

Saxiixayaasha Qorshe-Hawleedka (Roadmap) Soomaaliyeed, 2012

Heshiiska (Borotokoolka) Lagu Dhisayo Golaha Dastuur-Ansaxinta Qaran ee Soomaaliya

Waxaa la guddoonsaday 22 June 2012

Saxiixayaasha Qorshe-Hawleedka (Roadmap) Soomaaliyeed, iyadoo ay weli ka go'antahay inay fududeeyaan hirgelinta heshiisyadoodii hore ee lagu gaaray magaaloyinka *Kampala, Muqdisho, Garowe, Gaalkacyo* iyo *Addis Ababa*, fulinayana amarkii ka soo baxay Dhikreetada Madaxweynaha ee 22 Juun 2012, waxay halkan ku ansaxinayaan Heshiiskan [Borotokoolkan] soo socda ee lagu dhissayo Golaha Ansaxinta Dastuurka ee Dhikreetada lagu xusay.

QODOBKA 1

Heshiiskan [Borotokoolkan] waxaa lagu dhisayaa Golaha Ansaxinta Dastuurka Soomaaliyeed

QODOBKA 2

Diyaarinta Qabyo-qoraalka Dastuurka oo si ku meelgaar ah loogu ansaxiyo

1. Saxiixayaasha Guddiga Farsamada ee Fududeynta waxay dhameystiri doonaan qabyo-qoraalka dastuurka oo si ku meelgaar ah loogu ansaxiyo, si waafaqsan Heshiiska [Borotokoolka] Dhisaya Saxiixayaasha Guddiga Farsamada ee Fududeynta, waxayna qabyo-qoraalka u gudbinayaan Saxiixayaasha Qorshe-Hawleedka (Roadmap) Soomaaliyeed.
2. Saxiixayaasha Qorshe-Hawleedka (Roadmap) Soomaaliyeed waxay saxiixi doonaan oo ogolaan doonaan qabyo-qoraalka ku-meelgaarka ah 22ka June 2012;
3. Sidaa darteed, Madaxda Dalka ayaa, ugu dambeyn 25ka June 2012, qabyo-qoraalka kama dambeysta ah ee la ogolaaday lana saxiixay u gidbin doona Guddiga Dastuurka Federaalka ee Madaxabanaan (IFCC) si uu u abaabulo waxbarasho dadweyne (madani), waana inuu mar walba waxbarashada dadweynaha (madaniga) ku dhammeeyaa ugu dambeyn 29ka June 2012;
4. Saxiixayaasha Qorshe-Hawleedka (Roadmap) Soomaaliyeed waxay soo afjari doonaan xilka Guddiga IFCC iyagoo u qabanaya xaflad lagu aqoonsanayo adeegga ay u hureen qaranka lixdii sanno ee la soo dhaafay iyo dadaalka ay ka geysteen nabadda iyo dibuheshiisiinta Soomaaliya.
5. Madaxda dalka ayaa qabyo-qoraalka dastuurka u soo gudbin doona Guddiga Farsamada ee Fududeynta;
6. Guddiga Farsamada ee Fududeynta ayaa qabyo-qoraalka dastuurka u soo gudbin doona Golaha Ansaxinta Dastuurka.

QODOBKA 3

Dhismaha iyo Muddada Xilka Golaha Ansaxinta Dastuurka Qaranka

1. Odey Dhaqameedyada ayaa soo xulaya xubnaha Golaha Ansaxinta Dastuurka Qaranka, markaa ka dib ayaa Saxiixayaasha Qorshe-Hawleedka (Roadmap) waxay isugu yeerayaan shirweynaha Golaha Ansaxinta Dastuurka Qaranka, oo fariisan doona marka ugu horeysa ee suurtagalka ah, sida waafaqsan heshiisyadii iyo awaamirtii ay horey u gaareen Saaxiixayaasha Qorshe-Hawleedka, oo ay ka midyihiin *Heshiiskii Kampala, Qorshe-Hawleedka (Roadmap) Soomaaliyeed, Mabaadi'dii Shirkii Garoowe I iyo Garoowe II, Heshiiskii Gaalkacyo, Warmurtiyeedkii Addi Ababa, iyo Dikreetadii Madaxweynaha* ee ku taariikheysan 22ka June 2012, taasoo ujeeddadeedu tahay in si ku meelgaar ah loo ansaxiyo qabyo-qoraalka dastuurka sida lagu faafiyay Heshiiskan (Borotokoolka).
2. Golaha Ansaxinta Dastuurka Qaranka waxaa la kala dirayaa ka dib marka uu u codeeyo qabyo-qoraalka dastuurka.

