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Somalia: International community must seize opportunity for accountability and justice

Amnesty International today welcomed the call by parties to the Djibouti negotiations on Somalia for an International Commission of Inquiry into war crimes and other human rights abuses committed in Somalia, and the eventual establishment of a special court to investigate and prosecute those responsible.

The representatives of the Transitional Federal Government of Somalia (TFG) and the Djibouti-based Alliance for the Reliberation of Somalia (ARS) agreed to these mechanisms of justice on Sunday 23 November. The specific terms of reference and scope of the Commission of Inquiry and a special court to try those accused of atrocities have yet to be determined by a working group established by the parties.

It is imperative that this agreement is followed up with prompt action. Conducting this inquiry will not be easy as the security situation in Somalia is extremely volatile. However, this agreement offers an opportunity to end the silence on human rights abuses in Somalia. It has been this silence and lack of accountability that has allowed such abuses -- including criminal activity such as hostage-taking and piracy -- to flourish in Somalia.

Ongoing lawlessness in Somalia continues to result in daily killings, rape and harassment. It has also resulted in the forced displacement of more than 1.1 million people since January 2007. This opportunity must be seized by the international community. There have been 19 years of impunity in Somalia -- the time has come to conduct investigations, name names and hold those responsible to account.

This announcement that justice is coming to Somalia offers an avenue to influence the behaviour of parties to the conflict and stop the attacks on civilians -- but the threat of justice against those who commit such crimes will be lessened if investigations are delayed until there is security on the ground.

Amnesty International called on the UN Security Council to establish a Commission of Inquiry into war crimes, crimes against humanity and other abuse of human rights during the conflict in Somalia. The relevant UN agencies and the international community must take all necessary actions to prepare for the initiation of such a Commission and to insure it is independent and impartial, has sufficient funding and resources to achieve its mandate, and has the greatest possible level of cooperation of all relevant parties.

Background

The Djibouti talks are a process of negotiation between the Transitional Federal Government of the Somalia and the Djibouti-based Alliance for the Reliberation of Somalia. It is chaired and facilitated by the Special Representative of the UN Secretary General, Ahmedou Ould-Abdallah.

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