

Somalia South and Central Non-State Actors

Report on:

**Social Elite Forum,
Discussion on Current Political Process in
the Country – Somalia**

**SOSCENSA Head Quarter Office in Mogadishu - Somalia
5 April, 2012**

Abstract

On 5 April 2012, Somalia South Central Non-State Actors (SOSCENSA) convened “**a Social Elite Forum for 20 members to discuss on the current political process of the Country –Somalia**”. The meeting was held at SOSCENSA’s headquarters in Mogadishu. It was the first of its kind organized by SOSCENSA and the participating members included: former politicians, civil society activists, women groups, Diasporas, representatives from political parties, and other respected personalities. The participants engaged in heated discussions on the current political process of the country. Majority of them were concerned of the process and opposed how it had been handled. They argued that signatories of the roadmap would have huge influence on the outcome of the process, and this would put other politician with the leadership ambition in a disadvantaged position. As the roadmap signatories have not declared that they are will not run for the coming elections, most of the participants suggested that six signatories should give up their involvement in recommendation of who will be a member of the traditional leaders with the privilege selecting NCA. The signatories should not also be part of the NCA selection and IIEC nomination processes.

Many of the participants told that ending transitional period by 20 August, 2012 is not possible. The reasons included:

1. The necessary tasks such as: security improvement, constitutional consultation, good governance and reconciliation have not succeeded.
2. There is no enough time to complete these tasks which are very important.
3. Public elections can not be held and the selection process will give legitimacy to leaders who do not truly represent the public.
4. These leaders will have the right to take decision that will have impact on the lives of the people of this generation and the generations to come – so one wrong decision will be very drastic.

On the other hand, some of the members argued that ending transitional period will happen with or without the consent of the Somali people. The reasons included:

1. The influence on the international community in Somali politics is high.
2. For their interest, international community are pushing this process and ending the transitional period.
3. The local actors seem to be convinced in that way.
4. There is a fear that if the process fails, international community is planning to put Somalia in under trusteeship

Seeking Somali interests inside the current process was suggested. This could include:

1. Ensuring that men and women with talent, knowledge and integrity succeed the current administration,
2. Taking pressure group role to influence the decisions from political conferences, and
3. Communicating concerns and recommendations through the right channels in which both international community and local actors will be able to listen.

Some of the participants suggested discussion like this should be more frequent and the outreach should be larger.

Background

The current transitional federal government comes to power after Somali reconciliation meetings in Djibouti in which former TFG led by late President Abdullahi Yusuf Ahmed and ARS then led by current President Sharif Sheikh Ahmed. That process ended in presidential election in which 550 members of Parliament – 275 members from former TFG and the same number from ARS increased in the house as part of the reconciliation process – casted their votes after The President of the former TFG, Abdullahi Yusuf Ahmed, resigned after he and his Premier Nor Hassan Husien disagreed over Djibouti peace process.

The Transitional Federal Government experienced series of conflicts from inside and outside its institutions. While Islamist extremists tried to topple the government, there were recurring conflicts inside the federal institutions which always ended in replacing one of the top officials of TFIs – the Prime Minister, the Speaker of the Parliament, or the President.

While struggle to solve these conflicts, TFG could not complete its prime mandates which were ensuring security of the country, writing a federal constitution and implementing the federal system, a preparing the country for elections. Consultation meetings on ending the transitional period in Somalia were started from April 2011. So far, six of them have been held including:

High Level Consultative Meeting in Nairobi on 12th – 13th April 2011

The meeting was attended by important stakeholders from Somalia: The Speaker of the TFP, President of Puntland – Somalia, Abdurahman Farole, and President of Galmudug State – Somalia, Mohamed Ahmed Alin, with some of their respective delegates; representatives from Ahlu Sunna Wa'al Jamaa. Stakeholders from the international community observed the proceedings, including: the African Union, European Union, IGAD, League of Arab States and OIC. The purpose of the meeting was to exchange views and share information on a number of pertinent issues and to resume dialogue. The president and the Prime Minister of that time, Mohamed Abdullahi Farmajo did not attend the meeting because of internal conflict. The Prime Minister argued that the meeting was a government initiative, and that government should have had the lead role instead of been invited as part of the negotiating parts.