QODOBKA 4

Xubnaha Golaha Ansaxinta Dastuurka Qaranka

1. Golaha Ansaxinta Dastuurka Qaranka wuxuu ka koobanyahay 825 xubnood oo ugu yaraan boqolkiiba 30 ay haween yihiin.
2. Odey Dhaqameedyada ayaa soo xulaya xubin kasta oo ka mid ah Golaha Ansaxinta Dastuurka Qaranka, iyadoo lagu saleynayo habka awood qaybsiga 4.5, xubin kastana waa—
 - (a) Inuu ahaadaa muwaadin Soomaaliyeed;
 - (b) Inuu jiraa ugu yaraan 21 anno;
 - (c) Inuu wax qori karaa waxna akhrin karaa;
 - (d) Inuu leeyahay waayoaragnimo ku haboon;
 - (e) Inuu sumcad fiican ku leeyahay bulshada Soomaaliyeed, uuna yahay muwaadin daacad ah, wadani ah, dulqaadna leh, oo dhowra xuquuqda dhammaan dadka Soomaaliyeed;
 - (f) Inuusan ahaanin qof caddeystay damac siyaasadeed ee shakhsi ah oo markaa taagan ama uusan daacad u ahayn dal shisheeye, laakiin qodobkan ma aha in loo macneeyo haysashada laba jinsiyadood inay tahay daacad loo noqdo dal shisheeye;
 - (g) Inuusan waqtiga hadda la joogo xil rasmi ah ka haynin dowladda federaalka ama dowlad-goboleedyada ama uusan ka qaybqaadanin hay'adaha qoraalka dastuurka federaalka; iyo

- (h) Inuusan ahayn qof horey u soo qalay dembi culus ee raadraac leh ama dembiyada ka dhanka ah baniaadanimada.
3. Guud ahaan, Golaha Ansaxinta Dastuurka Qaranka waa inuu ahaado mid si ballaarana dadka u metela ayna qaybaha kala duwan ee bulshada Soomaaliyeed si guud ah uga muuqdaan, sida dhallinyarada, haweenka, culamaa'udiinka, oday dhaqameedyada (marka laga reebo kuwa ku hawlan xulitaanka Golaha Dastuurka), ganacsatada, xirfadleyda iyo qurbajoogta.
 4. Guddiga Farsamada ee Xulidda waa inuu diidaa—
 - (a) Liis kasta oo la gudbiyo (oo ay soo xuleen beelaha ku saleysan 4.5) oo aan buuxinin in boqolkiiba 30 ay haween yihiin; iyo
 - (b) Musharax kasta ama qof kasta oo la soo magacaabo oo aan buuxinin shuruudaha ku cad Faqrada 2, ee kor ku qoran.
 5. Haddii Guddiga Farsamada ee Xulidda uu diido qof ama liis dhan oo la soo gudbiyay, waxaa laga doonayaa dadkii soo gudbiyay qofkaas ama liiskaas inay soo gudbiyaan qof kale ama liis kale. Si kastaba ha ahaatee, qofka ama liiska dadka al soo gudbiyo waa inay buuxiyaan shuruudaha Qodobkan ku cad.
 6. Oday Dhaqameedyada, iyagoo la tashanaya qabiilladooda iyo bulshadooda, ayaa soo xulaya xubnaha Golaha Ansaxinta Dastuurka Qaranka, waxayna ka soo dhex xulayaan dadka uu ka soo baarandegay Guddiga Farsamada ee Xulidda kana soo eegay shuruudaha ku cad Faqrada 2 ee kor ku qoran.
 7. Sabab kastaba ha ahaate, haddii uu boos ka banaanaado Golaha Ansaxinta Dastuurka, waxaa buuxin doona qof ay Oday Dhaqameedyadu sidaas u soo magacaabaan.
 8. Wixii muran ah ee dhasha inta uu socdo xulitaanka xubnaha Golaha Ansaxinta Dastuurka waxaa lagu warejiyanaa Guddiga Dhexdhexaadinta Odeyaasha si loo xalliyo sida ku cad Warmurtiyeed Addis Ababa ee 23ka May 2012.

