#### Peace Agreement Access Tool PA-X https://pax.peaceagreements.org/

Country/ Somalia entity Puntland

Region Africa (excl MENA)

Africa (excl MENA)

Agreement The Garowe II Principles on Federalism, System of Government and Ending of

name Transition through operationalizing Garowe I (Garowe II)

Date 7 Feb 2012

Agreement Multiparty signed/agreed

status

Interim Yes arrangement

Agreement/ Intrastate/intrastate conflict ( Somali Civil War (1991 - ) )

conflict level

Stage Framework/substantive - partial

Conflict Government/territory

nature

Peace Somalia Peace Process

process

Parties Signatories:

On behalf of the Transitional Federal Government:

H.E. Shiekh Sharif Sheikh Ahmed, President of the Transitional Federal Government;

Hon. Sharif Hassan Sheikh Aden, Speaker of the Transitional Federal Parliament;

Hon. Dr. Abdiweli Mohamed Ali, Prime Minister of the Transitional Federal Government;

On behalf of Puntland:

Hon. Dr. Abdirahman Sheikh Mohamed Mahmud, President of Puntland;

On behalf of Galmudug:

Hon. Mohamed Ahmed Aalim, President of Galmudug;

On behalf of Ahlu-Sunna Wal Jama'a

Hon. Khalif Abdulkadir Moalim Nur, Representative of Ahlu-Sunna Wal Jama'a;

On behalf of the Secretary General of the UN for Somalia: Hon. Dr. Augustine Mahiga, Special Representative;

[Page 9 has the same signatures in Somali]

Third parties

under the auspices of the Special Representative of the Secretary General for Somalia.

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

[Signed]

[Not signatories] The stakeholder principles; Ambassadors from IGAD & AU; Minister of Endowment & Religious Affairs from Djibouti ...

Description

Principles agreed by the parties attending the Somali National Constitutional Consultative Conference 15-17 February 2012 convened by the Transitional Federal Government (TFG) of Somalia hosted by Puntland State Government of Somalia and facilitated by the United Nations, under the auspices of the Special Representative of the Secretary General for Somalia.

Agreement document

SO\_120207\_Garowe II Principles.pdf Download PDF

#### **Groups**

Children/ youth

Groups→Children/youth→Substantive

Page 4, 3. Operationalizating Garowe I Principles

- ... 2. National Constituent Assembly (NCA)
- ... b. Membership shall be based on the following:
- ... iii. the remaining 700 men and women shall be selected from [a cross section of society, including; youth/students, business people, the Diaspora, religious and traditional leaders, professionals, scholars and existing and

emerging regional administrations.

Disabled persons

No specific mention.

Elderly/age

Groups→Elderly/age→Substantive

Page 3-4, 3. Operationalizating Garowe I Principles 1. Interim Independent Electoral Commission (IIEC)

- ... d. The eligibility criteria for IIEC membership shall be as follows:
- ... ii. Aged between 21 and 70 years.

Page 4, 3. Operationalizating Garowe I Principles

- ... 2. National Constituent Assembly (NCA)
- ... c. Eligibility Criteria:
- i. The criteria noted above for IIEC membership shall apply to NCA nominees except for the following:
- 1. Minimum age of 21...

Page 5-6, 3. The New Federal Parliament

- ... d. Eligibility criteria for membership in the new federal parliament shall be:
- i. Somali citizenship
- ii. Aged between 25-75 years ...

Migrant workers No specific mention.

Racial/

No specific mention.

ethnic/ national

group

Religious groups

No specific mention.

Indigenous No specific mention.

people

Other

No specific mention.

groups

Refugees/ displaced

persons

No specific mention.

Social class No specific mention.

#### Gender

Women, girls and gender

Page 4, 3. Operationalizating Garowe I Principles

1. Interim Independent Electoral Commission (IIEC) ... b. Membership:

... ii. The IIEC shall consist of at least 5 women members

Page 4, 3. Operationalizating Garowe I Principles

... 2. National Constituent Assembly (NCA)

... b. Membership shall be based on the following:

... ii. At least 300 (30%) members shall be women;

#### Page 4, 3. Operationalizating Garowe I Principles

... 2. National Constituent Assembly (NCA)

... b. Membership shall be based on the following:

... iii. the remaining 700 men and women shall be selected from [a cross section of society, including; youth/students, business people, the Diaspora, religious and traditional leaders, professionals, scholars and existing and emerging regional administrations.

