 136.5 (Montenegro), 136.6 (Namibia).

³ A/HRC/32/12, recommendations 136.3 (Slovenia), 136.10 (Philippines), 136.11 (Uganda).

⁴ A/HRC/32/12, recommendations 136.30 (Lithuania), 136.31 (Costa Rica, France, Luxembourg, Estonia, Ghana, Slovakia, Slovenia, Switzerland), 136.32 (Portugal), 136.33 (Cyprus), 136.34 (Uruguay), 136.35 (Latvia), 136.36 (Guatemala).

⁵ A/HRC/32/12, recommendations 136.8 (Madagascar), 136.24 (France, Japan, Spain), 136.25 (Estonia).

close the camp and return the refugees to Somalia within three years. Forced return not only violates international law, but risks converting the refugees currently in Kenya into IDPs in Somalia. Amnesty International is also concerned that the Federal Government of Somalia may have given mixed messages on whether it is ready to receive the refugees.

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Somalia on 24 June 2016 during its 32nd session. Prior to the adoption of the report of the review Amnesty International delivered the oral statement above. Amnesty International also contributed to the information basis of the review through its submission on Somalia: <https://www.amnesty.org/en/documents/afr52/2820/2015/en/>

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