QODOBKA 5

Dhismaha Golaha Ansaxinta Dastuurka Qaranka

5.1 Guddiga Farsamada ee Xullida ee Saxiixayaasha

1. Guddiga Farsamada ee Xulidda wuxuu maareynayaa, fududeynayaa, jiheynayaa, guddoominayaa, taageerayaana hawlaha shirarka Golaha

Ansaxinta Dastuurka Qaranka ilaa iyo marxaladda ugu dambaysa ee ansaxinta dastuurka.

2. Wasiirka Arrimaha Dastuurka ayaa guddoominaya Guddiga Farsamada ee Xulidda.
3. Saxiixayaasha Qorshe-Hawleedka (Roadmap) ayaa xaqiijinaya magacaabidda xubnaha Guddiga Farsamada ee Xulidda.
4. Guddiga Farsamada ee Fududeynta waxay dejinayaan xeer-hoosaadooda iyo Xeerarka Habraaca ee Golaha Ansaxinta Dastuurka Qaranka.
5. Guddiga Farsamada ee Fududeynta ayaa guddoomiyeyaasha Golaha Dastuurka ka soo dhex xulaya xubnahooda wuxuuna magacaabayaa Maamulaha Golaha Ansaxinta Dastuurka Qaranka iyo Xoghaynta Guud ee Golaha Ansaxinta Dastuurka Qaranka.
6. Guddiga Fududeynta Saxiixayaasha ayaa noqonaya kooxda loo noqdo ee haysa agabka loo baahdo inta ay socdaan doodaha Golaha Ansaxinta Dastuurka Qaranka. Xubnaha Guddiga Fududeynta Saxiixayaasha waxay la joogi doonaan guddi kasta si ay uga jawaabaan su'aalaha la xiriiira nuqulka qabyo-qoraalka dastuurka ee loo ansaxinayo si ku meelgaar ah.
7. Guddiga Farsamo ee Fududeynta wuxuu sameyn karaa guddiyo kale si uu isugu duwo ama u maareeyo wixii muran ah ee dhalan kara inta ay socdaan doodaha, wuxuuna:
 - a. Soo jeedinayaa dibueegid lagu sameeyo nuqulka qabyo-qoraalka hadba sida loo baahdo si wax looga qabto arrimaha lagu wareejiyay Guddiga Fududeynta Saxiixayaasha; oo
 - b. Si guud ah dibueegid ugu sameynayaa soona jeedinayaa dibueegid lagu sameeyo nuqulka hadba marka loo baahdo si looga dhigo mid la fahmi karo oo iswaafaqsan.
8. Dhammaan arrimaha ama su'aalaha uu Golaha Ansaxinta Dastuurka Qaranka dib ugu celliyay Guddiga Farsamo ee Fududeynta ee Saxiixayaasha si degdeg ah ayaa loo eegayaa waxaa dib loogu soo gudbinayaa 24 saacadood gudahooda.
9. Guddiga Farsamo ee Fududeynta ee Saxiixayaasha wuxuu Guddoomiyeyaasha Guddiga Isuduwidada ama Guddiga Sharciga ogeysiin

karaa arrin kasta uu u arko inay u baahantahay inay ka fiirsadaan go'aana ka gaaraan.

