

A PROPOSAL

TO THE SOMALI NATIONAL MOVEMENT

BY

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ON A FRAMEWORK FOR A TRANSITIONAL GOVERNMENT

IN

SOMALIA.

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Part One.

Introductory Notes.

Today, symbols such as the national flag are all that remain of the Somali state. There is no government or central authority of any form in existence. This is a tragic situation that should never have come to pass. But it did, and ought to be rectified. However, if we are to build a nation state again, on the ashes of the destruction and disintegration left by Siad Barre, and build it on firmer foundations this time, we should, perhaps, take a little time to ponder over it.

Hasty decisions to form a national government for its own sake could be self defeating. We learnt from our past that national authority per se is no guarantor of law and order, or of social and political harmony and, therefore, not necessarily synonymous with the preservation of the national interest.

Any attempt to establish such an authority without a reasonable degree of consensus or, at least, without consultations among the principal actors is doomed to failure. That is why the unilateral step taken in this direction recently in Mogadishu by a group of perhaps well - intentioned individuals, proved to be such a monumental blunder. In our particular circumstances, transition must be viewed as a process that needs a careful and pragmatic approach.

Political equations in Somalia, in terms of clan relationships, regional balances and personalities, have undergone a radical change. In order to maintain the integrity of the nation, ensure a smooth transition to a democratic system of government under stable conditions, and avoid confrontation and chaos, it is necessary to come to terms with the new political realities. No attempts should be made to reimpose the old patterns, or dig up icons of the past from their political graves. It is within this context that we must evaluate the latest dramatic development of events in the country and bear this in mind in the formulation of policies for the future.

Thus, it is true that the humiliating defeat of Siad Barre last month was a matter for self-congratulation and a cause for jubilation for all our people who had suffered for so long at the hands of a most brutal and vicious regime. However, the event undoubtedly also represented for the two victorious liberation organizations, the SNM and USC and their fighters, the culmination of a long, bitter and bloody struggle against the ruthless tyranny of a tenacious dictatorship. Accordingly, their pre-eminence must be accepted and the legitimacy of their present authority recognized.

For their part, the two organizations must demonstrate,

- 1). That they do not intend to monopolize power but that they stand for a pluralistic and participatory form of government at all levels.
- 2). Their respect for and strict adherence to the principles of human rights.

In this connection, the liberation organizations must prevent any form of reprisals against individuals or groups of individuals on account of their regional or clan background, or on the pretext of injustices committed in the past.

- 3). Their readiness to set about the establishment of transitional arrangements, which will lead to a constitutional government and the holding of free elections at the earliest possible opportunity.
- 4). Speedy establishment of law and order in the areas under their respective control.
- 5). Their determination to complete the process of liberation.

It is now against this background that the following framework for a transitional government in Somalia is submitted.

PART TWO

PROPOSED STRUCTURE

OF

TRANSITIONAL ARRANGEMENTS.

SUMMARY OF PROPOSED STRUCTURE.

A). NATIONAL LEVEL.

- 1). Council Of State ad interim.
- 2). Transitional Government With Limited Responsibilities.
- 3). Autonomous Organizations :
 - Currency Board.
 - Commission For Relief and Reconstruction.
 - Special Tribunal(s).

B). REGIONAL LEVEL.

- 1). Provisional Regional Administrative Council, Northern Regions (the former Somaliland Protectorate).
- 2). Provisional Regional Administrative Council, Southern Regions (the former Italian Somaliland).

A BROAD INDICATION OF THE NATURE, COMPOSITION AND FUNCTIONS OF THE VARIOUS
ORGANS OF THE PROPOSED TRANSITIONAL FRAMEWORK.

A). The National Level.

1). The Council Of State :

Composition : A limited number not exceeding 10 members.

Nominating Authority : Half of the members will be nominated by the
SNM and the other half by the USC.

Nominations by the two organizations do not
necessarily have to be restricted to their
membership.

Functions : Performance of duties of a ceremonial nature
normally reserved for the head of state.
Giving assent to government decrees.
Supervision and guidance of Government acti-
vities without interference in its day to day
operations.

Powers : a). Appointment and dismissal of the Prime
Minister.
b). Approval of nominations for Cabinet pos-
itions and possibly other selected seni-
or posts.
c). Establishment of a high military command
at a national level in the event of an
external threat but only with the consent
of the two regional councils.

2). The Transitional Government :

Composition : It must be broad based and reflect wide nat-

ional representation plus a balance between the two regions.

- Responsibilities :
- a). Creation of conditions necessary for the return to constitutional government and holding of free elections at the end of the transitory period.
The most important of these is calling a Constituent Assembly whose primary responsibility will be the drafting of a new constitution.
 - b). Conduct of foreign affairs/international relations.
 - c). Posts and telecommunications.
 - d). Civil Aviation and National Airlines.
 - e). Establishment and supervision of autonomous organs with operational independence, such as a Currency Board, a Relief and Reconstruction Commission.
 - f). Assisting the Provisional Regional authorities to co-ordinate their policies and standardise procedures when and where necessary.

- Powers :
- a). Power to issue decrees and pass regulations in relation to all matters falling within their area of responsibility.

B). The Regional Level.

1). Provisional Regional Administrative Councils :

- Composition : This must reflect a fair representation of the different communities in the region.

Nominating Authority : The SNM and USC, after consultation in some appropriate form with the communities to be represented.

Responsibilities : All aspects of the administration and government of the respective regions, except those which fall within the domain of the central authorities or are otherwise retained by the liberation organizations themselves.

C). Autonomous Organs.

1). Currency Board : It will be responsible for the re-organization and regulation of the national currency.

2). Relief & Reconstruction Commission

: Its responsibilities will include :

- a). Assessment of national emergency relief requirements and the longer term needs for rehabilitation and reconstruction.
- b). Coordination of relief effort on behalf of the Somali authorities.
- c). Liason with international organizations and other groups active in the field.

3). Special Tribunal(s) : Their duties will include :

- a). To initiate appropriate legal action to safeguard national assets outside the country and to recover those already plundered by the previous regime.
- b). To prepare legal actions with regard to

crimes committed against the country
and the people.

- c). To collect and safeguard documents,
files and other records relating to the
above matters or others of a similar
nature.

Part Three

FURTHER RECOMMENDATIONS.

- 1). Cooperation between the liberation movements must be established against the remnants of Siad Barre's forces. There should be no cease-fire until they are crushed or are disarmed.
- 2). Establishment of co-ordination mechanisms between them is essential to widen the areas of cooperation and consultation.
- 3). A time limit must be specified for the duration of the transitional arrangements. This should not exceed two years.
- 4). Once transitional arrangements are in place, the liberation organizations should take a back stage role and concentrate on their transformation into political parties and on working out their strategy for the future. This does not affect the continued existence of organised units of their fighting forces until the latter are eventually absorbed into a permanent force of some kind after the establishment of a constitutional government.
- 5). The SNM has done well to start successful consultations and to reach an understanding with the various communities of the North at a regional level. It must also extend an immediate invitation to the USC for discussions about transitional arrangements at the national level, as well as appropriate ways to bring the liberation process to a speedy and successful conclusion.