

# The House of Elders or Upper House of Parliament

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## Introduction

### Background:

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## The House of Elders or the Upper House of Parliament

Somaliland Constitution declares that the sovereign power of the nation belongs to the people who are represented by the parliament. Somaliland has a bi-cameral system of Parliament, which is composed of the House of Elders or the Upper House of Parliament and the House of Representatives or the Lower House.

Clan representation is considered to be highest level of political solidarity among the Somalis. The member of the clan are united through kinship and there is a strong degree of cooperation and mutual collaboration.

Traditionally, the rights and obligation of the society members are defined by Xeer (contract). The Xeer is negotiated by the Elders (The Guurti) of the clans.

Through this traditional, social and political organization the Guurti maintains order and manages conflicts. The ability of the traditional Institutions to provide security, law and order was clearly demonstrated during post war-era that was characterized by insecurity and lawlessness. As the a political and legal entity, the Guurti played in important role in effectively defining political and legal issues not only in clan and intra-clan levels, but at national level. The remarkable success of the Guurti through inter-clan conferences in resolving conflicts and in tacking with political uncertainties has changed its scope and levels of operations.

The House of Elders (Guurti) received its current status in 1993 and later in 1997, as a result of Borame and Hargeisa Conferences resolutions, defining the new role of the Guurti as a legislative entity and safe guarders of peace, since the Guurti prepared the ground for the establishment of modern institutions, this provides a re-assuring experience.

The House of Elders or the Upper House of Parliament of the Republic of Somaliland, similarly with the house of the senate, is a legislative organ (Parliament) of the country that review the laws passed by the House of Representatives or the Lower House of Parliament before there submission to the president of the Republic for approval. Moreover, it has, in particular, the power of enacting the laws concerning the religion and the culture, as well as, the security and stability of the country.

As stated in the Article of 60 in the Constitution, the House of the Elders shall elect from amongst its members, a Speaker, two deputy Speakers and such committees, as it deems necessary. The House shall have a Standing Committee of 25 members.

The structure of the Secretariat of the Upper House of Parliament is a just the same as that of the House of Representatives or the Lower House of the Parliament, as a stated in Article 63 of the Constitution.

The List of Sub-Committees and there functions are as following: -

#### A. List of Committees

##### 1. Standing Committee

- |                          |            |
|--------------------------|------------|
| - H. Abdi Hussien Yuusuf | (Chairman) |
| - Omar Faarah Budeeye    | Member     |
| - Ismail Abdi Du'aaleh   | " "        |

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- A/aziz Mohamed Gaahnuug	"	"
- Husein Madar Hoosh	"	"
- Hasan Ahmed Faarax	"	"
- Mohamed Husein Huruuse	"	"
- Hirsi Essa Jama	"	"
- A/rahman Ahmed Aareeye	"	"
- Ali Aadan Qalinle	"	"
- Yuusuf Sh. Ahmed Nuur	"	"
- A/laahi Mohamed Huruuse	"	"
- Ahmed Hasan Saalax	"	"
- Awil Husein Ahmed	"	"
- Ali Omar Ahmed	"	"
- Haashi. H. Abdi Shiil.	"	"
- Ahmed Nuur Ali Aadan	"	"
- Sh. Mahamuud Hirsi Farah	"	"
- A/laahi Ibraahim Hirsi	"	"
- Abdi A/laahi Hasan	"	"
- Omar Nur Hasan	"	"
- A/rahman Qawdhan Mohamed	"	"
- Sh. A/rahman Mohamed Muse	"	"
- Awil Osman Mohamed	"	"
- A/rahman Osman Hasan	"	"

## 2. Security and Defense Committee

- Ahmed Muse Obsiye	Chairman
- Awil A/laahi Caydiid	Member
- Nur Sugaal Geelle	" "
- Mohamed Hiram Shirtag	" "
- Mahamud Jama Abokor	" "
- Khadar Ismaaciil Abdi	" "
- Ibraahim Aw-nuur Ji'air	" "
- Ahmed Dirir Ali	" "
- A/rahman Osman Jama	" "
- Dini A/laahi Hande	" "
- Sh. Khaliif Sh. Hasan Gudal	" "