The participants of the meeting agreed some important points including:

1. The need to end the Transition according to the provisions of the Transitional Federal Charter, which calls for elections of the President of the TFG and the Speaker of the TFP and his deputies before the end of the transition, i.e. August 2011;
2. On the extension of the Transitional Federal Institutions (TFIs), it was proposed that the Transitional Federal Parliament (TFP) could be extended for a period of two years;
- To reform the current TFP and to intensify the process of outreach and reconciliation with the “states”, regional authorities, civil society and the diaspora and to make propositions to reform the next Parliament;

Kampala Accord, on 9th June 2011

After the stakeholders of the previous meeting plus President Sharif Sheikh Ahmed met in Kampala, Prime Minister Farmajo joined the last moments. For two days, the communiqué of the meeting could not be released, on the 9 June, 2011 there was a breakthrough. An agreement between the President of the TFG of Somalia Sharif Sheikh Ahmed and the Speaker of the TFP Sharif Hassan was reached in Kampala on 9th June 2011. The agreement consisted of 10 Articles while Article 4 substantially divided into 18 sub-articles.

Both Government and Parliament agreed to work closely each other through Joint Committees and their Mandates to complete important priority tasks, including:

- 1 Security
- 2 Parliament Reform
- 3 Constitution making process
- 4 Preparation for election
- 5 Greater political outreach.

In addition, the accord gave both the Government and the Parliament an extension period of one year that will end in on 20 August, 2012. It also stipulated that the Government shall not be subjected to a motion unless that motion has been justified and substantiated with strong evidence of a breach of the TFC. Meanwhile the document stated that “Both the Government and the Parliament shall work together with International Community to establish a Roadmap with benchmarks, timelines and compliance mechanism for implementation of the priority tasks. There shall be a mid-term review of performance of the TFIs to take place in six months’ time.” The Parliament passed Kampala Accord although there were public protests against it.

High level Consultative Meeting in Mogadishu 4th – 6th September 2011

The meeting was attended by TFG President Sharif Sheikh Ahmed, Speaker of TFP Sharif Hassan Shiekh Aden, Prime Minister Abdiweli Gas, President of Puntland State – Somalia Abdulrahman Faroole, President of Galmudug State – Somalia Mohamed Ahmed Alin and a representative from Ahlu Sunna Wal Jama’a Khalif here after called (Signatories of the Road-map) observed by: African Union, European Union, IGAD (Deputy), League of Arab States and Organization of the Islamic Conference and it was facilitated by office SRSG led by Ambassador Mahiga. The meeting considered four priority tasks for ending the Transitional before August 2012: Security, Constitution, Reconciliation, And Good Governance (Adopted in the Roadmap).

Garowe 1 Principles, on 21st – 24th December 2011.

This was the first Somali National Consultative Constitutional Conference and was participated by Signatories of the Roadmap, 3 of the 9 Committee of Experts, Some Civil Society Organizations, UN, IGAD and other partners. The Signatories agreed some tangible points including the establishment of;

1. Interim Independent Electoral Commission (IIEC)

2. National Constituency Assembly (NCA)
3. The New Federal Parliament which is divided into two Houses; (a) Lower House that shall comprise 225 members, (b) Upper House.
4. Completion of the Constitutional making process and ending the transitional period on time by August 20, 2012.
5. Constitutional Consultative Conference would be held in Garowe in early 2012 and would focus on the finalization and adoption of Federalism.

Garowe 2 Principles, on 15th – 17th February 2012.

