

20 November 2014

Dr. Tedros Adhanom
Chair of Intergovernmental Authority on Development (IGAD)
Minister of Foreign Affairs
Federal Democratic Republic of Ethiopia

Re: Position of Parliamentary CAUCUS on current political crisis

Excellency,

On behalf of the people of Somalia, let us begin by expressing our sincere appreciation to the efforts of IGAD and in particular your personal leadership aimed at promoting political stability in the region.

Excellency, we write to you as the Parliamentarian **CAUCUS** to share with you our views on the current political crisis in our country. As a **CAUCUS**, representing over hundred and ten (110) Members of Parliament, we stand for the strict adherence to law, maintain the separation of power as per the Provisional Constitution and affirm parliamentary unity and integrity.

The current political crisis was triggered when the President interfered with the constitutional right of the Prime Minister to conduct a mini reshuffle on 25.10.2014, and continued on to sponsor a 'Motion of No Confidence' against the Prime Minister. The motion is unconstitutional in nature and politically motivated. It has put the country in unnecessary political deadlock and drove institutions into deep bureaucratic paralysis that threatens to stall and regress the collective progress recently made.

The reshuffle was prompted by many reasons; assessing ministerial competence, responding to widespread public and legislative pressure for change and the need to strengthen institutional capacity by encouraging decision making in a transparent and institutionalized manner. More specifically, it was driven by a desire to protect the integrity of one of the most important ministerial portfolios; the Ministry of Justice and Constitutional Affairs, which is fundamental to the formulation and implementation of Vision 2016. In addition, the ministry is in charge of the judicial review process, the review of the constitution and holding a referendum. The Minister, who was affected by the reshuffle (a close ally of the president), is widely believed to be representing and furthering the interests of few individuals/group at the expense of national interest. It was against this backdrop that the Prime Minister came to a decision of the need for an urgent mini reshuffle. This in turn triggered an unconstitutional response from the President that has seriously impacted government institutions across the board.

Certainly, the Provisional Constitution is clear that the actions taken by the Prime Minister lie within his mandate. It is also clear that Executive powers are vested with the Premiership and council of ministers. However, the Provisional

Constitution has been constantly violated by a group that aims to grab and monopolize power in the hands of a few who represent a particular ideological leaning. The actions of this group are clearly against the spirit of political inclusivity and diversity as well as putting the interests of the Somali people ahead of this group.

Excellency, it is important to note that this attempt follows 9 Prime Ministers' removed from Office in the last 9 years. Last year, former Prime Minister Abdi Farah Shirdon was ousted from power through a vote of no confidence that was initiated by the President. The President claimed that he was unable to work with Prime Minister Shirdon. Only 10 months later, again, the President calls for the removal of Prime Minister Abdiweli Sheikh Ahmed citing no substantive reason other than his unwillingness to serve alongside him. It has been proven that such actions have not served the interest of the Somali people nor achieved the desired goals. We strongly believe that the politics of "zero-sum game" formula is not a solution to resolving this crisis and goes against the spirit of the power sharing and the Provisional Constitution; both of which are cornerstones to the democratization of this country. It is thus that the Prime Minister has repeatedly called for this crisis to be resolved through political negotiation in order to achieve stability, continuity and delivery.

With the above, this **CAUCUS** collectively reacts and opposes the illegal and unethically formulated motion against the PM. We affirm the following core principles, which have been characteristics of the leadership of the Prime Minister.

- **Principle of political inclusivity and diversity**
- **Principle of political stability and continuity**
- **Principle of respecting provisional constitution**
- **Principle of resolving conflict through political negotiation**
- **Principle of developing institutional integrity and strengthening democratization of Somalia**
- **Principle of putting the interest of Somalia first and foremost before the interest of individuals**

Excellency, it is our understanding that the Prime Minister has spear headed numerous attempts to amicably resolve the crisis with the President. These have been documented and mostly shared with the international partners and they include:

- Identification of the Four-Entity Comfort Zone (President, Parliament, Executive and Judiciary)
- Proposal on Formalized Working Mechanism
- Proposal of Parliamentary Mediation
- Proposal of Negotiation Modalities

It concerns us greatly that these efforts have not yielded any results due to the President's reluctance to enter into political negotiations. We strongly believe that everything can be resolved through constructive talks.

Excellency, we note the three options discussed during the IGAD ministerial side-meeting in Copenhagen, namely: reconciliation between parties, negotiated exit and parliamentary motion. Our position to these are as follows:

- a) **Reconciliation between parties:** We understand that the PM is ready for this option and we welcome such a position. We believe that a constructive dialogue will best serve: the interest of Somalia and its institutions, will ensure the balance power, political stability, continuity and creation of an environment conducive to delivery.
- b) **Negotiated exit:** For political and practical reasons, we strongly oppose this option for the following reasons:
 - a. This is a Parliamentary system and is not within the mandate of the President to call for the removal of PM.
 - b. The constitutional reshuffle of a minister to another portfolio cannot justify the President to unconstitutionally interfere and undermine the Executive decision and subsequently initiate a 'Motion of No Confidence' against the PM.
 - c. There is clear and tangible delivery by the Prime Minister towards V2016 and other Government priorities. The limited time available to achieve V2016 does not justify a change in the government.
 - d. The need to end the cyclical political practice of resolving political differences by proposing PM exit. This practice may lead to a divided and dysfunctional parliament and will encourage corrupt institutional behaviour.
 - e. Somali public is demoralized by the frequent and unjustified changes in governments

We thus strongly object this option. As parliamentarians, if the President insists on this option, we will have no other choice but to counter this with a motion to impeach the President on the following basis:

- Consistent inability to co-exist with Prime Ministers, as evidenced in his call for the removal of 2 PMs within the space of 10 months.
- Lack of respect for the separation of powers, as per the Provisional Constitution and repeated interference in Executive, Judiciary and Legislative functions. In a parliamentary system, which is the case for Somalia, the Prime Minister is accountable to the Parliament and not to the President.
- Promotion of individual and group interest over national interest
- Consistently making decisions that are not transparent nor accountable and which are taken outside government institutions. Giving of concessions and contracts without following due process
- Allegations of misappropriation of public funds as reported in the UN Somali Eritria Monitoring Group Reports.

To this end, we totally object to such an option as believe that it will lead to further deadlock and create deeper division amongst the parliament and nation.

- c) **Parliamentary process:** Allegations of voter buying and intimidation of Members of Parliament make this a difficult option, but we defer further analysis of this option to the Speaker of the Federal House of the People.

Excellency, the amount of effort put in sponsoring motions can be invested in a process of dialogue. This **CAUCUS** does not see any solid reason why the President or any other party does not opt for political negotiation. It is our firm belief that we move away from the politics of zero-sum game and seek a win-win solution of compromises and reconciliation for the good of our people. We reemphasize our call for serious efforts to be given to resolve this current crisis through constructive dialogue that leads to a sustainable mechanism for political stability. We collectively and strongly promulgate that every action should be taken by all actors in order to ensure that Somalia does not slip back into the chaos that is characteristic of our recent history.

Excellency, now is not the time for political instability in Somalia; now is not the time for postponement of Vision 2016; and now is certainly not the time for political division. We ask IGAD member states to support us initiate a process of dialogue and to encourage the Federal leaders to enter into an urgent political negotiations that end with durable political solutions for the good of the country.

Please accept, your Excellency, our assurance of the highest regards.

Yours sincerely,



Hon. Abdi Ahmed Dhuxulow
Chairman of the Parliamentary Caucus

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