



**THE REPUBLIC OF SOMALIA
THE TRANSITIONAL FEDERAL GOVERNMENT**

**Somali Permanent Mission to the United Nations Office at Geneva and Specialized Institutions in Switzerland
The Ambassador**

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**Intervention of H.E. Mr. Yusuf Mohamed Ismail Bari-Bari during the adoption of
the Somalia UPR report at the 18th session of the United Nations Human Rights
Council**

Thank you Madam President,

Since it is the first time I am taking the floor, I would like to congratulate you, Madam President, on your election to the Presidency. I wish you all the best for your time as leader of this Council. I would also like to pay tribute to the former President, Ambassador Sihasak Phuangketkeow, for his excellent leadership of the Council last year.

The Government of Somalia wishes to dedicate the Universal Periodic Review and its follow-up report to the Somali people, especially to the most vulnerable.

I have just returned from a mission to Somalia, where I saw with my own eyes the terrible effects of the ongoing famine, especially in the south-central regions of my beloved country. This immense tragedy – the worst drought in sixty years – affecting the area recently known as the bread basket of Somalia, is aggravating the already dire situation of the people of Somalia. Apart from the failure of the rain season, it is important to mention other factors contributing to the famine, including traditional agro-pastoralists abandoning their fields due to the insecurity or being recruited to fight for Al-Shabaab; and severe deforestation for charcoal production, mainly for export, but also for local use. Access to renewable sources of energy, together with a new culture of planting trees and protecting biodiversity, will be critical in addressing this issue. Harsh living conditions under Al-Shabaab have also heightened the effects of the famine.

We must remind the international community that the warning of a potential disaster had been made several times over the past ten years. We repeatedly reiterated our warning to the international community about the risk of a potential crisis, but no one paid attention to the information we provided. What is truly contradictory is the fact that Somalia has been in an emergency situation for 20 years. 20 years and 'emergency' cannot surely go hand in hand in the same sentence. As we respond to the current crisis, we need to learn lessons so that we make sure we are not in the same situation in a few years' time discussing yet again, how we can do something about the worst humanitarian crisis in the world.

On a positive note, I would like to share with the Council two episodes which occurred during my mission to Somalia, which attracted my attention and gave me hope for Somalia's future:

Firstly, after one of my consultations with the Prime Minister, while I was driving back to my accommodation – without escort – I saw a group of teenagers chatting and sitting in the middle of the road. What was unusual about this picture, Madam President, was the time and the place: it was 1am in Mogadishu and these young people were enjoying each other's company like so many of their peers around the world, at a time and in a place where, until recently, this was never possible.

A second sign of hope was during the visit of the Prime Minister's mission to Puntland, we drove from the regional capital Garoe to Galkayo city. During our stopover in Burtinle town, we saw a small hospital which has been built by the local community without the support of any international agency. This demonstrates the resilience and resourcefulness of the Somali communities – inside Somalia and abroad – and their determination to rebuild their country.

Madam President,

The prolonged internal armed conflicts of over two decades has weakened Somalia's legal, political and social infrastructure. The TFG and its international partners are now facing additional challenges in the aftermath of the withdrawal of Al-Shabaab from Mogadishu. However, Somalia has recently made numerous important achievements.

I am very pleased to inform the Council that, on 6 September, following consultations with all relevant stakeholders, the TFG, the regional Administrations of Puntland and Galmuduug, and the Ahlu Sunna Wal Jama'a movement adopted a Roadmap for ending the Transition. The Kampala Accord of 9 June 2011 permitted a one-year extension to the transitional federal institutions, and the Roadmap sets out the steps to implement the Accord.

The Roadmap contains four priority tasks for ending the transition before 20 August 2012, namely: security; constitution; reconciliation; and good governance. The TFG and other stakeholders also agreed that the Roadmap will be implemented in line with the principles of: Somali ownership; inclusivity and participation; and monitoring and compliance with the benchmarks and timelines in accordance with the Kampala Accord.

The consultative meeting that resulted in the adoption of the Roadmap was not the first time a major consultation process has been undertaken inside Somalia. In 2007, a large consultation took place with all sectors of society to discuss ways to overcome, according to Somali customary law, the aftermath of the long civil strife.