This was the Second Somali National Consultative Constitutional Conference. It brought together the Signatories of the Roadmap and members of Civil Society. It was observed by UN, IGAD & AU, Minister of Endorsement & Religious Affairs from Djibouti and other partners. The meeting was facilitated by the United Nations under auspices SRSF for Somalia. Members agreed on points including:

- Federalism – Establishing the Federal States
- System of Government (Parliamentary system)
- Electoral System Design of the both Houses of the parliament (Upper and Lower Houses) (it will be based on the principles of proportionality and the details of the electoral system shall be defined by legislation)
- Operationalizing Garowe 1 Principles
- Interim Independent Electoral Commission, it has been defined and agreed their
- Mandate:
- Membership (15 based on 4.5) at least 5 of them women,
- Eligibility: Somali citizenship, Aged between 21 and 70 years, No record of serious crime or crimes against humanity, Minimum secondary education and Experience in elections or related fields.
- Who appoints them: Roadmap signatories assisted by civil society representatives and traditional leaders shall appoint IIEC members.
- National Constituent Assembly, it has been drawn their
- Mandate:
- Membership (1000 based on 4.5) 30% of the members shall be women
- Eligibility Criteria: Minimum age 21, No minimum level of education except literacy and relevant experience.
- Selection Process for members of the NCA: Roadmap signatories assisted by civil society representatives and traditional leaders shall nominate 1000 people based on the 4.5 formula and criteria set out above.
- The New Federal Parliament (Two Houses) it has been agreed that the Lower House will comprise 225 members 30% Women while Upper House comprises 54 members and also it has been laid down;
- Eligibility criteria for the membership in the new federal Parliament shall be: Somali citizenship, Aged between 25-75 Years, Minimum secondary school education, No criminal record, Not declared mentally incompetent, Respect Islamic Value and Relevant experience.

- The selection process of them that will be based on 4.5 political formula and recognized traditional leaders assisted by prominent civil society members shall nominate two people for every seat based on the criteria outlined above.
- Women will make up at least 30% of the parliament by way of a set aside along 4.5 and civil society and respected women members of the clans will nominate and select the women.
- London Conference on Somalia on 23th February 2012.

London conference on 23th February 2012

The London Conference on Somalia took place at Lancaster House on 23th February 2012, was attended by fifty-five delegations from Somalia (all the Signatories of the Roadmap) and the international community. The Conference focused on the issues of:

1. Political Process
2. Security and Justice
3. Piracy and Terrorism
4. Stability and Recovery
5. Humanitarian
6. International Coordination

Because of all these above mentioned six conferences and other conclusive meetings convened for the ending of the transitional period in the country – Somalia that most of them, their fulfillments are still under process and with doubt and no one knows if it will be succeeded or not. SOSSENSA organized this Social Elites Forum meeting to express feelings of the Somali society in the current situation of the country Somalia.

Meeting Proceedings

Said Birmad Egal a SOSSENSA member read some verses from the holy Quran for the opening of the event.

SOSSENSA's Chairperson Abdirahman Moallin Ahmed (Ablaal) welcomed the participants and gave short presentation about the background of the event. Mr. Ablaal reminded the participants that Somalia had been in transition since 2000. Three transitional governments were formed in three reconciliation meetings held in the neighboring countries of Djibouti and Kenya. He elaborated the conflicts that current government had experienced and changes that occurred due to those conflicts. He highlighted the latest initiatives of High level consultative meetings on ending transitional period and their outcomes.

Mr. Ablaal said that discussion was open and that the participants of Somali social elites Forum would seek to find answers to the following questions which were mostly asked amongst the social and political elite of the country - Somalia.

1. What are the challenges for the implementation of the Road-map and other agreed points?
2. How are the current political processes going on in the country and where?

3. The Transitional Federal Institutions mandate ends in August 20, 2012. There must be no further extensions. Is it possible?