#### Page 5, 3. Operationalizating Garowe I Principles

3 Relevant experience

d. Selection Process for member of the NCA:

... iv. To ensure that the minimum quota for women is implemented, women members shall be determined first;

v. Nomination lists that do not result in at least 30% women in the NCA must be rejected;

#### Page 6, 3. The New Federal Parliament

... e. Selection process of the new federal parliament

... iv. Women will make up at least 30% of the parliamentarians by way of a set aside along 4.5. Civil society and respected women members of the clans will nominate and select the women.

Men and boys

Gender→Men and boys→Gender neutral wording Page 4, 3. Operationalizating Garowe I Principles

... 2. National Constituent Assembly (NCA)

... b. Membership shall be based on the following:

... iii. the remaining 700 men and women shall be selected from [a cross section of society, including; youth/students, business people, the Diaspora, religious and traditional leaders, professionals, scholars and existing and emerging regional administrations.

LGBTI No specific mention.

Family No specific mention.

#### **State definition**

Nature of state (general)

Page 1, Untitled Preamble,

- ... 3 . At the conclusion of Garowe I, the Signatories announced that the next Constitutional Consultative Conference would be held in Garowe in early 2012 and would focus on the finalization and adoption of federalism. Because time is of the essence, it was agreed that three critical issues required consideration by the delegates to ensure the completion of the constitution making process and ending the transition on time, by August 20, 2012, as follows:
- 1. Federalism: The nature of federal structure the country would adopt, including the status of the capital city, Mogadishu;

Page 2, Untitled Preamble,... 5. Whereas the signatories reaffirm the unity of the Somali people, the political independence and territorial integrity of the Somali nation, the following principles were agreed by the delegates and signatories of the Roadmap.

State

Page 1, Untitled Preamble,

- configuration ... 3 . At the conclusion of Garowe I, the Signatories announced that the next Constitutional Consultative Conference would be held in Garowe in early 2012 and would focus on the finalization and adoption of federalism.

  Because time is of the essence, it was agreed that three critical issues required consideration by the delegates to ensure the completion of the constitution making process and ending the transition on time, by August 20, 2012, as follows:
  - ... 2. System of Government and Electoral System Design: Consensus on the structure of the federal executive depending on whether the choice of system of government is parliamentary, presidential or hybrid; consensus on the related elements of electoral system design;

#### Page 2, 1. Federalism - Establishing the Federal States

The Transitional Federal Charter makes references to a federal state and the Consultative Draft Constitution refer to the establishment of a bicameral federal legislature. The Garowe I Principles reiterate this but to not specify any details. In Garowe II, the following aspects for establishing a federal system were agreed upon:

- a. We recognise the Puntland State is a founding federal state and was an existing state upon the adoption of the Transitional Federal Charter in 2004. We further recognise that Galmudug State as a state within the federation, and it shall, as soon as is practical, fulfil all the requirements for becoming a full federal state as stipulated in the Transitional Federal Charter. The TFG and the International Community are called upon to extend all the necessary assistance to the Galmudug authorities in this regard.
- b. The criteria for the formation of new state shall conform to the provisions stipulated in the Charter, which is based on two or more regions coming together.

#### Page 2-3, 1. Federalism - Establishing the Federal States

The Transitional Federal Charter makes references to a federal state and the Consultative Draft Constitution refer to the establishment of a bicameral federal legislature. The Garowe I Principles reiterate this but to not specify any details. In Garowe II, the following aspects for establishing a federal system were agreed upon:

- ... d. The creation of new states requires a sustainable regional reconciliation process. An independent commission shall access a state's conduct of such a process and the fulfilment of the above criteria. The new Somali Federal Parliament shall vote on ascension to statehood.
- e. The federal fiscal system shall include financial transfers and assistance based on the principle of equalization and equity among states.
- f. The federal structure shall respect states' rights in the assignment of competencies and responsibilities to the states. The national competences shall include essential issues of national interest, notably, but not limited to, foreign affairs, national defence, national monetary policy, national resources, wealth sharing, citizenship, and immigration.

