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Country/ entity	Somalia Puntland
Region	Africa (excl MENA) Africa (excl MENA)
Agreement name	The Garowe Principles on the Finalization and Adoption of the Constitution and the End of Transition (Garowe I)
Date	24 Dec 2011
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (Somali Civil War (1991 -))
Stage	Framework/substantive - partial
Conflict nature	Government/territory
Peace process	Somalia Peace Process
Parties	Signatories: 1. Transitional Federal Government President of the Transitional Federal Government Hon. Sheikh Sharif 2. Transitional Federal Parliament Speaker of the Transitional Federal Parliament Hon. Sharif Hassan Sheikh Aden 3. Transitional Federal Government Prime Minister of the Transitional Federal Government Ali 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. Deputy Special Representative of the Secretary General of the UN for Somalia Christian Manah

Third parties facilitated by the United Nations, under the auspices of the Special Representative of the Secretary General for Somalia.

Description Principles agreed by the parties attending the Somali National Constitutional Consultative Conference 21-23 December 1992 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_111224_Communique_of_Garowe_Consultative_Constitutional_Conference.pdf](#)  | [Download PDF](#)

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

Racial/ethnic/national group No specific mention.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/
displaced
persons No specific mention.

Social class No specific mention.

Gender

Women,
girls and
gender Page 2, ... d. The National Constituent Assembly shall consist of a Maximum of 1,000 Delegates of which 30% shall be women.

Page 2, 2. Post-transition Parliamentary Structure
... b. The new Somali Federal Parliament shall comprise of 225 members of Parliament, with 20% women members.

Men and
boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of
state
(general) Page 1, ... 4. ... whereas the Signitories reaffirm the unity of the Somali people, the political independence and territorial integrity of the Somali nation, ...

State
configuration No specific mention.

Self
determination No specific mention.

Referendum Page 3, 2. Post-transition Parliamentary Structure
... d. The term of the new federal parliament under the new federal constitution shall be four years. The mandate of the new parliament and the new government shall include the preparation of the country for a referendum and general elections, starting with municipal, local elections and culminating in a general national election.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed)

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

Page 2, 2. Post-transition Parliamentary Structure

a. A bicameral federal legislature shall be established commencing on the 21st of August, 2012 [corrected by pen in copy], and shall serve the first term of the parliament established in June 2012 under this agreement and the new Federal Constitution. The upper chamber of the bicameral legislature shall comprise of members of federal states and regional administrations.

Page 3, 2. Post-transition Parliamentary Structure

... d. The term of the new federal parliament under the new federal constitution shall be four years. The mandate of the new parliament and the new government shall include the preparation of the country for a referendum and general elections, starting with municipal, local elections and culminating in a general national election.

Page 3, 2. Post-transition Parliamentary Structure

... e. Members of the new federal parliament will be nominated by recognized traditional elders assisted by qualified civil society members none of whom shall not have any political aspirations.

Page 3, 2. Post-transition Parliamentary Structure

... f. The new Somali Federal Parliament shall be sworn-in on 15 June 2012.

Page 3, 2. Post-transition Parliamentary Structure

... g. Elections for the Parliament Speaker and his or her Deputies shall take place on 20 July 2012, to be followed elections for the President on 20 August 2012.

Page 3, 2. Post-transition Parliamentary Structure

Whereas, the Signatories respect the independence of the Parliament as the legislative body.

Page 3, 2. Post-transition Parliamentary Structure

... Whereas, the Parliament in turn is urged to respect the Kampala Accord, and should not take any action that violates the Kampala Accord.

Governance→Political institutions (new or reformed)→Temporary new institutions

Page 1, ... 3. The meeting identified two principal issues requiring consideration by the delegates in light of the current political climate and the necessity of timely implementation of the Roadmap:

- The structure, size, as well as the basis of representation and the selection criteria of the new federal parliament under the new federal constitution;
- Adoption of the new federal constitution by a constituent assembly, including, the mandate, size and the selection criteria of the members of the constituent assembly together with the selection of the new parliamentarians.

Page 2, ... c. The National Constituent Assembly shall be nominated by all Roadmap signatories and civil society based on the 4.5 formula.

Page 2, ... g. The National Constituent Assembly shall convene and commence its proceedings no later than 15 May 2012.

Elections	<p>Page 2, 2. Post-transition Parliamentary Structure ... c ... i. Since the prevailing security situation will not permit direct elections, it is agreed that the lower house of the new federal parliament will be selected on the basis of the 4.5 formula of representation for this selection process only and shall prevail only for the term of parliament proposed under this agreement.</p>
	<p>Page 3, 2. Post-transition Parliamentary Structure ... c. ... v. After the first term, the parliament will be elected through universal polling of one person one vote.</p>
	<p>Page 3, 2. Post-transition Parliamentary Structure ... d. The term of the new federal parliament under the new federal constitution shall be four years. The mandate of the new parliament and the new government shall include the preparation of the country for a referendum and general elections, starting with municipal, local elections and culminating in a general national election.</p>
	<p>Page 3, 2. Post-transition Parliamentary Structure ... e. ... i. An 15-member Independent Interim Electoral Commission consisting of representatives from Somali stakeholders shall evaluate and approve all nominees.</p>
	<p>Page 3, 2. Post-transition Parliamentary Structure ... e. ... ii. Where there are existing State administrations, the state administrations will nominate their delegates and submit the list to Independent Interim Electoral Commission.</p>
Electoral commission	<p>Page 3, 2. Post-transition Parliamentary Structure ... e. ... i. An 15-member Independent Interim Electoral Commission consisting of representatives from Somali stakeholders shall evaluate and approve all nominees.</p>
	<p>Page 3, 2. Post-transition Parliamentary Structure ... e. ... ii. Where there are existing State administrations, the state administrations will nominate their delegates and submit the list to Independent Interim Electoral Commission.</p>
Political parties reform	No specific mention.