Discussions

- A participant asked SOSSENSA how the outcome of this forum would be used and shared with whom?
- The chairperson of SOSSENSA platform replied that the document developed from the discussion would be shared with the participants, TFG and concerned International bodies. He also explained that there was television coverage and common people would watch the forum on local Televisions.
- A participant showed concern on Garowe principles. The document gives the roadmap signatories part of the authority for selection of the National Constituency Assembly and the Interim Independent Electoral Commission (IIEC). The document does not specify how the traditional leaders who will be part of the NCA selection will come, so there is a concern that the genuine traditional leaders are left behind and the politicians take up their affiliates. The NCA will approve draft constitution and through that constitution The New Federal Parliament members will be selected. That Parliament will then elect a President who will then nominate a Prime Minister. The Participant explains that although the civil society members and traditional leaders will be part of the selection NCA, the involvement of the signatories, who have political ambition, will narrow the chance of other people who are willing to run for the country's leadership. The signatories should not be involved in the NCA and IIEC selection process, and they should not have affiliation with traditional leaders as well; otherwise they should declare that they do not have political ambition.
- A participant showed concern on the federalism. He argues that there are no borders for federal states and the number of self-declared states is increasing to the extent that three to four self declared states claim the ownership of small area – sometimes one region or one city. He says that this will create more conflict. Before 20 August, the borders of federal states should be marked and the number of federal states allowed should be publicized. Otherwise, federalism can not be implemented and the transition period can not be ended.
- A participant calls the current political process of Somalia “not home grown”. However, he says the foreign influence made Somalis to accept it. He also criticizes the roadmap as “not publicly shared process” and calls the active actors (signatories) as men with “political ambition”. He argues that the tasks need cannot be completed by 20 August, 2012. This participant says that London Somali Conference had “plan B” which was put under the table after local pressure and pressure from countries those have close relations with Somalia. According to him, that Plan was to put Somalia in under trusteeship after 20 August, 2012. This participant argues that the current plan with “very view chance to succeed” is a test and if the current leadership fails the “trusteeship plan” will surface.
- A participant suggests the forum to consider whether ending the transitional period is realistic or not. He argues that it is not. He says that the country is not ready for it as tasks to be completed to end the transitional period are not done and cannot be completed in time. Unless these tasks are completed the transitional period cannot be ended, otherwise the country will fall in the hands of executive powers without legitimacy. They can take drastic negative actions.

This participant criticizes the political process of the country. He says that it can lose legitimacy as process is confined in the TFG institutions and their allies. He predicts that other parts will simply oppose after 20 August, 2012. He suggests that the difference among the Parliament should be resolved, and the executive branch should be changed through election engaged by current Parliamentarians. And then, the new government should be given the mandate of preparing the country for elections and federalization. He notes that the UN now seems to be part of the problem, and calls for them to keep their neutrality.

- A participant showed concern about the future of the country after the 20 August, 2012. He described that the current political process as “confusing”, and predicted that a civil war, or trusteeship would follow due to the current political process. The participant suggested that Somali social elites should encourage political parties to unite and save the country from this “predicament”.
- A Participant says that she wants to clear her conscience even though it is possible that suggestion of the social elites may fall in deaf ears. She adamantly affirmed that roadmap tasks could not be completed in time. She said the security issue is far from completing, the constitutional consultation has not covered a fraction of the population, the reconciliation has not been addressed fully, and nothing has been done from the Good governance issues. She reasons that without completing these tasks the roadmap can not end the transition period of the country. This participant argues that unless these tasks are completed the transitional period can not end on 20 August, 2012. Otherwise the country will fall in wrong hands.
- A participant agrees with the previous participants that ending the transitional period is not possible by 20 August, 2012. This participant suggests that Somali social elites should explore ways to return the leadership and decision making roles to Somali people. He warns off a “risk” that the country may plunge into occupation or trusteeship after the transitional period ends.
- A participant agrees with the previous participants that ending the transition period is not possible by the 20 August, 2012. He affirms that the country is not ready for that now. He says that the roadmap has not emerged from Somali initiative, and it has not gained Somali ownership through participation. He suggests that Somali social elite should find a way out for the problem mentioned.
- A participant claims Somalis can do nothing about the roadmap and according to him Somali people do not have full sovereignty. He argues that it is in the best interest of Somalis to help the roadmap succeed otherwise the international community will come up with “plan B” which can be to put Somalia in under trusteeship. This participant suggests that Somali social elite should try to find men with knowledge, integrity and technical capacity to lead the country after 20 August, 2012 and facilitate these men to come to power while working on the frames of the roadmap.
- A participant hints that International Community is part of Somali problems. He accused them of sabotaging all transitional government before this one, and assigning the current government with huge tasks in limited time. He says that the intention is to witness it (current government) fail. This participant suggests for the people involved in the selection of the National Constituency Assembly to consult with the leadership of the tribes/clans. He notes that three

groups of people decide for every tribe/clan in Somalia: The traditional elders, the business people, and the religious leaders. So the combination of these people can represent the tribe/clan and whoever they select for the tribe will have the consent of the community.