Self No specific mention.

determination

Referendum No specific mention.

State

Page 3, 1. Federalism - Establishing the Federal States

symbols The Transitional Federal Charter makes references to a federal state and the

Consultative Draft Constitution refer to the establishment of a bicameral federal legislature. The Garowe I Principles reiterate this but to not specify any details. In Garowe II, the following aspects for establishing a federal

system were agreed upon: ... Status of Mogadishu

g. Mogadishu is the capital city. Its status within the federal set-up shall be decided by the new parliament through the enactment of primary legislation.

Independence/ No specific mention. secession

Accession/

No specific mention.

unification

Border

No specific mention.

delimitation

Cross- No specific mention.

border provision

#### Governance

Political institution

Governance→Political institutions (new or reformed)→New political

institutions institutions (indefinite) (new or Page 1, Untitled Preamble,

reformed)

3 ... 3. Operationalizing Garowe 1 Principles related to the constitutional adoption process by the National Constituent Assembly (NCA), including the selection process of the members of the NCA and the new federal parliament and the design of the Upper House of Parliament representing the administrative regions.

Page 3, 2. System of Government and Electoral System Design The Working Group on Systems of Government and Electoral systems considered the issue of which system of government is best suited to Somalia - the Parliamentary or Presidential system - and rigorously deliberated the advantages and disadvantages of both systems.

- a. Somalia shall adopt the Parliamentary system as it provides more accountability of the executive to parliament, and checks and balances to the abuse of power.
- b. The primary task of the executive shall be vested within the Council of Ministers, led by the Prime Minister. The President shall be the Head of State and will stand for the Unity of the State.
- c. The Constitution shall clearly set forth and enumerate the respective powers of the Head of State and the Head of Government.
- d. Council of Minister shall be drawn from within and outside parliament.

#### Page 4, 3. Operationalizating Garowe I Principles

- ... 2. National Constituent Assembly (NCA)
- a. Mandate:
- i. The NCA's rules of procedure shall regulate procedures to be followed in the event members cannot reach the required majority for adoption; the rules and procedures shall provide for a process to refer issues back to the drafters based on the vote of a qualified; the rules shall further set forth agreed deadlock breaking mechanisms to provide mediation support.

#### Page 4, 3. Operationalizating Garowe I Principles

- ... 2. National Constituent Assembly (NCA)
- ... c. Eligibility Criteria:
- i. The criteria noted above for IIEC membership shall apply to NCA nominees except for the following:
- 1. Minimum age of 21
- 2. No minimum level of education except literacy

#### Page 5, 3. The New Federal Parliament

- a. Membership in the Lower House shall comprise 225 members;
- b. The Upper House shall be based on the new configurations of future federal states for a maximum of 54 members.
- i. The selection of the Upper House shall follow the same principles of transparency, inclusivity and representation as govern the selection of other constitutional bodies, with criteria to be elaborated in the new constitution and designed to embody national integration and cohesion, to serve as a "court of a second opinion" and custodian of national cultural values and national ethos;
- ii. The Upper House shall come into effect no later than August 2012 as specified in the Garowe permei ples.
- iii. The new Constitution and its Implementation Schedules as well as general

#### **Elections**

Page 1, Untitled Preamble,

- ... 3 . At the conclusion of Garowe I, the Signatories announced that the next Constitutional Consultative Conference would be held in Garowe in early 2012 and would focus on the finalization and adoption of federalism. Because time is of the essence, it was agreed that three critical issues required consideration by the delegates to ensure the completion of the constitution making process and ending the transition on time, by August 20, 2012, as follows:
- ... 2. System of Government and Electoral System Design: Consensus on the structure of the federal executive depending on whether the choice of system of government is parliamentary, presidential or hybrid; consensus on the related elements of electoral system design;

#### Page 3, 2. ... Electoral System Design

e. The electoral system for the Lower House shall be based on the principle of proportionality. The details of the electoral system shall be defined by legislation. The new federal parliament shall adopt such legislation by the end of the third month of its first sitting.

