



## Somalia South Central Non – State Actors (SOSCENSA)

### Minutes:

**Title:** **CONSULTATION MEETING ON “Civil society role for the ongoing Constitutional review process”**

**Venue:** **City Place Hotel, Mogadishu - Somalia.**

**Date:** August 21, 2013

#### **Participants:**

- 1) Abdullahi Mohamed Shirwa
- 2) liban Bille Hiirey
- 3) Hawa Hussein Jimale
- 4) Mohamed Ahmed Nur
- 5) Omar Mohamud Wardhere
- 6) Abdulahi Mohamed Hassan
- 7) Mohamed Ibrahim Hassan
- 8) Abdulahi Osman Yusuf
- 9) Abdikhadar Mohamed Hassan
- 10) Osman Hassan Salah
- 11) Abdulahi Sh. Aden
- 12) Mohamed khayrow Aden
- 13) Yasin Ali Hayle
- 14) Hassan Musse Moalim
- 15) Ahmed Mohamud Jama
- 16) Suldan Haji Aden
- 17) Duniyo Mohamed Ali
- 18) Sh. Bashir Ahmed Salaad
- 19) Fadumo Ayan Ahmed
- 20) Fadumo Ahmed Ali
- 21) Hawa Haji Sabrie
- 22) Shukri Ahmed Mohamed
- 23) Shamsu Abdulahi Hashi
- 24) Habiba Haji Jimale
- 25) Mariam Moalim Abdullahi
- 26) Yusuf Tuurxume Jimcale

## **Introduction:**

The provision constitutional was firstly designed to go through four stages of which two of them were done already. These four steps were

1. Writing first draft that was concluded in 2010
2. Formation of constitutional assembly who approved the current provisional constitutions in 2012.
3. Formation of independent constitutional committee who will do among other things public awareness and writing final draft and
4. Holding referendum.

Therefore, SOSSENSA which one of its advocacy strategic goals is to facilitate civil society members to engage in policy dialogue with Somali authorities and key members of the international community on issues of the National Constitution and more specifically the democratization process, held a one day consultation meeting to enhance the understanding of the Somali citizens living in south central regions towards the provisional constitution. This consultation meeting was participated by a number of civil society activists and government officials who have discussed how general public can take part the review process of the provisional constitution.

## **THE MEETING PROCEEDINGS:**

Mr. Abdillahi Mohamed Shirwa, SOSSENSA Chairman, has officially opened the meeting, who after welcoming the participants, made an apology of same delay of the meeting start time. He also informed the participants that one important Member of the parliament whom was supposed to answer key meeting questions will not attend the meeting due to logistical problems.

Said Birmad Egal, the SOSSENSA lobbying and Advocacy officer, made some introduction of SOSSENSA background and its current programs. Mr. Egal said that SOSSENSA was founded in 2008 and consists of 60 networks that work at 11 regions in south and central Somalia. He also has explained the objective of holding this consultation meeting which said that is to clarify the role of civil society for the currently national constitution reviewing process of the parliament. He added that the

consultation meeting on the role of the civil society on ongoing constitutional review process is one activity of SOSSENSA broad three year strategic priorities. These strategic priorities that had been adopted after transition of Somalia had ended are National Constitution, Local governance (judiciary, police and custodial forces), Service provision (aid effectiveness and public service delivery) and Rights of Marginalized groups.

Then the team leader of SOSSENSA thematic working group (TWG) on the national constitution Mr. Liban Bille Hirey made presentation on the meeting agenda. During his presentation, Mr. Liban tacked about the historical background of the Somalia provisional charters during reconciliations process. He mentioned a first charter known as Transitional National Charter (TNC) for the Transitional national Government (TNG) established in Arte, Djibouti in 2000, Federal Transitional Charter (TFC) for Transitional Federal Government in 2010 after Somali reconciliation conference in Kenya, and finally, independent Federal Constitution committee (IFCC) was established by Somali Federal Transitional Government in 2006 who produced consultative draft constitution in 2010 which after some sort of public consultation, 825 delegates selected from all regions of the country approved to be Somalia provisional constitution. Now it is for Somali federal members of parliament to review through wider public engagement.

After the presentation, Public relation director for ministry of internal affairs and national security was asked the ministry implementation plans of establishment of regional state and challenges. The director said that he is happy to participant this meeting and interact with civil society and media. He said that his ministry has developed a plan of three stages for the liberated areas. First one is to nominate six months urgent administration, 2) organize district level elections of regions to form a broader interim regional administration and finally prepare federal regional states. He also said that the ministry prepared a bylaw for establishment regional states which is waiting for parliament for approval. He told that the ministry appointed urgent regional administrations for five regions. However, the director confirmed serious challenges that badly threatening effective regional state building. These challenges include insecurity, pending approval of the bylaws and concerns of community who lives in un-liberated districts.

After this session, the participants are divided into three groups to discuss three questions of public participate in provision constitution review, Somali citizenship and challenges of establishing regional states.

All three groups presented their respective topics followed by open discussions. After the deep deliberations, the meeting adopted the followings as action points:

### **1. Public participation in constitutional review process.**

- The constitution was not distributed to public due to lack of limited publication and people have no access to find in order to familiarize. The public ignorance of the provisional constitutional and rumors of different constitution versions may jeopardize the authenticity of the constitution and its review processes. Therefore, the meeting recommends; 1) Somali Government should publish more copies of the provisional constitution and disseminate to the people. 2) Civil society should participate the dissemination of the provisional constitution through media awareness and other social forums. 3) MPs should also take part in the dissemination of the provisional constitution to the their respective constituencies and collect the opinions of the public

### **2. Establishment of Regional states**

The challenges that hinder the materialization of effort to establish regional states include lack of coherent permanent laws, insecurity, conflicts on resources sharing, inadequate capacity of government to implement the federal system, and foreign interventions. The meeting recommends following actions to be taken:

- Implementation of federal system should be given adequate time and all political decisions should be based on ground realities and will of the people. have for debate and establish federal court
- Federal government of Somalia should establish federal court
- Bylaws for regional state building should be approved
- Capacities of government institutions in public service delivery should be enhanced
- International community/ donor should support Somalis by realization their pledges.

### **3. Somali citizenship**

Somali citizen are divided into two categories:

- A) Any person that both parents are Somali

B) Any person who received Somali citizenship through country's laws. The government can retake the citizenship of this category through legal basis.

**Conclusions:**

Interaction between government officials and civil society members was created which all parts have been interesting in. Government officials argued that only failures of government are reported so fast while their achievement are not told. A communication gap between and government public were recognized during the meeting but government official told that within week, a new spokesman for the ministry of internal affairs and national security will be announced to fill this gab. Finally, meeting went well and all participants appreciated SOSSENSA for organization this meeting. SOSSENSA chairman Abdillahi Mohamed Shirwa, who closed the meeting, thanked the participants and media for their participation and reporting the event.

**End**