- A participant says that federalism is not suitable for Somalia. He says that it will create small incompetent states with hostility over resources and borders. He argues that this form of governance will put the country into a disadvantaged position where foreign investors will most benefit from a bilateral agreement. "This will deepen the poverty and create more conflict." He says. This participant suggests for Somali people to say NO to federalism.
- A participant agrees with some other participants that roadmap signatories should not run for coming elections if they get involved in the selection of the NCA or IIEC, or recommend traditional leaders with their affiliation. He suggests that Somali social elites should make sure that those who would be selected MPs should be qualified, competent men and women who are free from fraud or crime complicity. He advocated for ending the transitional period, and argues that the majority of the common people want that.
- A Participant reiterates the need for true reconciliation, security improvement, wider constitutional consultation and improvement of good governance. She says that Somalia is said to be a member of weak states – while it deserves better. She says the common people want a competent government. She opposes that idea of ending the transitional period, and argues that such action will legitimize the power misuse of leaders without the consent of the public.
- A Participant says that whatever change needed to be implemented should be legal and in accordance with the rules, regulations and procedures of the country. "Let us not start from ground zero every time!" He says. He emphasizes the need that the roadmap process should be put before the Parliament to pass or reject. He says parliament should be the platform of any necessary change the country should experience. He points out that the international community recognizes the roadmap does not have legitimacy, meanwhile they can not let the Parliament review it. "Moreover, the conflict in Parliament, the roadmap, and the time constraint have put the international community in a dilemma triangle so they want a dilemma solution." He says. He suggests that the change should go through legal procedure which will start from solving the differences between Parliament wings, and then, through the Parliament any necessary change should be legitimate.
- A Participant argues that Somalis are responsible for the problems in the country. Because the problem flooded over the borders, the regional states and the international community had to intervene. He says that Somali Social Elite, the Civil Society, or the current leadership of the country do not have much in hand. He says that now it is for damage limitation. He questioned where the ideas of federal system and ending the transitional period came from, and hinted that it was imported systems and strategies. This participant emphasized the suggestion made by earlier speakers that signatories should not be runners of the coming election if they do not give up their involvement in the selection process.
- A participant says that he understands from the repeated suggestions made by most participants that ending the transitional period is not possible as it will lead to a worse transitional time, and the federal system is not suitable for Somalia, as it is not a system of government that

Somali people chose. He supports these two suggests and argues that the roadmap does not have legality, and whatever achieve through the roadmap will not have legality. He suggests that this concern should be shared with the international community, and the process should be returned to legal procedure by resolving the differences between the wings of the Parliament. Then, the parliament can process the right procedure as it has that jurisdiction.

- A participant named the current political process as: 'let six men select people who will elect them.' He says it is not what Somali people want to happen, yet international community is pushing this process, and is determined to make it work. 'Let us point out what is wrong about the roadmap to help them evaluate.' He says. 'Firstly, the six signatories should not be involved in the NCA and IIEC selection process or the recommendation of the traditional leaders, if they want to run for the elections. Secondly, people who have real representation of the population should be part of the selection process. These people can include: Civil Society, Traditional Leaders, Scholars/Elite, Women group and religious Leaders.
- A participant says that the vision of the roadmap is not clear for Somali people and people can not pursue with unclear vision. He suggests that Somalis should decide what they want and the international community should help them achieve. He suggests that the NCA selection process should be made by citizens without the personal ambition to leadership. They can be scholars, former politicians, religious leaders and the civil society.
- A participant insists that unless the chance of one-man one-vote is achieved the transitional period can not be ended. He suggests that CDC can not be effective unless it is approved by national referendum and before that 1960 constitution can be used. He says that Somalia's Sovereignty and integrity should be preserved. This participant notes that all about Garowe principle are not bad, and suggested the adaption Garowe PLUS principles:
 - The implementers of Garowe principles should be people without leadership ambition,
 - The constitution should not be passed by NCA (now) – wait until referendum,
 - The two houses of parliament are not needed
 - Arbitration commission should be made,He suggests that the outcome of this meeting should be shared with the participants and the other concerned groups.
- A participant suggested that political parties should be united and people with vision of unity and should be sought among the population.
- A participant says that the current political process of Somalia is not correct because the facilitators have political interest in it and the outcome will be according to their interests and plans. He notes that Somalia is dependent on International Community and nothing can be done without its involvement or consent. Considering that, he says that role of Somali Social Elite is to point out the weaknesses in the roadmap and Garowe principles to help the involved parts recognize and correct. By doing that the Elites are giving their personal opinions but rather voicing out the public consensus. This participant suggests that Somali Social Elites should assume the pressure group role, and whenever a political meeting is happening they can produce the expected outcome of the meeting. This will be a guide for those in the meeting as they know what people expect from the meeting. Such pressure groups can have impact on the decisions of the international and local actors of Somali politics. He calls for creating of public awareness.