10. Hogaanka Golaha Ansaxinta Dastuurka Qaranka waxay diyaar u yihiin inay Guddiga Farsamo ee Fududeynta ee Saxiixayaasha ku kaalmeeyaan wax ka qabashada arrimaha iyo su'aalaha la soo gudbiyo.
11. Guddiga Farsamo ee Fududeynta ee Saxiixayaasha wuxuu eegayaa oo diiwaangelinayaa talooyinka ay soo jeediyaan guddi kasta iyo wixii qalad ah ee u baahan in la ogeysiiyo Madaxda sare ee dalka ama guddiyada kale.
12. Guddiga Farsamo ee Fududeynta wuxuu Madaxda sare ee dalka ku wareejinayaa arrin kasta oo aan lagu xallinin habraaca lagu caddeeyay Faqrada (1) – (6) si loogu gaaro xal kama dambeys ah.
13. Guddiga Farsamo ee Fududeynta wuxuu diiwaangelinayaa arrimaha cabasho laga muujiyay laakiin aan la xallin si looga yeesho dood dheeraad ah inta lagu jiro marxaladda dibueegidda dastuurka ee uu horseedka ka noqonayo Baarlamaanka Cusub ee Federaalka ah ka dib marka dastuurka loo ansaxiyo si ku meelgaar ah.
14. Guddiga Farsamo ee Fududeynta ee Saxiixayaasha wuxuu diiwaangelinayaa arrimaha cabasho laga muujiyay laakiin aan la xallin, oo ka dhasha cod aqlabiyad ah ee loo codeeyo ansaxin ku meelgaar ah oo arrimo laga soo reebay (aan la ansaxin), iyadoo ay la socdaan tusaalooyinka la raacayo ee loo jeediyo Baarlamaanka Cusub ee Federaalka si loo xaqiijiyo in arrimahan la soo reebay wax looga qabto xilliga ka dambeeya marka dastuurka si ku meelgaar ah loo ansaxiyo iyo hanaanka dibueegidda, sida ku cad Heshiisyada (Borotokoollada) kale.

5.2 Guddoonka Golaha

Wasiirka Arrimaha Dastuurka ayaa guddooninaya shirarka Golaha Dastuurka.

QODOBKA 6

Hab-raaca Golah Dastuurka

1. Golaha Dastuurka wuxuu howshiisa u Gudanayaa si waafaqsan shuruucda ama xeer-hoosaadka u degsan Golaha Dastuurka, shuruucdaas oo uu dejindoono Guddiga Farsamo Fududeenta (howlaha).
2. Marka laga reebo sida ku cad qodobka 7.2 ee (la xaririirta u codeynta ugu dambaysa ee Golaha Dastuurka sida ku meelgaarka ah ugu ansixinayaan Dastuurka), Golaha waa in uu si caadi ah
 - a) Shirkiisa u bilaabaa haddi 450 ergo ay soo xaadiraan shirka, kaas oo wakhtigiisa iyo goobtiisaba, horay loo sheegay.
 - b) Shirkuna waxaa shir-gudoominayo labada shirgudoomiye ama midkood.
3. Go'aanada Golaha Dastuurka waxaa lagu gaarayaa cod-haldheeri ah (50+1) oo ay bixiyaan dadkii la rabay in ay joogaan goobta cod bixinta. Shirgudoonku wuu codayn karaa.

QODOBKA 7aad

Arrimaha tixgelinta leh ee khuseesa Qabyo Qoraalka Dastuurka Ku-meel Gaarka ah

7.1 Marka hore Arrimaha Tixgelinta la siinayo

1. Haddi uu u baahdo, Shirka Guud ee Golaha Dastuurka, wuxuu dib ugu soo celinkaraa Saxiixayaasha Qodobkii ay lanoqoto si ay dib u eegis ugu suubiyaan ma ay sharaxaad uga bixiyaan Qodobkaas.

