



9 July 2012

As-Salaamu Alaikum,

My friends, we now find ourselves at a decisive moment in the Somali peace process. Since I last wrote to you all in March, a number of remarkable developments have taken place. We are very close to witnessing one of the most significant political events in a generation: the adoption of a provisional draft constitution by a Somali National Constituent Assembly (NCA). The road that led us here has been difficult, with many bends, bumps and no shortage of obstacles. But the Somali people have worked hard to overcome these challenges and their efforts have begun to bear fruit. On 22<sup>nd</sup> June 2012 the signatories to the Roadmap process signed the provisional Somali Constitution at the Principal's meeting in Nairobi. The draft text will be submitted in mid-July 2012 to a National Constituent Assembly representing the full spectrum of Somali society and in turn selected by a group of 135 traditional Elders representing all of Somalia's clans in accordance with the "4.5 formula". The Principals also agreed on a number of mechanisms to help move the process forward in the small amount of time left before the Transitional period expires on 20 August, including creation of an International Observer Group and a series of protocols establishing a Technical Selection Committee, a Signatories' Technical Facilitation Committee, the National Constituent Assembly and the New Federal Parliament. Each of these bodies has an important "quality control" role to play in safeguarding the political process and ensuring the adoption of the provisional constitution and preparation for elections by the new Parliament of the President, the Speaker and his or her Deputies.

The adoption of the provisional constitution will indeed be a watershed. But here, let me make an important point: this approval will not be the end point of the constitutional process but the beginning of a new chapter. The Somali people will have ample opportunity to provide input and amendments to the document in the post-August period ahead of a public referendum to be held before the end of the new parliament's first term. The draft constitution is fully compliant with Islamic law and written by Somalis after consultation with Somalis, specifically through the Independent Federal Constitution Commission and the Committee of Experts. The international community has assisted with funding and has provided expert technical advisors who have developed constitutions in other countries, such as Afghanistan, Iraq, Nepal, Indonesia and South Africa. It is a living document which provides a framework to end the transition as foreseen by the Mbagathi and Djibouti Agreements of 2004 and 2009 respectively. Critically, it will also set the stage for the establishment of permanent institutions, such as National Federal Parliament, the Executive and an independent Judiciary. The provisional Constitution will provide the base for future progress and development. It will protect human rights, ensure adequate women's participation and guarantee fundamental freedoms without discrimination on the grounds of race, colour, gender, language, religion, political or other opinion, origin, or other status.

The end of the transitional period will be an important benchmark, but it is time for us all to begin to look past 20 August and think about the future political dispensation of Somalia. The international community continues to stand shoulder to shoulder with our Somali sisters and brothers. At recent major international conferences and meetings in London, in Istanbul, in Addis Ababa, in Nairobi and in Rome the message has been uniform and crystal clear—THIS is the moment. We must work together to seize this golden

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opportunity for peace. The world is looking to the future of Somalia and sees a state that serves the Somali people with effective governance through representative, inclusive and accountable institutions at all levels.

As we move forward, the issue of stabilization in Mogadishu and in the newly recovered areas will become increasingly important. We are greatly encouraged by the fast progress made by the TFG and its allies such as *Ahlu Sunnah wal Jama'a* in cooperation with AMISOM--recently expanded to include Kenyan, Sierra Leonean and Djiboutian units--as well as engagement from Ethiopia forces. The insurgents have been retreating and quickly losing control of large swathes of territory. I am particularly encouraged by the recent recovery of Balad town, which will allow the local population to build their livelihoods in this rich farming region in addition to providing an extra level of protection to Mogadishu. Following the "re-hatting" of Kenyan forces, AMISOM is now poised to take the crucial port of Kismaayo, formally an Al-Shabaab stronghold. I am also glad to report that UNPOS, AMISOM and IGAD along with other UN agencies are visiting the newly recovered areas regularly in coordination with the TFG, in order to support the establishment of local security committees and assess the needs of the local population. The TFG is leading in drafting a comprehensive stabilization plan which will ensure the engagement of all stakeholders.

Only weeks remain before the end of the transitional period and unfortunately, it is likely that as we get closer to 20 August there will be elements that will try and hold the political process hostage to further their own political and personal ends. There will always be a place for vibrant discourse and spirited disagreement—it is an intrinsic and healthy part of any democratic process. But determined action will be taken against those who are willing to undermine and subvert the process. The International community will simply not tolerate spoilers when we are so close to achieving real progress. After 20 years of strife, Somalia cannot afford more delays, more procrastination.

During the remaining days before 20 August—and for the weeks that will follow—communication with and between our key audiences will be increasingly critical. To this end UNPOS will be reaching out broadly, through new media platforms to help get the word out and to provide a forum for us to hear from you. Starting today, you can follow us on Twitter (@UNPOSomalia), view photo essays and images on Flickr ([flickr.com/photos/unpos](http://flickr.com/photos/unpos)) and read a regular "leadership blog" on Tumblr ([unposomalia.tumblr.com](http://unposomalia.tumblr.com)). Our Twitter account will "tweet" about the Mission's work and products. Additionally, it will provide us with an alert system to inform you of press statements and other public notifications. Our Tumblr Leadership Blog will promote provide an informal communications channel to continue the dialogue we've started with these letters. Our Flickr account will highlight engaging images from Somalia, to show the world how things are changing on the ground. New shops are opening every day in a revitalized Mogadishu--please visit us at our new digital storefront.

In conclusion, let me urge all Somalis who are stakeholders in the peace process to sustain the political commitment for a broad-based, inclusive and representative post-transitional arrangement. Somalia deserves a political dispensation based on election, not just selection. Somalia deserves peace, prosperity and development. It is time for IDPs and refugees to return home to build their lives in a new Somalia. It is time for Somalia to be whole again. Together, we can make this elusive dream a reality.

Amb. Augustine P. Mahiga