Conclusion

- The outcome of the current political process is being tailored to please the six signatories.
- The country needs for true reconciliation, security improvement, wider constitutional consultation and improvement of good governance.
- Unless roadmap tasks are completed the transitional period cannot be ended, otherwise the country will fall in the hands of executive powers without legitimacy. They can take drastic negative action.
- It is in the best interest of Somalis to help the roadmap succeed otherwise the international community will come up with “plan B” which can put Somalia in trusteeship.
- Federalism will create small incompetent states with hostility over resources and borders. This form of governance will put the country into disadvantaged position where foreign investor will most benefit bilateral agreement. The poverty will deepen and conflicts will increase.
- Ending transitional period is not possible as it will lead to worse transitional time, and the federal system is not suitable for Somalia, as it is not a system of government that Somali people chose.
- The involvement of the international community is more domination than facilitation, and Somalis have little to say about the roadmap process.

Recommendations

- What every changes needed to be implement should be legal and in accordance with the rules regulations and procedures of the country. Stop starting from ground zero every time and endorse the current constitutional institutions.
- Somali Social Elites should assume the role of a pressure group and whenever a political meeting is happening they can produce the expected outcome of the meeting. This will be a guide for those in the meeting as they know what people expect from the meeting. Such pressure groups can have impact on the decisions of the international and local actors of Somali politics.
- Political parties should be united and people with vision of unity and should be sought among the population.
- Garowe PLUS principles should be adopted:
 - The implementers of Garowe principles should be people without leadership ambition,
 - The constitution should not be passed by NCA (now) – wait until referendum,
 - The two houses of parliament are not needed
 - Arbitration commission should be made,
- The NCA selection process should be made by citizens without the personal ambition to leadership. They can be scholars, former politicians, religious leaders and the civil society.
- The six signatories should not be involved in the NCA and IIEC selection process or the recommendation of the traditional leaders, if they want to run for the elections.
- People who have real representation of the population should be part of the selection process. These people can include: Civil Society, Traditional Leaders, Scholars/Elite, Women group and religious Leaders.
- The change should go through legal procedure which will start from solving the differences between Parliament wings, and then, through the Parliament any necessary change should be legitimate.

- Somali social elites should ensure that would be selected MPs should be qualified competent men and women who are free from fraud or crime complicities.
- People involved in the selection of the National Constituency Assembly should consult with the leadership of the tribes/clans. Three groups of people decide for every tribe/clan in Somalia: The traditional elders, the business people, and the religious leaders. So the combination of these people can represent the tribe/clan and whoever the select for the tribe will have the consent of the community.
- Somali elites should try to find men with knowledge, integrity and technical capacity to lead the country after 20 August, 2012 and facilitate these men to come to power while working on the frames of the roadmap.
- Somali elites should explore ways to return the leadership and decision making roles to Somali people. He warns off a “risk” that the country may pledge into occupation or transship after the transitional period ends.
- The difference among the Parliament should be resolved, and the executive branch should be changed through election engaged by current Parliamentarians. And then, the new government should be given the mandate of preparing the country for elections and federalization. The UN should resume its neutral role.
- Before 20 August, the borders of federal states should be marked and the number of federal states allowed should be publicized. Otherwise, federalism can not be implemented and the transition period can not be ended.
- CDC can not be effective unless it is approved by national referendum and before that 1960 constitution can be used.