#### Page 3-4, 3. Operationalizating Garowe I Principles

- 1. Interim Independent Electoral Commission (IIEC)
- a. Mandate:
- i. The IIEC shall verify nominees for the Constituent Assembly and Parliament against established objective criteria. It shall also engage in raising awareness of the processes for nominating and selecting candidates including ensuring full transparency through publication of names in media outlets and a public notice and comment period. The IIEC shall not be responsible for selecting members to either body.

#### Page 4, 3. Operationalizating Garowe I Principles

- 1. Interim Independent Electoral Commission (IIEC)
- ... b. Membership:
- i. The IIEC shall consist of 15 voting members based on the 4.5 formula (see Garowe I)
- ii. The IIEC shall consist of at least 5 women members
- iii. The IIEC shall include the involvement of international actors as non-voting participants.
- c. To ensure trust in the commission, IIEC members must be patriotic, honest, of good standing in Somali society, have no personal political ambitions or loyalties to other states. They must respect and uphold the rights of all Somalis and demonstrate tolerance towards all.
- d. The eligibility criteria for IIEC membership shall be as follows:
- i. Somali citizenship
- ii. Aged between 21 and 70 years.
- iii. no record of serious crime or crimes against humanity
- iv. Minimum secondary education
- v. Experience in elections or related fields
- e. Roadmap signatories assisted by civil society representatives and traditional leaders shall appoint IIEC members based on applications submitted through a public process. The public shall be kept informed of the process through a concerted media campaign.

#### Page 5, 3. Operationalizating Garowe I Principles

3 Relevant experience

Netevant experience

# Electoral

#### Page 3-4, 3. Operationalizating Garowe I Principles

- commission 1. Interim Independent Electoral Commission (IIEC)
  - a. Mandate:

i. The IIEC shall verify nominees for the Constituent Assembly and Parliament against established objective criteria. It shall also engage in raising awareness of the processes for nominating and selecting candidates including ensuring full transparency through publication of names in media outlets and a public notice and comment period. The IIEC shall not be responsible for selecting members to either body.

#### Page 4, 3. Operationalizating Garowe I Principles

- 1. Interim Independent Electoral Commission (IIEC)
- ... b. Membership:
- i. The IIEC shall consist of 15 voting members based on the 4.5 formula (see Garowe I)
- ii. The IIEC shall consist of at least 5 women members
- iii. The IIEC shall include the involvement of international actors as non-voting participants.
- c. To ensure trust in the commission, IIEC members must be patriotic, honest, of good standing in Somali society, have no personal political ambitions or loyalties to other states. They must respect and uphold the rights of all Somalis and demonstrate tolerance towards all.
- d. The eligibility criteria for IIEC membership shall be as follows:
- i. Somali citizenship
- ii. Aged between 21 and 70 years.
- iii. no record of serious crime or crimes against humanity
- iv. Minimum secondary education
- v. Experience in elections or related fields
- e. Roadmap signatories assisted by civil society representatives and traditional leaders shall appoint IIEC members based on applications submitted through a public process. The public shall be kept informed of the process through a concerted media campaign.

#### Page 5, 3. Operationalizating Garowe I Principles

- 3 Relevant experience
- d. Selection Process for member of the NCA:
- ... ii. Nominations shall be submitted to the IIEC to verify that each nominee meets the above criteria as well as the overall composition;

#### Page 5, 3. Operationalizating Garowe I Principles

- 3 Relevant experience
- d. Selection Process for member of the NCA:
- ... iii. If a nominee or list is determined to not meet the criteria they shall be sent back to the Garowe 1 signatories, traditional leaders and civil society to nominate another person or list meeting the criteria to submit to the IIEC, maintaining the 4.5 formula;

**Political** parties

reform

No specific mention.

#### Civil society Page 4, 3. Operationalizating Garowe I Principles

- 1. Interim Independent Electoral Commission (IIEC)
- ... e. Roadmap signatories assisted by civil society representatives and traditional leaders shall appoint IIEC members based on applications submitted through a public process. The public shall be kept informed of the process through a concerted media campaign.

