



التاريخ: 26/08/2013 Date:

Press Statement	War Saxafadeed	بيان صحفي
-----------------	----------------	-----------

## Statement on the Provisional Constitution

Various statements have recently been made with respect to the alleged tampering of various provisions of the Somali Provisional Constitution.

The Federal Parliament and its honourable Members are well aware of the deficiencies and inconsistencies of the Provisional Constitution of the Federal Republic of Somalia. This is why the constitutional review process is among the Federal Parliament's most urgent priorities. On June 16<sup>th</sup> of this year this constitutional review process was launched officially by the Constitutional Review and Implementation Oversight Committee within the Federal Parliament and all Somalis, where ever they may be, are invited to participate in the process of review. A public consultation campaign will soon be launched.

Meanwhile, it is important for us to keep our focus on the Somali state building endeavour. The current Federal Government and the Federal Parliament are established on the basis of the constitutional order provided by the Provisional Constitution. The Provisional Constitution was adopted in August 2012 by a National Constituent Assembly comprising representatives from all parts of Somalia. Despite its weaknesses, the Provisional Constitution is the only document providing for a legitimate legal basis of governance for all of Somalia. Its legitimacy therefore must not be questioned.

It has been argued that the version of the Provisional Constitution that was signed by all the Signatories to the Somali End of Transition Roadmap in Addis Ababa in May 2012 is the only legitimate version of the Provisional Constitution. This is unfortunate and not correct. The agreement in Addis Ababa agreement was superseded by a further agreement in Nairobi on June 2012.

In June 2012 all the signatories to the Somali End of Transition Roadmap agreed to establish a Technical Facilitation Committee to finalize the draft constitution for presentation to a National Constituent Assembly. The Technical Facilitation Committee was formalised by the Protocol

Establishing the Technical Facilitation Committee as issued by Presidential Decree pursuant to the Nairobi agreement. Furthermore, the Technical Facilitation Committee was comprised of representatives from and acted on behalf of each of the Signatories to the Somali End of Transition Roadmap, including the Puntland State Government.

Accordingly, the decisions of the Technical Facilitation Committee, carried the blessings of and represented the interests of all the signatories including that of the Puntland State Government. Be that as it may, the transition is over and the End of Transition Roadmap Agreement has come to an end. Today, we have a new political dispensation in Somalia.

Nevertheless, the Somali constitutional process is not yet over. The Provisional Constitution is currently being reviewed and much has to be done before the process is concluded. This is the time for engagement and meaningful interaction so that the constitution can be finalised. This is the opportunity to correct each and every deficiency. This is the time to get it right and to finalise the constitution.

To make sure that that Final Constitution does represent the interest of all role-players and stakeholders, and the peoples of every region of Somalia, the Federal Parliament has committed itself to consulting widely and to make sure that everyone has the opportunity to participate. Also, final constitution will be presented to the Somali people in a national public referendum. The decision on the final Somali constitution therefore, ultimately, rests with the Somali people and not with entities at any level of government.

It is our believe that only if all Somalis contribute to this constitutional review process, will the Somali state-building process have a chance to be concluded successfully and a strong and united Somali Republic be established. Therefore, we call upon all Somalis take this opportunity to participate constructively in the constitutional review process and to work together for a brighter future for all of Somalia.

May Allah guide us on the path to success

