

Somali Roadmap Signatories, 2012

Protocol Establishing the Technical Selection Committee

Adopted June 22, 2012

The Somali Roadmap Signatories, committed to facilitating the implementation of their previous agreements adopted at *Kampala, Mogadishu, Garowe, Galka'yo* and *Addis Ababa*, and carrying out the directions given by Decree of the President on June 22, 2012, hereby adopt the following Protocol to establish the Technical Selection Committee referred to in that Decree.

Article 1

Establishment

1. This Protocol establishes the Technical Selection Committee.

ARTICLE 2

Establishment of the Technical Selection Committee

1. There is established a Technical Selection Committee consisting of 27 Somali voting members plus 2 non-voting members from UNPOS comprising:
 - (a) Six representatives from each of the four main clans and three representatives from the 5th clan reflecting the 4.5 formula. At least two of the representatives selected by each of the four main clans and at least one of the representatives selected by the 5th clan must be women, reflecting the *Kampala Accord*, the *Somali Roadmap*, the *Garowe I & II Principles*, the *Galka'yo Agreement*, and the *Addis Ababa Communiqué*; and
 - (b) Two persons from the UN Political Office for Somalia (UNPOS), one of whom must be a woman, serving as non-voting members who shall provide technical advice and support.
2. The members of the Technical Selection Committee shall be assisted by 7 observers from the international community.
3. The members of the Technical Selection Committee, except the non-voting and observer members, shall be appointed by the Somali Roadmap Signatories immediately upon signing this Protocol.
4. Each member of the Technical Selection Committee, except the non-voting and observer members referred to in clause (1) (b) and (2), shall—
 - (a) Be a Somali citizen;
 - (b) Be at least 21 years old;
 - (c) Have at least a secondary education;
 - (d) Have experience in elections or related fields;
 - (e) Be of good standing and repute in Somali society, as an honest, patriotic, and tolerant citizen who upholds the rights of all Somalis;
 - (f) Have no immediate declared personal political ambitions, or conflict of interest within the process of a personal or familial nature;
 - (g) Have no known history or record of committing serious crimes or crimes against humanity.

ARTICLE 3

Functions of the Technical Selection Committee

1. The Technical Selection Committee shall document and publicize the list of 135 recognized Traditional Leaders who will be engaged in selecting members to the National Constituent Assembly and the new Federal Parliament in accordance with the relevant procedures.
2. The Committee shall have the following particular responsibilities and functions:
 - (a) Evaluate against objective criteria as stipulated under the *Kampala Accord*, the *Somali Roadmap*, the *Garowe I & II Principles*, the *Galka'yo Agreement*, and the *Addis Ababa Communiqué*, all nominees for appointment to the National Constituent Assembly and to the new Federal Parliament, and submit the names of the candidates back to the Traditional Leaders for final consideration for appointment;
 - (b) Determine rules for the processes for nominating and selecting candidates for appointment to the National Constituent Assembly, and to the new Federal Parliament;
 - (c) Promote public awareness of the processes for nominating and selecting candidates for appointment to the National Constituent Assembly, and to the new Federal Parliament;
 - (d) Promote full transparency in the process of nomination of candidates for the National Constituent Assembly and the new Federal Parliament, through public notices, publication of names of nominees in the media;
 - (e) Provide other technical and administrative assistance as necessary to facilitate the establishment and selection of the National Constituent Assembly and the new Federal Parliament, in accordance with the principles set forth in the *Kampala Accord*, the *Somali Roadmap*, the *Garowe I & II Principles*, the *Galka'yo Agreement*, and the *Addis Ababa Communiqué*;
 - (f) Ensure compliance with the composition rules concerning women quota, the 4.5 formula and the involvement of the cross section of society in the establishment and membership of the National Constituent Assembly and the new Federal Parliament, in accordance with the principles referred to in paragraph (e);
 - (g) Undertake other tasks requested of it by The Traditional Leaders to ensure that the National Constituent Assembly and new Federal Parliament are established in a transparent and credible manner.
3. For greater certainty, following the principles referred to in clause 2 (e), this Protocol confirms that the Technical Selection Committee shall not be responsible, and does not have authority, to select or appoint the members of the National Constituent Assembly, or the new Federal Parliament.