#### Page 5, 3. Operationalizating Garowe I Principles

- 3 Relevant experience
- d. Selection Process for member of the NCA:
- i. Roadmap signatories assisted by traditional leaders and civil society shall nominate 1000 people based on the 4.5 formula and the criteria set out above;

#### Page 5, 3. Operationalizating Garowe I Principles

- 3 Relevant experience
- d. Selection Process for member of the NCA:
- ... iii. If a nominee or list is determined to not meet the criteria they shall be sent back to the Garowe 1 signatories, traditional leaders and civil society to nominate another person or list meeting the criteria to submit to the IIEC, maintaining the 4.5 formula;

#### Page 6, 3. The New Federal Parliament

- ... e. Selection process of the new federal parliament
- i. Recognized traditional elders assisted by prominent civil society members shall nominate two people for every seat based on the criteria outlined above;

Traditional/

Page 4, 3. Operationalizating Garowe I Principles

religious leaders

... 2. National Constituent Assembly (NCA)

... b. Membership shall be based on the following:

... iii. the remaining 700 men and women shall be selected from [a cross section of society, including; youth/students, business people, the Diaspora, religious and traditional leaders, professionals, scholars and existing and emerging regional administrations.

#### Page 5, 3. Operationalizating Garowe I Principles

- 3 Relevant experience
- d. Selection Process for member of the NCA:
- i. Roadmap signatories assisted by traditional leaders and civil society shall nominate 1000 people based on the 4.5 formula and the criteria set out above:

#### Page 5, 3. Operationalizating Garowe I Principles

- 3 Relevant experience
- d. Selection Process for member of the NCA:
- ... iii. If a nominee or list is determined to not meet the criteria they shall be sent back to the Garowe 1 signatories, traditional leaders and civil society to nominate another person or list meeting the criteria to submit to the IIEC, maintaining the 4.5 formula;

#### Page 6, 3. The New Federal Parliament

- ... e. Selection process of the new federal parliament
- i. Recognized traditional elders assisted by prominent civil society members shall nominate two people for every seat based on the criteria outlined above;

Public No specific mention. administration

Constitution Governance→Constitution→Constitutional reform/making

Page 6, ... 1. Commence finalization of the draft constitution and complete the drafting by 20th of April 2012;

2. Complete consultation and civic education on remaining critical issues in the Consultative Draft Constitution;

#### **Power sharing**

Political Power sharing→Political power sharing→Proportionality in legislature

power State level

sharing Page 4, 3. Operationalizating Garowe I Principles

... 2. National Constituent Assembly (NCA)

... b. Membership shall be based on the following:

i. 1000 members based on the 4.5 formula;

Page 5, 3. Operationalizating Garowe I Principles

3 Relevant experience

d. Selection Process for member of the NCA:

i. Roadmap signatories assisted by traditional leaders and civil society shall nominate 1000 people based on the 4.5 formula and the criteria set out above;

Page 5, 3. Operationalizating Garowe I Principles

3 Relevant experience

d. Selection Process for member of the NCA:

... iii. If a nominee or list is determined to not meet the criteria they shall be sent back to the Garowe 1 signatories, traditional leaders and civil society to nominate another person or list meeting the criteria to submit to the IIEC, maintaining the 4.5 formula;

Power sharing→Political power sharing→Other proportionality State level

Page 4, 3. Operationalizating Garowe I Principles

1. Interim Independent Electoral Commission (IIEC)

... b. Membership:

i. The IIEC shall consist of 15 voting members based on the 4.5 formula (see Garowe I)

Territorial power sharing

Power sharing→Territorial power sharing→Federal or similar sub-divided government

Page 2, 1. Federalism - Establishing the Federal States

The Transitional Federal Charter makes references to a federal state and the Consultative Draft Constitution refer to the establishment of a bicameral federal legislature. The Garowe I Principles reiterate this but to not specify any details. In Garowe II, the following aspects for establishing a federal system were agreed upon:

a. We recognise the Puntland State is a founding federal state and was an existing state upon the adoption of the Transitional Federal Charter in 2004. We further recognise that Galmudug State as a state within the federation, and it shall, as soon as is practical, fulfil all the requirements for becoming a full federal state as stipulated in the Transitional Federal Charter. The TFG and the International Community are called upon to extend all the necessary assistance to the Galmudug authorities in this regard.

