**Universal Periodic Review 24 – Somalie**

**Statement by the Kingdom of the Netherlands**

**Universal Periodic Review – Federal Republic of Somalia**

The Kingdom of the Netherlands thanks Somalia for its comprehensive Report [and for addressing our advance questions], especially in view of the dire situation in Somalia.

We welcome the importance Somalia attaches to improving women’s rights and to press freedom. However, we note that (apart from the creation of a technical committee) no specific steps have been taken to ratify the Convention on the Elimination of Discrimination of Women (CEDAW) and to similar African instruments, and that journalists continue to be harassed.

1. Considering press freedom, the Netherlands recommends Somalia to ensure that the National Intelligence and Security Agency NISA refrains from detaining journalists, closing media outlets, confiscating media equipment and other law enforcement activities which are beyond its mandate.

Considering the Rule of Law, the Netherlands is concerned about Somalia’s use of Military Courts for law enforcement cases involving civilians.

2. The Netherlands recommends the government of Somalia to give high priority to the drafting and implementation of a new Penal Code and a new Penal Procedural Code which would include (1) provisions to prohibit discrimination against women, minorities and displaced persons in all its forms, (2) provisions to facilitate access to justice for all citizens, and (3) which *excludes* the death penalty.

In this connection we note with concern that the present Penal Code considers sexual violence a crime against morals rather than a crime against the person. Most survivors depended on traditional justice mechanisms, including customary law and sharia law, which were often not supportive of survivors’ rights.

Thank you, Mr. President.