ARTICLE 4

Procedures of the Technical Selection Committee

1. As soon as practicable after being appointed, the members of the Technical Selection Committee shall—
 - (a) Select from among themselves two co-chairs, one of whom shall be a woman; and
 - (b) Organize themselves into 3 panels of at least 9 members each; at least one representative of each of the Somali Roadmap Signatories must be present for a panel to decide on a recommendation to the Technical Selection Committee in plenary;
 - (c) The Technical Selection Committee is properly convened if at least 14 of its voting members are present at the time and place specified in a notice for a meeting;
 - (d) Decisions of the Technical Selection Committee shall be taken by more than half of the voting members present;
 - (e) The presiding Chair may cast a deliberative vote on any matter, but may not cast a second, tie-breaking vote;
 - (f) The Technical Selection Committee shall keep a written record of the business conducted at its meetings;
 - (g) The Technical Selection Committee may declare its meetings open for other observers, including the Somali Civil Society and women groups at any time.

ARTICLE 5

Code of Conduct for members of the Technical Selection Committee

1. A person appointed or seconded to assist the Technical Selection Committee under Articles 1 and 2 shall not seek to be a member of either the National Constituent Assembly or the new Federal Parliament and, in the performance of his or her functions, shall not—
 - (a) Engage in any activity that may undermine the integrity of the Technical Selection Committee;
 - (b) Participate in any meeting, investigation, hearing, or decision concerning a matter in respect of which that person has a personal interest;
 - (c) Make private use of, or profit from, any confidential information obtained as a result of performing that person's official functions on behalf of the Technical Selection Committee; or
 - (d) Divulge any information referred to in paragraph (c) to any third party, except as required as part of that person's official functions within the Technical Selection Committee.

2. If, at any time, it appears to a member of the Technical Selection Committee that a matter being considered at a meeting concerns a personal interest of that member that member shall—
 - (a) Immediately and fully disclose the nature of that interest to the meeting; and
 - (b) Recuse himself/herself from the meeting to allow the remaining members to discuss the matter and determine whether the member should be prohibited from participating in any further proceedings concerning that matter.
3. The disclosure by a person in accordance with clause (2)(a), and the decision by the Technical Selection Committee in accordance with clause (2)(b), must be expressly recorded in the minutes of the meeting in question.
4. Proceedings of the Technical Selection Committee, and any decisions taken by a majority of the members present and entitled to participate in those decisions, are valid despite the fact that—
 - (a) It is subsequently discovered that a member unknowingly failed to disclose an interest as required by clause (2); or
 - (b) It is subsequently discovered that such a member described under (a), who had such an interest attended those proceedings, participated in them in any way, or directly or indirectly influenced those proceedings.
5. In carrying out the functions of the Committee, each member shall engage with the other members, and with the members of the Traditional Leaders, in—
 - (a) A spirit of constructive good will;
 - (b) A manner required to efficiently and effectively fulfill the Technical Selection Committee's mandate; and
 - (c) Accordance with the principles referred to in clause (3)(e), and any further directions or rules prescribed for the Technical Selection Committee by the Somali Roadmap Signatories.

ARTICLE 6

Procedures for Review of Nominees by the Technical Selection Committee

1. Each panel of the Technical Selection Committee shall conduct an initial evaluation of one third of the nominees presented for consideration, and shall recommend that each nominee either—
 - (a) Meets the objective selection criteria set out for members of the National Constituent Assembly and the new Federal Parliament in the protocol relevant to the respective institutions to which the nominees shall be appointed to; or
 - (b) Does not meet the objective selection criteria set out for members of the National Constituent Assembly or the new Federal Parliament.

2. If a panel recommends that any nominee does not meet the objective selection criteria, that nomination shall be re-considered by one of the other panels, which shall either—
 - (a) Affirm the original recommendation that the candidate does not meet the objective selection criteria; or
 - (b) Recommend that the nominee meets the objective selection criteria.
 3. The Technical Selection Committee in plenary shall—
 - (a) Make the final determination whether a candidate does or does not meet the objective selection criteria after considering the recommendation of the panel or panels;
 - (b) Advise the Traditional Leaders accordingly; and
 - (c) Publish the names of nominees meeting the objective selection criteria.
 4. Any list determined to not meet the criteria including the requirement of at least 30% women nominees must be rejected and sent back to the Traditional Leaders to re-submit according to established rules.