7.2 Gudiga Farsamo ee Fududeenta Howlaha ee Saxiixayaasha ayaa di u eegis ku samaynkara arrin kasta oo dib loogu soociliyo sida waafaqsan Heshiiska (Protocol) lagu dhisay Gudiga Farsamo ee Fududeenta Howlaha. Tixgelinta oogu dambaysa iyo Habka codanta

Gebagebada Doodaha Golaha Dastuurka, waxay u codaynayaa Su'aashan:

"Dastuurkan Qabyo-qoraalka ah si Ku-meelgaar ah ma loo ansixinkaraa si uu wadanka horay ugu mariyo, Gacanna ooga gaystoo dibudhiska wadankeena, cagtana uu noogu saaro wadada saxa ah ee ku qotanta Caddaladda, iyo sidii lagu heli-lahaa nabad waarta, dastuurkana marka dambe, waxa lagu ansixindoono Refrendum."

5. Haddi la diido Dastuurka Qabyo Qoraalka, waa lagu dhaqmayaa I laa dastruu cusub laga sameeyo.

7.3 Go'aamadda Codeynta kama dambeyta ee ansaxinta dastuurka

1. Marka la ansaxiyo qoraalka dastuurka ku meel gaarka ah marka laga reebo arrimaha ku qoran qodobka 7.2
 - a) Dastuurka cusub waa inuu u hirgalaaa si ku meel gaar ah iyo
 - b) Waa inuu mudadda Axdiga Dowladda Ku- Meel Gaarka ah ee Federaalku dhamaadaa; hase yeeshee marka si ku meel gaar ah loo diyaariyo dastuurka Cusub eek u meel gaarka ah.
 - c) Guddigg Ansixinta Dastuurka waa in la baa'biyaa iyo
 - d) Marka laga reebo qodobka 7.2 4 (a) iyo xataa hadii ugu yaraan 30% codadaka
La dhiibtay ee ogolaqaday dastuurka marka laga reebo Gudigga Fududeynta ee Saxiixayaasa , waa in diyaariyaa xogwarran ku saabsan sababaha codeynta ku lidka la dastuurka
 - e) Maamulaha iyo Xubinta Mideysan ee hirgelinta waa inay noqdaa kuwa shaqeeya waana inay helaan taageeradda muddo kale oo ah.....bilood si loo dhameystiro maamuladda iyo xogwarranka ku saabsan xisaabaha la xiriira Golaha Ansixinta Dastuurka.
2. Marka dib u eegis lagu sameynayo Dastuurka iyo mudadda la hirgelinayo waa in si deg deg ah loo bilaabaa ku dhaqanka dastuurka si ku meel gaar ah, arrimaha ku qeexan xogwarranka Gudigga Fududeynta ee Saxiixayaasha waa inay abaaraan arrimaha muhiimka eek u saabsan wada tashiga, cilmiyeynta bulshada, habka dib u eegista dastuurka ee ay tahay inay la sii wado ilaa iyo inta ugu dambeyn la sameynayo afti qaran.
3. Hadii uu dastuurka ku meel gaarka ah lagu ansixiyo afti , dastuurka ku meel gaarka ah ee deib u eegista lagu sameeyey lana saxay wuxuu si buuxda u dhaqan gelayaa marka dastuurka cusub iyo
4. Hadii dastuurka lagu diido afti, weli waa loogu dhaqami karaa si ku meel gaar ah ilaa iyo inta qoraal dasturr la diyaarinayo, laguna ansixinayo afti.

Saxiixayada:

1. Mudane Sheekh Shariif Sh. Axmed
Madaxweynaha Dawladda Federaalka ku Meel Gaarka ah
Dawladda Federaalka Ku Meel Gaarka ah

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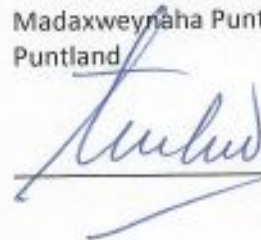
2. Mudane Shariif Xasan Sh. Aden
Guddoomiyaha Baarlamaanka Federaalka ku Meel Gaarka ah
Baarlamaanka Federaalka ku Meel Gaarka ah