#### Page 2-3, 1. Federalism - Establishing the Federal States

The Transitional Federal Charter makes references to a federal state and the Consultative Draft Constitution refer to the establishment of a bicameral federal legislature. The Garowe I Principles reiterate this but to not specify any details. In Garowe II, the following aspects for establishing a federal system were agreed upon:

- ... d. The creation of new states requires a sustainable regional reconciliation process. An independent commission shall access a state's conduct of such a process and the fulfilment of the above criteria. The new Somali Federal Parliament shall vote on ascension to statehood.
- ... e. The federal fiscal system shall include financial transfers and assistance based on the principle of equalization and equity among states.

#### Page 3, 1. Federalism - Establishing the Federal States

The Transitional Federal Charter makes references to a federal state and the Consultative Draft Constitution refer to the establishment of a bicameral federal legislature. The Garowe I Principles reiterate this but to not specify any details. In Garowe II, the following aspects for establishing a federal system were agreed upon:

... f. The federal structure shall respect states' rights in the assignment of competencies and responsibilities to the states. The national competences shall include essential issues of national interest, notably, but not limited to, foreign affairs, national defence, national monetary policy, national resources, wealth sharing, citizenship, and immigration.

#### Page 3, 1. Federalism - Establishing the Federal States

The Transitional Federal Charter makes references to a federal state and the Consultative Draft Constitution refer to the establishment of a bicameral federal legislature. The Garowe I Principles reiterate this but to not specify any details. In Garowe II, the following aspects for establishing a federal system were agreed upon:

- ... Status of Mogadishu
- g. Mogadishu is the capital city. Its status within the federal set-up shall be decided by the new parliament through the enactment of primary legislation.

Economic power sharing

Power sharing  $\rightarrow$  Economic power sharing  $\rightarrow$  Sharing of resources

Page 3, 1. Federalism - Establishing the Federal States

The Transitional Federal Charter makes references to a federal state and the Consultative Draft Constitution refer to the establishment of a bicameral federal legislature. The Garowe I Principles reiterate this but to not specify any details. In Garowe II, the following aspects for establishing a federal

system were agreed upon:

... f. The federal structure shall respect states' rights in the assignment of competencies and responsibilities to the states. The national competences shall include essential issues of national interest, notably, but not limited to, foreign affairs, national defence, national monetary policy, national

resources, wealth sharing, citizenship, and immigration.

Military power sharing

No specific mention.

#### **Human rights and equality**

Human rights/RoL

general

Page 4, 3. Operationalizating Garowe I Principles

1. Interim Independent Electoral Commission (IIEC)

... c. To ensure trust in the commission, IIEC members must be patriotic, honest, of good standing in Somali society, have no personal political ambitions or loyalties to other states. They must respect and uphold the

rights of all Somalis and demonstrate tolerance towards all.

Bill of

No specific mention.

rights/ similar

Treaty No specific mention.

incorporation

Civil and political rights

Human rights and equality→Civil and political rights→Equality

Page 2, 1. Federalism - Establishing the Federal States

The Transitional Federal Charter makes references to a federal state and the Consultative Draft Constitution refer to the establishment of a bicameral federal legislature. The Garowe I Principles reiterate this but to not specify any details. In Garowe II, the following aspects for establishing a federal system were agreed upon:

... c. All states are obliged to ensure equal political rights, access and opportunities for all Somalis, including political participation.

Human rights and equality→Civil and political rights→Vote and take part Page 2, 1. Federalism - Establishing the Federal States

The Transitional Federal Charter makes references to a federal state and the Consultative Draft Constitution refer to the establishment of a bicameral federal legislature. The Garowe I Principles reiterate this but to not specify any details. In Garowe II, the following aspects for establishing a federal system were agreed upon:

... c. All states are obliged to ensure equal political rights, access and opportunities for all Somalis, including political participation.

Socioeconomic rights

No specific mention.

#### **Rights related issues**

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

# Media and

Rights related issues→Media and communication→Media roles

communication Page 3-4, 3. Operationalizating Garowe I Principles

- 1. Interim Independent Electoral Commission (IIEC)
- a. Mandate:

i. The IIEC shall verify nominees for the Constituent Assembly and Parliament against established objective criteria. It shall also engage in raising awareness of the processes for nominating and selecting candidates including ensuring full transparency through publication of names in media outlets and a public notice and comment period. The IIEC shall not be responsible for selecting members to either body.

