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End of mission statement by the Independent
Expert on situation of human rights in
Somalia, Ms. Isha Dyfan, at the conclusion of
the fourth country visit to the Federal
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Mogadishu, 11 May 2025

Dear members of the press,

Ladies and gentlemen,

Good morning and thank you for coming.

I address you as the United Nations Independent Expert on the situation of human rights in Somalia, at the conclusion of my fourth visit to the Federal Republic of Somalia which I undertook from 4 to 11 May 2025.

Let me begin my statement with my deep appreciation to the Government of the Federal Republic of Somalia for its cooperation with my mandate and for its kind support in organizing this visit as well as for the useful dialogue we have had, which I hope will continue in the future. I also take this opportunity to sincerely thank my UN and AU colleagues and members of the diplomatic communities on the ground for their unwavering support to make my visit a success.

To recall, my mandate requires me to monitor and report on the situation of human rights in the Federal Republic of Somalia with a view to make recommendations on technical assistance and capacity-building in the field of human rights. Thus, the aim of my visit was to assess the human rights situation, including on the implementation of my benchmarks and recommendations since the issuance of my previous report in

October 2024. Accordingly, these remarks represent my preliminary observations of my current visit to Mogadishu, the Federal Republic of Somalia.

During my visit, I met and interacted with the Inter-ministerial Committee (officials of the Ministry of Family and Human Rights Development, the Ministry of Justice, the Ministry of Defence, the Ministry of Interior, the Office of the Attorney General), the Ministry of Foreign Affairs and International Cooperation, the National Disability Agency, the National Independent Election Commission, a member of the House of People and members of the Temporary Selection Panel mandated by the National Human Rights Commission Law for the selection of commissioners to serve in the upcoming National Independent Human Rights Commission. I also had the opportunity to meet and discuss with a wide range of nongovernmental stakeholders, including diverse Civil Society Organizations (CSOs), Journalists, Social media activists, persons with disabilities, representatives of minority groups, women and other historically marginalized sections of the community. I also met and interacted with the UN agencies, the African Union Support and Stabilization Mission in the Federal Republic of Somalia (AUSSOM) and the diplomatic community with a view to deepen my understanding on the challenges and progress made in the promotion and protection of human rights in the Federal Republic of Somalia.

Ladies and Gentlemen,

While assessing the human rights developments in the context of the ongoing transitions at the UN and AU levels in the Federal Republic of Somalia, I took note of the rapidly changing internal political, security and humanitarian situations negatively impacting the enjoyment of human rights in the country. I strongly condemn Al-Shabaab which remains the major perpetrator of a range of human rights abuses against civilians including children and for keeping the country in a perpetual security crisis.

Moreover, the impact of climate change and the current global funding crisis have adversely affected the Federal Republic of Somalia disproportionately as it mostly relies on aid. These developments made the situation the Federal Republic of Somalia volatile for the enjoyment of human rights.

I also remain concerned about the upsurge in conflict between Al-Shabaab and its associates and government forces supported by Community Defence Forces and its international partners as well as instances of military confrontation between the federal government and Jubaland state resulting into alleged killings and displacement of civilians, including in Jubaland, Hirshabelle, Galmudug, Banadir regions. I also learnt that these fighting have led to an increase in human rights violations and humanitarian protection concerns, including Sexual and Gender Based Violations (SGBV), child recruitment and early marriage issues, among others. Moreover, the ongoing political, clan and resource related conflicts have further exacerbated the human rights and security problems in the country.

Ladies and gentlemen,

I am disappointed to learn that there has been no parliamentary action on the constitutional review processes since the passing of the first four chapters last year. Nevertheless, the Ministry of Justice has been conducting consultations on chapter six to nine involving the new justice model including dealing with the prison, the custodian courts and the Attorney General Office. I still encourage the government to enhance the participation of all stakeholders, build consensus and speedup the review process to ensure the inclusivity, legitimacy, transparency and credibility of the constitutional making process.

Regarding other legal and policy frameworks, I remain concerned that there is no progress in the ratification of relevant international and regional human rights instruments, such as, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Protocol to the African Charter on

Human and Peoples' Rights on the Rights of Women in Africa and the African Charter on the Rights and Welfare of the Child. Similarly, efforts to put in place relevant national laws to properly protect human rights has not shown any progress. Nonetheless, I would like to appreciate authorities for the adoption of the Anti-Female Genital Mutilation Act by Jubaland and the Disability Act by Southwest state.

Review and adoption of other key legislations at the federal level, including the Offenses of Rape and Indecency, the Juvenile Justice Bill, the Child Rights Bill and the Anti-Female Genital Mutilation Bill and the review of the 1964 Penal Code and the Criminal Procedure Code are long overdue and requires the government to take proactive measure to finalize the amendment and adoption processes once and for all. While it may be encouraging to note that many of these bills have been approved at the cabinet level, it's equally concerning that no concrete actions have been taken to adopt these bills into law at the House of People and Senate levels.