The Government of Somalia is committed to continuing this pattern of consultation and inclusivity. The second consultative meeting under the Roadmap will take place in Puntland in October, and will focus on the draft constitution. The Government has also invited Al-Shabaab to lay down their arms and join us at the table for peaceful

negotiations and dialogue without preconditions. As our Prime Minister, Abdiweli Mohamed Ali, said: 'After all, we are all Somalis and as long as they renounce violence, we have to take the route of reconciliation.'

The Government of Somalia welcomes and praises the civil society working in Somalia for their valuable contributions. For example, the newly-constituted National Disaster Management Agency is made up entirely of individuals from Somali civil society. Like the hospital in Burtinle town, in Puntland, this demonstrates the commitment of the Somali people to rebuilding their country. We reiterate the Government's commitment to engaging proactively with civil society. We encourage civil society to continue to work with the Government to support the national agenda for change.

Madam President,

Despite all the constraints and challenges, Somalia has engaged pro-actively with the United Nations Human Rights Council for the past three and half years resulting in the adoption of five important resolutions and the outcome of the stand-alone interactive dialogue on technical assistance to Somalia in the field of human rights by the Human Rights Council. These should also be considered as major achievements of the Government of Somalia. We warmly thank all those delegations, from all regional groups, who assisted and encouraged us to help raise the profile of Somalia in this way. We also express our profound gratitude and appreciation to the Geneva Friends of Somalia Group – so far Italy, Ethiopia, UK, Australia, Yemen, United Arab Emirates, Norway, Djibouti, Kenya and the United States – for their continuing support.

Another key achievement of Somalia in the year 2011, in terms of its engagements with the international human rights mechanisms, has been the submission and presentation of Somalia's Universal Periodic Review in Geneva on 3 May 2011. This is the first time that Somalia has been able to develop a National Report and engage with a human rights mechanism, productively and cooperatively, since 1984.

However, the lack of engagement for the past 25 years should not be read as a lack of interest or a lack of respect for human rights. The Somali culture is imbued with humanitarianism and respect for human rights. In times of hostilities, the Biri-Ma-Geydo (Spared from the Spear) – i.e. Somalia's own "Geneva Conventions", which existed long before the adoption of The Hague and Geneva Conventions – mitigated and regulated the conduct of clan hostilities and the treatment of immune groups.

Madam President,

Somalia is committed to making human rights the foundation of the transition for a new Somalia based on democratic values. However, implementation of human rights cannot be achieved by Somalia alone and cooperation and technical assistance to Somalia in the field of human rights is essential to make progress. It is critical that the key tasks in the Roadmap be accomplished on time, with the strong political will in Somalia, and the support of the international community. As the Permanent Representative of the United Kingdom to the United Nations in New York said to the Security Council on 14

September: 'We must hold ourselves and others to account and deliver real progress in the coming months'.

The Government kindly calls on states to continue to provide urgent assistance to enable the Government to extend the territory under its control and to deliver services and prevent warlords from re-emerging to fill the vacuum left by Al-Shabaab's withdrawal. Sustained bilateral cooperation and deployment of military engineering corps will be crucial to better deliver the much-needed basic social services. In particular, the drilling of water boreholes; the opening of humanitarian corridors; expanding and maintaining humanitarian spaces; and training and equipping the new Somali civil and environmental protection units, at the national and sub-national level.

The Government of Somalia expresses its profound appreciation to Prime Minister Recep Tayyip Erdogan of Turkey and his family, for their historic visit to Mogadishu on 19 August 2011. This was the first visit by a leader from outside Africa in almost twenty years. His visit has triggered a number of subsequent visits by world leaders and key government officials.

The Government of Somalia also expresses its gratitude to inter alia, Turkey, Iran, the United Arab Emirates, Kuwait, Algeria, Qatar, Oman, Djibouti, Sudan, Saudi Arabia, Malaysia, Egypt, Jordan, Bahrain, Tanzania, the United Kingdom, Sweden, Norway, the Netherlands, Australia, American Aid Group, Irish Aid Group, and the Israeli Aid Group working in refugee camps in Kenya. We thank all of these countries for the bilateral assistance received in response to the drought emergency. We also thank those countries who have contributed to Somalia through multilateral programs.

