



United Nations Political Office for Somalia (UNPOS)

Mogadishu—22 August 2012. The recent ICG Statement “Somalia: From Troubled Transition to a Tarnished Transition?” (20 August 2012) correctly points out that the on going process is flawed and imperfect in many ways and a great deal of work remains to be accomplished in a short amount of time if Somalia is to move from transition to transformation. However, this is only one side of the story and the report fails to examine the entire picture. The piece is also factually inaccurate on a number of counts and the general pessimism expressed simply does not comport with the current mood and general sentiment here in Mogadishu. The Somali capital is a city of fresh paint, new windows, a vibrant commercial sector and a sense of hope and excitement. And this is not groundless optimism—business is booming and Somalis everywhere have many reasons to look to a brighter future. Scores of diaspora, leaving behind secure environments and comfortable jobs, have returned to be part of the new Somalia.


The report directly criticizes the work of the Technical Selection Committee in vetting the lists of potential Parliamentarians. I sat in that Committee as a non-voting member, alongside seven international observers, and I can testify first hand to the remarkable courage, integrity and determination that the men and women of the TSC displayed throughout in successfully carrying out their work under immense political pressure. The TSC diligently examined at each name submitted by a Council of Elders representing all of Somalia’s clans and made a determination based on their mandate and using agreed upon criteria to evaluate the candidates. The process was contentious and emotional, both with the TSC and the Elders, with all members fiercely arguing their points of view. But in the end, despite attempts at intimidation and even repeated death threats against our TSC colleagues, the committee members crossed clan lines and voted on all individual submissions, usually unanimously either ‘accepting’ or ‘not retaining’ names for resubmission by the elders. Candidates were excluded because of lack of sufficient education, because of a history of involvement in violence and intimidation and other factors spelled out in the protocols that established their Committee signed by all the Principles of the Somali Peace Process. The result speaks for itself: on 20 August 2012 the Somali Chief Justice swore in the most qualified Somali Parliament in the nation’s history. Conditions were not perfect but no one can describe the outcome as anything less than a quality job. The members of the TSC put their lives on the line for the good of their country: they deserve much more than knee-jerk, hackneyed cynicism.

The ICG statement also misrepresents the spirit of the Constitution, which remains provisional and amendable exactly because more consultations and public debate needs to be undertaken to hammer out specific issues and pave the way to a national referendum and popular elections. But the fact that a large National Constituent Assembly comprising representatives of not only all clans but for the first time all categories of Somali civil society including women, youth, elders, religious leaders, professionals, intellectuals and diaspora came together in Mogadishu to and voted overwhelmingly to make this THEIR provisional Constitution is significant by any

measure. The process was participatory, inclusive, representative, legitimate, transparent and above all, Somali-owned.

The suggestion in the Statement regarding the establishment of a Council of Elders for the post-transitional period is puzzling, given the earlier criticism characterizing the elders as phony and corrupt. In reality, there is now a new Federal Parliament, duly constituted, with a functioning majority and a provisional constitution that lays the legal framework for the governmental institutions. There is no need at the moment for any additional extra-constitutional mechanisms. Let's give the Somalis a chance.

Somali politics are complicated and fractious, no one would argue otherwise. The process has been difficult and has and will continue to be deeply flawed in many ways. This should not prevent Somalis from continuing to make courageous choices and standing firm and principled when it comes to choosing the representatives the country truly deserves. Threatened vested interests will no doubt continue to resort to subversion and sabotage to try and cling to power and retain influence. But it is unfair not to recognize the remarkable progress achieved in the past year—the withdrawal of Al-Shabaab from Mogadishu (a city that until recently they all but controlled), the signing of a Roadmap (and subsequent clarification agreements) by all political principles and its on-time implementation, the standing up of a broadly representative National Constituent Assembly, the convening of a Council of Elders and the selection and the convening of a New Federal Parliament which as I write this are currently meeting and adopting rules of procedure to carry out rapid elections for leadership positions. Statements this week by the European Union, the African Union, the United States, the United Kingdom, the UN Secretary-General and many others all recognized how far the process has come and see these accomplishments for what they are: a testament to the fortitude and tenacity of the Somali people in moving the process forward despite the obstacles and challenges in their path. To call this a “quagmire” is to fundamentally and unfairly mischaracterize this moment of hope, progress and optimism. The ICG statement, tellingly datelined Brussels and Nairobi, misses this key point and is out of touch with the on the ground reality here in Mogadishu.


Peter de Clercq

Deputy Special Representative of the Secretary-General for Somalia