



STRENGTHENING THE SOMALIA SOCIAL CONTRACT

A Retreat for Likeminded CSOs & Members of
Parliament

1-8 MARCH 2018

COMMUNIQUE

Parliamentary and Likeminded CSOs Social Contract Technical Team

FINAL COMMUNIQUE

PREAMBLE

WE, the undersigned members of the Federal Parliament of the Federal Republic of Somalia comprising the House of the People and the Upper House; and Likeminded members of Somalia Civil Society;

HAVING deliberated under the theme ***‘Strengthening the Somalia Social Contract: A Retreat for Likeminded Somali CSOs & Members of Parliament’*** organized by IIDA Women’s Development Organization and Somali Women’s Agenda in Nairobi, Kenya, from the 1st to 8^d March 2018;

RECALLING the constructive role Civil Society has played throughout the difficult periods Somalia has gone through since State collapse in 1990, which among other things included building resilience and sustenance of livelihoods and the economic well-being of the Somali people within Somalia and in the Diaspora; and in particular, the strategic inputs into the Somali Compact New Deal and the ‘Garowe I & 2 Processes’;

FURTHER recalling that the constructive role of Somali Civil Society has yielded results only when they have built a strong unity of purpose of likeminded CSOs around issues as demonstrated by the communique’s and statements titled ***‘Declaration and Action Platform for Securing and Enhancing the Gains of State Building of the Federal Republic of Somalia: Defining the Somalia We Want’*** issued in Mogadishu on 24th July 2015 ; ***‘The Missing Voices’*** issued following a crisis meeting of Civil Society held between the 7th and 8th September 2011 on ending the transition in Somalia; which statement became necessary following a deliberate and well-orchestrated scheme by vested interests which ensured that the voice of Civil Society was excluded from the “National Political Consultative Meeting on Ending the Transition in Somalia” ***‘The Somali Civil Society Option Paper: A common Voice for Peace and Development’*** issued in February 2012 and which was a culmination of a series of in-depth consultations over a period of one month spearheaded by the Somali Women’s Agenda (SWA) and adopted and embraced by the Civil Society Forum (MADASHA).

CONSCIOUS that Somali CSOs exist to constructively engage the government and augment its efforts and in this regard CSOs are at liberty to enter into structured and principled issue focused strategic alliances with any of the three arms of government to perform its watchdog role; towards this end it is appreciated that a strategic alliance between the Federal Parliament (House of the People) entered into following the consultative forum on ***‘Proposed Integrated Policy and Legislative Framework for Somalia’s Electoral System, Political Parties and Human Rights Commission’*** which was adopted at the workshop on ***“Development of Legislative Framework for Somalia’s Electoral System and Human Rights Practice”*** held in Nairobi, Kenya from the 17th - 20th February 2015, has culminated into the enactment of the Somalia Independent Human Rights Law, which has paved the way for the establishment of the Somalia Independent Human Rights Commission; a process which is spearheaded by the Ministry of Women and Human Rights Development and is in advanced stages;

APPRECIATIVE of the support of the international partners received in the process of nation building thus far;

WHEREAS we appreciate international partners; our conviction is that such international support should be synchronized, coordinated and above all be dovetailed towards supporting Somali home-grown priorities and needs; and

FURTHER HAVING exhaustively reflected on the following issues from the perspectives of current status, achievements, challenges and strategic direction:

1. Finalization of the Constitutional Review Process including the Electoral process
2. Civic engagement
3. Reconciliation; and
4. Migration

STATE AS FOLLOWS:

A. CONSTITUTIONAL REVIEW PROCESS

The Constitutional Review Process has been ongoing in the Executive, in the Federal Parliament and within Civil Society Organisations. However, there is less awareness and involvement of key sectors of Somali Society. There is an ongoing collaboration on the Constitutional Review Process between the **Constitution Review and Implementation Oversight Committee** which is composed of the House of the People and Upper House, the **Independent Constitution Review and Implementation Commission** and the **Ministry of Constitutional Affairs**. The process needs to be comprehensive to include the role of the Civil Society to represent breadth of Somali society. We resolve that the nomination remaining members of the constitutional review committee be finalized by the Federal Member States.

There have been challenges of accurate and timely periodic information sharing on the status of the process to the citizens and stakeholders. There has also been inadequate consultation and coordination with citizens and other stakeholders on the progress of the process.

In this regard we agreed:

1. **There is the need for Coordination among the Constitution stakeholders -comprising** of the Ministry of Constitutional affairs, the House of the People and the Upper House of the Federal Parliament of Somalia and Somali Civil Society.
2. Prioritization of the **Electoral processes**.
3. That from this Retreat, the **Parliamentary/Likeminded CSO Social Contract Technical Team** is hereby established and will, among other tasks, develop the Terms of Reference for the **Likeminded Somalia Social Contract Working Group** which will lobby to ensure that the Constitutional Process is completed by 2019, prioritise the formation of Constitutional Court and the Electoral Process.

B. CIVIC ENGAGEMENT

The process of nation building has been near exclusively driven by the Executive, the Legislature and the international community and with little participation of citizens. Currently the level of civic knowledge of the Somali citizens is very low and actions that are taken in civic education are not well coordinated.

Therefore, this meeting resolves that a well-designed **National Civic Education Programme** designed by the executive, the legislature, the Civil Society – a continuous and standardised one to enhance citizen’s involvement.

C. RECONCILIATION

There has been much effort on the issues of reconciliation in somalia as a cornerstone of nation building. However, there does not seem to have been as much progress as one would wish.

There is a need to implement the agreed provisions for the constitutions particularly on social justice and economic rights. These will strengthen reconciliation and peacebuilding by providing **Peace Dividends**.

The delegates agreed to initiate a **Roadmap** between Civil Society and Parliament on reconciliation to keep track of what interventions have been undertaken and plan for future activities.

D. MIGRATION

Somalia is a country of origin, transit and destination of migrants and refugees. It is estimated that there are around 2 million displaced Somali citizens around the globe. Due to the protracted crisis, Somali has created a large number of displaced people.

Somalia has established an office within the office of the prime minter to deal with immigration issues. There is an inter-ministerial task force on migration management. There are two technical task forces on returnees and readmission and task force for countering human trafficking and smuggling. The task force has representation of all regional member states and the Banadir administration. There is an increase in the number of unaccompanied migrants taking dangerous routes to Europe.

It is adopted in this meeting that delegates from House of the People and the Upper House presents before the Federal Parliament a **Bill on Counter-Trafficking**.

From these deliberations we realise that there is need for involvement of civil society in policy making and implementation in relation to migration and trafficking. It is resolved to reinforce the ongoing work of the **Inter-Ministerial Task Force** and membership be broadened to include civil society. There is a need for awareness on trafficking and human smuggling. Finally, there is a need to harmonize the processes of ratification, accession and domestication of international conventions within the federal republic of Somalia.