



## Communiqué

### The Gender Audit Workshop on the Consultation Draft Constitution of the Somali Republic

UN-Headquarters, Nairobi  
6<sup>th</sup>-8<sup>th</sup> September, 2010

We, the participants from South/Central Somalia, Puntland and Somaliland representatives from IFCC, Members of Parliament UNPOS, UNDP, representatives from Civil Society Organizations and Diaspora attending the Gender Audit Consultation Workshop held at the UN Headquarters, Gigiri, Nairobi from 6<sup>th</sup> to 8<sup>th</sup> September, 2010.

**Having** listened to the key note address on Women's Issues by the Minister of Women and Family Affairs; UN international agenda on the promotion and protection of women's rights; an overview of women's rights in the global/regional constitution; women's rights and Somali culture; women's rights in Islam; and having reviewed with gender lenses the Consultation Draft Constitution of the Somali Republic drafted by IFCC dated 30<sup>th</sup> July 2010.

**We the participants**, with firm faith in God Almighty and relying on His Mercy acknowledge and vow with the bounty of Allah as stated: '*Women possess intellect, wisdom and soul as men and women came from the same stock*' (Chapter 4:9)

**We recognize** the milestone the draft Constitution has covered in addressing women's concerns:

- Promoting respect for human rights, and the achievement of social justice, the rule of law.
- Inclusion of women in all national institutions, elected and appointed positions

- Citizenship rights
- Equality before the law.
- Discrimination against a person on any grounds of sex among others is prohibited
- A person has the right to personal security, freedom from, all forms of violence from public or private any form of cruel, inhuman or degrading treatment or punishment
- Female genital mutilation is contrary to Shari'ah and is prohibited
- Abortion is contrary to Shari'ah and is prohibited except in cases of necessity, especially to save the life of the mother
- Right to take part in public affairs and the right to vote in free and fair elections.
- Right to choose their trade, occupation or profession freely.
- Property right to own, use and dispose of property.
- Protection the family based on marriage, as the fundamental element of society.
- Protection motherhood and childhood
- Right to education.
- Non-discriminatory and accountable political parties
- Composition of Independent Commissions using affirmative action principle to include women
- Civil Service at all levels of government based on equality as a values among others,
- Every Somali citizen is entitled to be considered for positions in the national armed forces at all levels, without discrimination.

**We reaffirm and state:**

The equal rights and inherent dignity of women and men and principles enshrined in:

- The Charter of the UN (1945),
- The Universal Declaration of Human Rights (1948) and other international human instruments,
- In particular the Convention on the Elimination of all forms of Discrimination Against Women (1979);
- Security Council resolution 1325 (2000);

- The African Charter on Human and peoples' Rights of Women in Africa (2003);
- Convention on the Rights of the Child; as well as the
- Declaration on the Right to Development;
- Constitution;

**We reconfirm** that every women and men of Somalia are eligible to the rights, privileges and benefits of citizenship, subject to the limits provided or permitted by this Constitution;

**Determined to take positive steps** to ensure peace for the advancement of Somali Republic; recognizing that women have the right to a peaceful existence, and the right to participate and maintenance of peace and that the Constitution shall articulate their effective participation at all levels;

**We resolve** that the presence of women at least to the tune of 50% in all community and municipal related programs, appointments, nominations, elections etc. must be a reality through planning and appropriate policies to be achieved in one year after the coming into force of the Constitution;

**We are Determined to ensure** that the rights of women are promoted realised and protected in order to enable them to enjoy fully all their human rights and fundamental rights and freedoms already recognised in the draft consultation Constitution; and must be respected by all individuals and institutions, as well as every state body and official as they carry out any of their official functions.

**Recognizing** the crucial role of Somali women in the preservation of Islamic values of equality, dignity, justice, peace and solidarity; and that every woman has the right to dignity inherent in a human being, to be respected as a person, free to development of her personality and free from of any exploitation or degradation of women.

**We reaffirm** the exercise of rights of freedom of expression, every person shall be subjected to the limitation set by law, to ensure recognition and respect of others including projection and degrading images of women in the media, good morals and public order.

**Recognizing** women's role in management and use of natural resources in providing sustenance to their families and communities, active involvement of women in environmental decision-making at all levels is crucial, and integrates gender concerns in policies and programs for sustainable development.

**We call upon** relevant actors to renew commitment to women's effective participation for the long term vision for sustainable peace and development for the Somalia Republic;

**We Request the IFCC** to incorporate all the recommendations and outcome of this workshop in the final Constitution.

***"The only way to ascend to the highest human level is to believe firmly in the truthfulness of divine laws to act upon the virtuous program determined by them. As long as a nation continue following this program it will keep deriving benefits, which it will get not as a charity but as a matter of right. Chapter 11:108; 84:25***