Ladies and Gentlemen,

I am encouraged by the organisation of a national human rights summit which resulted in a communique that discussed human rights concerns and outlines the commitment of the authority to establish the overdue National Independent Human Rights Commission. I also noted that a Temporary Selection Panel is established and has published vacancy announcements. Along the same line, I look forward to seeing the establishment of the Law Reform Commission and the Judicial Administration Commission which will play a pivotal role in advancing access to justice and accountability in the Federal Republic of Somalia.

Ladies and gentlemen,

I observed that the space for exercising the rights to freedom of expression, including the freedom to seek, receive, and impart useful information is severely restricted. Al-Shabaab has continued to target, kill and intimidate journalists and media workers to suppress reporting critical of its activities and narratives in the country. My interactions with journalists, social media activists, CSOs, international partners and government officials revealed that journalists and those who take the opportunity to exercise their rights to freedom of expression using different platforms have continued to be intimidated, harassed, beaten, arrested, detained by security officials with impunity. Official and unofficial remarks made by some authorities demanding journalists to refrain from reporting on security and political issues or base their reporting only from government sources as well as confiscation of media equipment and deletion of documented information have become a norm.

I am concerned that all these have created climate of fear and self-censorship at the part of journalists to report on issues related to security and conflict, leaving the people in the dark on the most needed information to protect themselves.

Ladies and gentlemen,

I commend the government of the Federal Republic of Somalia for some progress made towards enhancing the participation of women and person with disability (PWD), including by putting a 30% quota system for women and 5% quota for PWD in electoral processes. Efforts are also being made to develop regulations and guidelines to practically implement this quota system within the context of the proportional electoral system. However, I received genuine concerns from various stakeholders about the use of the clan-based system of 4.5, entrenched in the governance system of the country, that would determine the eventual outcome of the election processes. I, therefore, demand the Government of The Federal Republic of

Somalia to ensure that the regulations and guidelines results in the practical application of these provisions.

Although I noted positive initiatives to establish forensic laboratory and training of security officers on investigation of sexual violence, only limited actions are still taken to investigate violence against women and hold preparators accountable. The challenge of women affected by human rights violations and abuse is further aggravated by the lack of support and protection due to the reduction of funds.

In the meantime, I am pleased to learn that the National Disability Agency has now started its full operation by identifying priority intervention areas for the year. Equally, I noted the challenges faced by including stigma and discrimination at all levels and difficulties in accessing services and facilities. Given the magnitude of these challenges, I encourage the government and other partners to provide financial and technical support to the agency.

Ladies and Gentlemen,

With regard to the rights of children, I welcome the effort of the Inter-Ministerial Committee on Children and Armed Conflict in following up the implementation of 2019 roadmap on children in armed conflict as well as in identifying and responding to the needs of children affected by conflict. In this regard, a curriculum on training for the protection of children in armed conflict is put in place, and the 2019 road map is being reviewed by the government of the Federal Republic of Somalia. I also noted the progresses made on implementation of the age verification guidelines, and cooperation on the handover of disengaged children. Nonetheless, grave violations against children, such as, recruitment of children, the Community Defence Forces and Clan Militia has continued. Similarly, the ongoing conflict, the funding crisis and the dire impact of climate change in some parts of the country have contributed to the closure of schools and an increase in the displacement of family, affecting children disproportionately.

Ladies and Gentlemen,

Whereas there is consensus on the presence of minority groups in the country, there seems to be a lack of clear understanding of who these groups should include. Along the same line, I noted that there is lack of appetite to fully accommodate them in crucial national and regional decision-making processes. While members of minority and marginalized groups have continued to face discrimination at all levels (public and private) including in accessing public services and exercise their rights to participation, no solid action or processes seems to be taken to protect their fundamental rights. I call upon the government to embark on concrete legal and institutional measures to safeguard the rights of those groups left behind and enhance inclusivity and equality among all groups of the community as its being promoted by the government.

Finally, I would like to conclude my statement as follow.

As we consider the UN and AU transition in the Federal Republic of Somalia, I call upon the government to seize this opportunity to accelerate its work on the constitutional review and adoption processes, establishing legislative and institutional frameworks to guarantee the rights of all Somalis going forward. At the same time, strengthen its policy and institutions to properly deal with its fragile security, political and humanitarian realities. Moreover, addressing the negative impact of climate change and the current funding crisis on the populations, in particular ensuring access to basic social services such as water supply, food, health care delivery and education for all children are essential. I also request the international community to support the efforts of the Federal Republic of Somalia in this regard.

The findings of my visit and other recommendations, will be presented in my comprehensive report to the Human Rights Council at its sixtieth session and to the

General Assembly at its eightieth session later this year.

Thank you for your attention. **End**

ecoi.net description:

Statement by the Independent Expert on situation of human rights in Somalia, Isha Dyfan, concluding her visit from 4 to 11 May 2025 (lack of parliamentary action concerning the constitutional review process; severe restrictions on freedom of expression; attacks and killings by al-Shabaab; improvements regarding the participation of women and persons with disabilities; other topics)

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