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3. Mudane Cabdiweli Maxamed Cali
Ra'iisal Wasaaraha Xukuumadda Federaalka ku Meel Gaarka ah
Dawladda Federaalka ku Meelka ku Meel Garka ah

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4. Dr. Cabdiraxmaan Sheekh Maxamed Maxamuud
Madaxweynaha Puntland
Puntland

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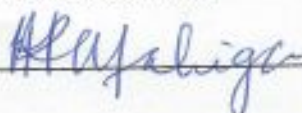
5. Mudane Maxamed Axmed Caalim
Madaxweynaha Galmudug
Galmudug

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6. Sheekh Maxamed Maxamuud Yuusuf
Wakiilka Ahlu Sunna Wal Jamaaca
Ahlu-Sunna Wal Jamaaca

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7. Dr. Augustine Mahiga
Wakiilka Gaarka ah ee
Xoghayah Guud ee QM ee Soomaaliy

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Somali Roadmap Signatories, 2012

Protocol Establishing the Somali National Constituent Assembly

Adopted June 22, 2012

The Somali Roadmap Signatories, committed to facilitating the implementation of their previous agreements adopted at *Kampala, Mogadishu, Garowe, Galka'yo* and *Addis Ababa* carrying out the directions given by Decree of the President June 22, 2012 hereby adopt the following Protocol to establish the National Constituent Assembly referred to in that Decree.

ARTICLE 1

This Protocol establishes the Somali National Constituent Assembly

ARTICLE 2

Preparation of Draft Provisional Constitution for Provisional Adoption

1. The Signatories Technical Facilitation Committee shall finalise the draft provisional constitution for provisional adoption in accordance with the *Protocol Establishing the Signatories Technical Facilitation Committee* and submit the draft to the Somali Roadmap Signatories.
2. The Somali Road map signatories shall approve by initialing and signing the final draft provisional constitution on 22 June 2012;
3. The Principals shall thereafter, and no later than 25 June 2012, transmit the final, approved and initialed draft to the IFCC to conduct civic education and in any event conclude the civic education process not later than 29 June 2012;
4. The Somali Roadmap signatories shall conclude the mandate of the IFCC through a ceremony recognizing the dedicated national service of the IFCC over the past six years and their contribution to peace and reconciliation in Somalia.
5. The Principals shall present the draft constitution to the Technical Facilitation Committee;
6. The Technical Facilitation Committee shall present the draft constitution to the National Constitutional Assembly

ARTICLE 3

Establishment and Tenure of the National Constituent Assembly

1. The Traditional Leaders shall select members of the National Constituent Assembly and the Somali Roadmap Signatories thereafter shall convene a National Constituent Assembly, which shall sit at the first practicable opportunity, in accordance with and adhering to the directions and agreements previously reached by the Somali Roadmap Signatories including the *Kampala Accord*, the *Somali Roadmap*, the *Garowe I and II Principles*, the *Galka'yo Agreement*, the *Addis Ababa Communiqué*, and the Decree of the President, dated 22 June, 2012, for the purpose of considering, and voting to provisionally adopt or provisionally adopt with exceptions , the draft provisional Constitution as published in accordance with this Protocol.
2. The National Constituent Assembly shall be dissolved when it adjourns following its vote on the draft provisional constitution.