#### Page 4, 3. Operationalizating Garowe I Principles

- 1. Interim Independent Electoral Commission (IIEC)
- ... e. Roadmap signatories assisted by civil society representatives and traditional leaders shall appoint IIEC members based on applications submitted through a public process. The public shall be kept informed of the process through a concerted media campaign.

Mobility/ access No specific mention.

Protection measures

No specific mention.

Other

No specific mention.

#### **Rights institutions**

NHRI No specific mention.

Regional or international human rights

institutions

No specific mention.

#### **Justice sector reform**

Criminal justice and

emergency

No specific mention.

law

State of

No specific mention.

emergency provisions

provisions

No specific mention.

Judiciary and courts

Prisons and No specific mention.

detention

Traditional No specific mention.

Laws

#### **Socio-economic reconstruction**

Development No specific mention.

or socioeconomic reconstruction

National

No specific mention.

economic plan

Natural No specific mention.

resources

International Page 2, 1. Federalism - Establishing the Federal States

funds

The Transitional Federal Charter makes references to a federal state and the Consultative Draft Constitution refer to the establishment of a bicameral federal legislature. The Garowe I Principles reiterate this but to not specify any details. In Garowe II, the following aspects for establishing a federal system were agreed upon:

a. We recognise the Puntland State is a founding federal state and was an existing state upon the adoption of the Transitional Federal Charter in 2004. We further recognise that Galmudug State as a state within the federation, and it shall, as soon as is practical, fulfil all the requirements for becoming a full federal state as stipulated in the Transitional Federal Charter. The TFG and the International Community are called upon to extend all the necessary assistance to the Galmudug authorities in this regard.

**Business** No specific mention.

No specific mention. Taxation

**Banks** No specific mention.

### Land, property and environment

Land No specific mention.

reform/ rights

No specific mention. Pastoralist/

nomadism rights

Cultural Land, property and environment→Cultural heritage→Intangible

heritage Page 6, 3. The New Federal Parliament

... d. Eligibility criteria for membership in the new federal parliament shall be:

... vi. Respect Islamic values

Environment No specific mention.

Water or riparian rights or

access

No specific mention.

#### **Security sector**

Security Guarantees Page 3, 1. Federalism - Establishing the Federal States

The Transitional Federal Charter makes references to a federal state and the Consultative Draft Constitution refer to the establishment of a bicameral federal legislature. The Garowe I Principles reiterate this but to not specify any details. In Garowe II, the following aspects for establishing a federal system were agreed upon:

... f. The federal structure shall respect states' rights in the assignment of competencies and responsibilities to the states. The national competences shall include essential issues of national interest, notably, but not limited to, foreign affairs, national defence, national monetary policy, national resources, wealth sharing, citizenship, and immigration.

Ceasefire No specific mention.

Police No specific mention.

Armed forces

No specific mention.

DDR No specific mention.

Intelligence services

No specific mention.

Parastatal/ rebel and opposition group No specific mention.

Withdrawal

forces

No specific mention.

of foreign forces

Corruption No specific mention.

Crime/ organised crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

## **Transitional justice**

Transitional No specific mention.

justice general

Amnesty/ No specific mention.

pardon

Courts No specific mention.

Mechanism No specific mention.

Prisoner release

No specific mention.

Vetting

No specific mention.

Victims No specific mention.

Missing persons

No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

#### **Implementation**

UN 7. Special Representative of the Secretary General of the UN for Somalia

signatory Hon. Dr. Augustine Mahiga

[Signed]

Other No specific mention.

international signatory

Referendum No specific mention.

for

agreement

International Page 4, 3. Operationalizating Garowe I Principles mission/ 1. Interim Independent Electoral Commission (IIEC)

force/similar ... b. Membership:

... iii. The IIEC shall include the involvement of international actors as non-

voting participants.

Enforcement No specific mention.

mechanism

Related No specific mention.

cases

Source South South-Central Non-State Actors (SOSCENSA); http://

www.soscensa.org/Files/Garowe-II-Principles.pdf