At this point, I would like to extend the Government's condolences to the Government and people of Malaysia for the loss suffered on 2 September 2011 when a Malaysian cameraman, Mr Noramfaizul Mohd Nor, who was accompanying a large humanitarian delegation, was accidentally killed in Mogadishu. In this regard, the Government appeals to friendly countries to support and assist the Government, at national and sub-national level, to better coordinate the significant bilateral humanitarian aid and assistance currently underway in Somalia. Better coordination of aid efforts will ensure that the assistance reaches the most vulnerable and most in-need throughout Somalia, and will also help to protect humanitarian and aid workers. The recently-agreed Roadmap provides a golden framework and benchmarks for coordinating bilateral cooperation on aid, rehabilitation and development – at national and sub-national level – to assist with Somalia's emergence from transition. Together, yes we can.

Madam President,

As the Government and people of Somalia work to restore stability and human rights inside Somalia, we wish to reiterate the importance of the stability of the region to the development of Somalia and its neighbours. In particular, the Government of Somalia extends its condolences and concern to the Government and people of Yemen. We sincerely hope that our brother country can work to restore stability in line with the strong heritage and culture of its people.

Madam President,

The Government of Somalia expresses its gratitude to the African Union and the United Nations for the invaluable assistance rendered through the expertise of Dr. Omar Abdulle Alasow, an UNSOA consultant on International Humanitarian Law/Human Rights consultant working with AMISOM. Dr. Alasow's professional expertise has been crucial for the Government in both the UPR Report and its follow-up report. The Government also thanks AMISOM, particularly the Governments of Uganda and Burundi, for its technical and humanitarian assistance and capacity building efforts, especially human rights and international humanitarian law training for Somali armed and security forces.

The Government of Somalia would like to express profound appreciation to the UPR Working Group, including those States who made recommendations to Somalia and the States who could not deliver their recommendations due to time constraints. We also thank the troika – Angola, Mexico, Thailand – for their constructive engagement. We thank them for their comments, suggestions and recommendations.

I am very honoured today to present the Government of Somalia's responses to the recommendations received during the UPR. The Government was honoured to receive 155 recommendations, indicating the international community's strong support and attention to the unique situation in Somalia.

Out of a total of 155 recommendations, the following themes were addressed:

- Right to life
 - 34 recommendations including 7 on the death penalty;
- Ratification and accession to international human rights treaties
 - 17 recommendations;
- Administration of justice
 - 14 recommendations;
- Technical cooperation
 - 14 recommendations;
- Freedom of expression
 - 10 recommendations;
- Female genital mutilation
 - 9 recommendations;
- National Human Rights Institutions
 - 5 recommendations.

The Government of Somalia has paid the utmost attention and respect to each and every recommendation, and the Government is pleased to accept, or accept in-part, all of the 155 recommendations received. In the report I am presenting today, we have also identified and explained the areas where we urgently request bilateral assistance and capacity building in order to progress to implement these recommendations.

Somalia takes its participation in the UPR exercise as an important opportunity to reflect and take stock of our situation of human rights in Somalia and anticipate the progress that

hopefully we will be able to show in four years' time. Both the National Report presented in May and this response to be adopted today were entirely Somali-developed and owned. The adoption of Somalia's UPR report marks the end of one cycle and the beginning of a new one. We could not have completed this first cycle without the help and support of many dear friends here in Geneva. I would like to personally thank those people who have provided me with their personal assistance and encouragement in the Human Rights Council over the last three and half years.

During the new cycle that is starting now, the Somali Government is committed to focusing on sustainable humanitarian and development policies and progress. We warmly call on brotherly and friendly countries to assist us in this vital endeavour.

This new era must also focus on the implementation of the Human Rights Council resolutions, interactive dialogues and recommendations that we have welcomed over the last three and a half years. We warmly call on brotherly and friendly countries to assist us with effective and timely capacity building focused on preventive measures to promote and protect all human rights. We are also looking forward to the outcome of the OHCHR high-level technical assessment mission and to finding ways to move forward on our cooperation.

Madam President,

As Augustine Mahiga, head of the UN Political Office in Somalia, said: "The seeds of hope and progress have begun to sprout [in Somalia], but they will need to be carefully and generously nurtured if they are to bloom into sustainable peace,"

Somalia once again thanks the Council for its valuable attention and support during Somalia's UPR process. The current Somali Government has given its full commitment and best efforts to its first UPR. We pass the legacy to our future leaders to return in four years' time, and we trust that they will have a positive story to tell.

May the Almighty God bless and protect my beloved country.