ARTICLE 4

National Constituent Assembly Members

1. The National Constituent Assembly shall comprise 825 delegates of whom at least 30% must be women.
2. Each member of the National Constituent Assembly shall be selected and appointed by the Traditional Leaders, based on the 4.5 formula, and each must—
 - (a) Be a Somali citizen;
 - (b) Be at least 21 years old;
 - (c) Be literate;
 - (d) Have relevant experience;
 - (e) Be of good standing in Somali society, as an honest, patriotic, and tolerant citizen who upholds the rights of all Somalis;
 - (f) Have no immediate declared personal political ambitions, or conflicting loyalty to a foreign state; but, for the purpose of this clause dual citizenship shall not be deemed to be a conflicting loyalty;
 - (g) Not currently be serving in an official capacity at the federal or regional levels nor have served in federal constitutional drafting bodies; and
 - (h) Have no record of serious crime or crimes against humanity.
3. Collectively, the National Constituent Assembly must generally reflect the composition of Somali society, including youth and women, religious scholars and traditional elders (except those involved in selecting the NCA), business people, professionals, scholars, and the Diaspora.
4. The Technical Selection Committee must reject—
 - (a) Any submitted nomination list (by each of the 4.5 clans) that does not include at least 30% women; and
 - (b) Any applicant or nominee who does not satisfy the criteria set out in clause 2, above.
5. If a nominee, or a whole list of nominees, is rejected by the Technical Selection Committee, those who propose that nominee or list may submit another nominee or list in its place, but any such replacement nominee or list must satisfy the criteria set out in this Article.
6. The Traditional Leaders, in consultation with their clans and communities shall select the members of the National Constituent Assembly from among persons

whom the Technical Selection Committee have vetted against the required criteria set out in clause 2 above.

7. If a vacancy arises in the Constituent Assembly for any reason, that position shall be filled by appointment of a person chosen for that purpose by the Traditional Elders.
8. Any dispute during the selection process for members of the Constituent Assembly shall be referred to the Elders Arbitration Board for resolution as set forth in the Somali Addis Ababa Communiqué of 23 May 2012.

ARTICLE 5

Structures of the National Constituent Assembly

5.1 Signatories Technical Facilitation Committee

1. The Technical Facilitation Committee manages, facilitates, directs, chairs and supports the proceedings of the National Constituent Assembly up to the final stage of adoption.
2. The Minister of Constitutional Affairs chairs the Technical Facilitation Committee.
3. The Roadmap Signatories shall confirm the appointment of the members of the Technical Facilitation Committee.
4. The Technical Facilitation Committee shall develop their internal rules and the Rules of Procedure of the National Constituent Assembly.
5. The Technical Facilitation Committee will select the chairs of the NCA from within their members and shall appoint the Administrator of the National Constituent Assembly and the Rapporteurs General of the National Constituent Assembly.
6. The Signatories Facilitation Committee shall serve as a reference and resource group during the National Constituent Assembly deliberations. Members of the Signatories Technical Facilitation Committee shall be present in any Committee to answer questions on the text of the draft provisional constitution for provisional adoption.
7. The Technical Facilitation Committee may establish other committees to coordinate or manage any disputes that may occur during the proceedings and shall:
 - a. Propose revisions of the text of the draft provisional constitution in any manner required to address issues referred to the Signatories Technical Revision Committee; and
 - b. Generally review and propose revisions to the text as may be required to improve its comprehensibility, consistency and coherence.

8. All issues or questions referred back to the Signatories Technical Facilitation Committee by the National Constituent Assembly shall be considered immediately and resubmitted within 24 hours.
9. The Signatories Technical Revision Committee may bring to the notice of the Chairs of the Coordinating Committee or the Legal Committee any issues that it considers requiring their attention and resolution.
10. Leadership of the National Constituent Assembly, should be readily available to assist the Signatories Technical Facilitation Committee in addressing issues and questions submitted.
11. The Signatories Technical Facilitation Committee will consider and record the submissions from each committee and any anomalies requiring the notice of the Principals or other committees
12. Any issues not resolved under the procedure set forth in clauses (1) – (6) shall be referred by the Technical Facilitation Committee to the Principals for final resolution.
13. The issues raised but remaining unresolved shall be recorded by the Technical Facilitation Committee for further discussion during the post-provisional adoption Constitutional review phase led by the New Federal Parliament.
14. Issues raised but remaining unresolved by the Technical Facilitation Committee, and which also result in a majority vote for provisional adoption with exceptions, shall be recorded by the Signatories Technical Facilitation Committee with accompanying instructions to the new Federal Parliament to ensure these exceptions are addressed through the post-provisional adoption review and revision process, in terms of and other relevant Protocols.