Civil society Page 1, ... 2. The meeting brought together the signatories of the Roadmap and members of Civil Society

Page 2, ... c. The National Constituent Assembly shall be nominated by all Roadmap signatories and civil society based on the 4.5 formula.

Page 3, 2. Post-transition Parliamentary Structure

... e. Members of the new federal parliament will be nominated by recognized traditional elders assisted by qualified civil society members none of whom shall not have any political aspirations.

Traditional/
religious
leaders Page 3, 2. Post-transition Parliamentary Structure
... e. Members of the new federal parliament will be nominated by recognized traditional elders assisted by qualified civil society members none of whom shall not have any political aspirations.

Public
administration No specific mention.

Constitution Governance→Constitution→Constitutional reform/making

Page 1, ... 3. The meeting identified two principal issues requiring consideration by the delegates in light of the current political climate and the necessity of timely implementation of the Roadmap:

... - Adoption of the new federal constitution by a constituent assembly, including, the mandate, size and the selection criteria of the members of the constituent assembly together with the selection of the new parliamentarians.

Page 1, ... 4. ... the following principles were agreed by the delegates and signatories of the Roadmap. These principles, henceforth to be referred to as The Garowe Principles, shall guide and direct finalization of the draft constitution and the process of ending the transition. ...

Page 1, 1. National Constituent Assembly

a. The Final Draft of the Somali Federal Constitution shall be completed no later than 20 April 2012.

Page 2, ... b. A National Constituent Assembly shall provisionally adopt the Draft Federal Constitution as the Provisional Constitution of Somalia, subject to a Constitutional Implementation Review Process and National Referendum as circumstances permit.

Page 2, ... e. The Committee of Experts shall review the Constitution and ensure that the power relationships between the states and the federal government are enumerated and the new Somali Federal Constitution shall be harmonized with existing state constitutions.

Page 2, ... f. The Committee of Experts shall hand over the final draft of the Somali Federal Constitution to the Independent Federal Constitution Commission no later than 5 May 2012.

Page 2, ... h. The National Constituent Assembly shall adopt the Provisional Federal Constitution by way of a yes or no vote no later than May 22, 2012.

Power sharing

Political
power
sharing

Power sharing→Political power sharing→Proportionality in legislature
State level

Page 2, 2. Post-transition Parliamentary Structure

... c. The new federal parliament shall comprise of all communities, regions and existing states of the federal Somalia and shall reflect the diversity of Somali communities.

Page 2, 2. Post-transition Parliamentary Structure

... c ... i. Since the prevailing security situation will not permit direct elections, it is agreed that the lower house of the new federal parliament will be selected on the basis of the 4.5 formula of representation for this selection process only and shall prevail only for the term of parliament proposed under this agreement.

ii. The 4.5 formula shall never become the basis for power sharing in any future political dispensation after the above mentioned term concludes.

iii. The new Federal Constitution shall not include any provisions using the 4.5 formula and shall not be amended to abrogate this stipulation in any manner.

Page 3, 2. Post-transition Parliamentary Structure

... c. ... iv. The new federal parliament that comes into being in June 2012 shall not amend or enact any law or implement any policy that takes into account or attempts to reinstate the 4.5 power sharing formula.

Page 3, 2. Post-transition Parliamentary Structure

... c. ... vi. In case the prevailing situation does not allow for universal polling, the parliament will be selected on the basis of constituencies.

Power sharing→Political power sharing→Other proportionality
State level

Page 2, ... c. The National Constituent Assembly shall be nominated by all Roadmap signatories and civil society based on the 4.5 formula.

Territorial
power
sharing

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

Page 2, ... e. The Committee of Experts shall review the Constitution and ensure that the power relationships between the states and the federal government are enumerated and the new Somali Federal Constitution shall be harmonized with existing state constitutions.

Economic
power
sharing

No specific mention.

Military power sharing	No specific mention.
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Human rights and equality

Human rights/RoL general	No specific mention.
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Bill of rights/similar	No specific mention.
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Treaty incorporation	No specific mention.
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Civil and political rights	No specific mention.
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Socio-economic rights	No specific mention.
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Rights related issues

Citizenship	No specific mention.
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Democracy	No specific mention.
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Detention procedures	No specific mention.
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Media and communication	No specific mention.
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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
law No specific mention.

State of
emergency
provisions No specific mention.

Judiciary
and courts No specific mention.

Prisons and
detention No specific mention.

Traditional
Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/ rights No specific mention.

Pastoralist/ nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

Water or riparian rights or access	No specific mention.
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Security sector

Security Guarantees	No specific mention.
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Ceasefire	No specific mention.
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Police	No specific mention.
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Armed forces	No specific mention.
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DDR	No specific mention.
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Intelligence services	No specific mention.
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Parastatal/ rebel and opposition group forces	No specific mention.
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Withdrawal of foreign forces	No specific mention.
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Corruption	No specific mention.
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Crime/ organised crime	No specific mention.
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Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional
justice
general No specific mention.

Amnesty/
pardon No specific mention.

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 signatory facilitated by the United Nations, under the auspices of the Special Representative of the Secretary General for Somalia.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source UN; <http://unpos.unmissions.org/LinkClick.aspx?fileticket=HGL2Wx5OstE%3D&tabid=9705&language=en-US>