5.2 Assembly Chairs

The Minister of Constitutional Affairs shall chair the Constituent Assembly proceedings

ARTICLE 6

Procedures of the National Constituent Assembly

1. The Constituent Assembly shall conduct its proceedings in accordance with the National Constituent Assembly Rules of Procedure which shall be drafted by the Technical Facilitation Committee.
2. Except as provided in Article 7.2 (in terms of the final vote of the Constituent Assembly to adopt the provisional constitution) plenary meeting of the Constituent Assembly shall be—
 - (a) Properly convened if at least 450 members are present at the time and place specified in a notice of the meeting; and
 - (b) Presided over by the co-chairpersons or either of the co-chairpersons.
3. Decisions of the National Constituent Assembly at a plenary meeting shall be taken by 50% plus 1 of the required number of members present and voting on a matter. The presiding member may not vote.

ARTICLE 7

Consideration of the Draft Provisional Constitution

7.1 Preliminary Consideration

1. At any time, the National Constituent Assembly may refer particular provisions back to the Signatories Technical Facilitation Committee for reconsideration or explanation.

7.2 The Signatories Technical Facilitation Committee shall consider any matter referred to it in accordance with this Protocol and the Protocol establishing the Technical Facilitation Committee..Final Consideration and vote

1. At the conclusion of the National Constituent Assembly's deliberations, the delegates shall vote on the following question:

"Should this draft provisional constitution be provisionally adopted to provide for a better Somalia, help reconstruct our country and set us on the right path to justice and lasting peace, pending final adoption at the referendum?"

5. In the event of a No vote, this draft provisional constitutional will nevertheless will take effect until a new constitution is adopted.

7.3 Result of the final vote on adoption

1. Once the draft provisional constitution has been approved or approved with exceptions in accordance with Article 7.2—
 - (a) The new constitution shall come into force as a provisional constitution; and
 - (b) The Transitional Federal Charter shall expire, subject only to any transitional arrangements provided for in the new Provisional Constitution;
 - (c) The National Constituent Assembly shall be dissolved; and
 - (d) Notwithstanding Article 7.2 4 (a), even if at least 30% of the votes cast opted for adoption with exception, the Signatories Technical Facilitation Committee, shall prepare a report on the reasons for the vote of adoption with exceptions.
 - (e) The Administrator and the Joint Implementation Unit shall remain operational and shall receive support for a further XX months to finalise the administrative and financial reports relating to the National Constituent Assembly.
2. During the constitutional review and implementation period, which shall commence immediately upon provisional adoption, issues identified in the reports of the Signatories Technical Facilitation Committee shall be addressed as a matter of priority in the ongoing consultative, civic education and constitutional review process that shall continue until the constitution is ultimately adopted by a national referendum.
3. If the provisional constitution is ratified in the referendum, the provisional constitution as reviewed and amended takes full effect as the new constitution; and
4. If it is rejected in the referendum, it will nevertheless continue as the provisional constitution until a further constitutional draft has been prepared, presented and ratified by referendum.

Signatories:

1. Transitional Federal Government
President of the Transitional Federal Government
Hon. Sheikh Sharif Sheikh Ahmed



2. Transitional Federal Parliament
Speaker of the Transitional Federal Parliament
H.E Sharif Hassan Sheikh Aden



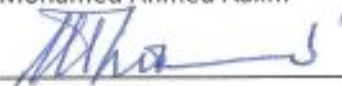
3. Transitional Federal Government
Prime Minister of the Transitional Federal Government
H.E Dr. Abdiweli Mohamed Ali



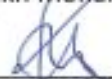
4. Puntland
President of Puntland
Dr. Abdirahman Sheikh Mohamed Mohamud



5. Galmudug
President of Galmudug
Mohamed Ahmed Aalim



6. Ahlu-Sunna Wal Jamaaca
Representative of Ahlu Sunna Wal Jamaaca
Sheikh Mohamed Mohamud Yusuf



7. Special Representative of the
Secretary General of the UN Somalia
Dr. Augustine Mahiga