## 3. Political & International Relations Committee

- A/laahi Sh. Hasan Osman	Chairman
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- Sa'id A/laahi Yasir	Mamber
- Mohamed Osman Gulied	" "
- A/Rashid Sh. A/laahi	" "
- Ahmed Jama Farah	" "
- Faisal Ismail Ahmed	" "
- Ahmed Dahir Jirdeh	" "
- Mohamed Nur Ibrahim Egal	" "
- Nur Riyalle Khayre	" "
- Muhumed Aw-Ahmed H. Adan	" "
- Mahamud Mohamed Diriye	" "

#### 4. Committee of Social Affairs and Human rights: -

- A/kadir Mohamed Hasan	Chairman
- A/rahman Sh. Yusuf Sh. Madar	Member
- Farhan Esa Ubahle	" "
- A/salam Mohamed Sa'id	" "
- Sh. Omar Sh. Ahmed Fure	" "
- Jirdeh Sa'id Mohamed Ahmed	" "
- Mohamed Mohamoud Yasin	" "
- Abdi Farah Sh. Mahamoud	" "
- Jama Farah Ahmed Diriye	" "
- Husein Ali Jama	" "
- Suld. Muhumed Nur Geele	

## 5. Economic and anti-corruption Committee: -

- Yusuf A/laahi Awale		Chairman
- Mohamed Sa'id Dhif		Member
- Aydiid Abdi Mohamed	"	"
- Sa'id Shireh Husein		" "
- Mohamed Weli Warsame Ali.	"	"
- Mohamoud A/laahi Qaalib		" "
- Ibraahim Esa Buuh		" "
- Suleiman Garas Seed		" "
- Musa Esa Farah		" "
- Dahir Ali Jama	"	"
- Husien Sahal Essa		" "

## 6. Committee of Laws and Judiciary.

- A/kadir Aw-Hussien Mire		Chairman
- Adan Shire Farah		Member
- Mohamoud Hared Robleh	"	"
- Sh. A/laahi Sh. Ali Jowhar	"	"

- Mohamed Du'aale Quruh	"	"
- Osman Ali Abdi	"	"
- Ahmed Ismail Abdi	"	"
- Haybe Hussien Furre	"	"
- Suld. A/rahman Sh. Muhumed	"	"
- Ahmed Waberi Maydhane	"	"

Total of the Members are 79+The Chair Persons = 82, but there is honorary Members consisting four (4) in number, for that the whole Total number of the House is 86.

## B. Functions of Sub-committees

Responsibilities of the sub-committees in the House of Elders or the Upper House of Parliament.

Chairpersons considering article 60 (1) and Internal Regulation Article 4 (kh & d)

and 7 (x, kh, d) of the House of Elders rule hereby prescribing here the sub-committee's and their different responsibility.

### 1. Standing committee

- Member of the Standing committee consist of 25 members. This here the internal regulation empowered to this: -
- To implement matters when the House of Elders session is off
- Solving complains and conflicts in the House.
- Proposing amendment on the internal Regulation of the House.
- To prepare report and performance of their work, in the period of their session

## 2. Security and Defense Committee

- This committee is responsible for investigating, and implementing enforcement of law and order. Also assuring and evaluating political matter and defense of national entity.
- This Committee shall cooperate with government institutions i.e. Ministry of Internal Affairs, Ministry of Defense and other security agents in such matters.
- This committee shall relay on article 123 and 124 of the constitution of Somaliland and all other relevant laws in their duties.

## 3. Political & International Relations Committee

- This committee is vested to evaluate and counsel matters relating to political issues in the country as well in relation and co-operation with foreign countries or Regional or International Organization and agreement the government is signing with foreign countries
- This committee shall co-operate with Government institutions i.e. Ministry of Foreign Affairs, Ministry of Planning and etc.
- This committee shall relay on article 10 of the constitution of Somaliland and all other relevant laws in their duties.

4. Committee of Social Affairs and Human rights: -

- a- This committee is vested to counsel matters relating social welfare and social services.
- b- This committee shall cooperate with social welfare institutions i.e. Ministry of Housing and Welfare, Ministry of Post and Communication, Ministry of Justice, Ministry of Religion Affairs, Ministry of information, Ministry of rehabilitation, Ministry of Health, Ministry of Education, civil service commission and any institution involving social welfare.
- c- This Committee shall relay on article 15, 16, 17, 18, 19 and 20 of Somaliland Constitution and all other relevant laws in their duties.

5. Economic and anti corruption Committee: -

- a- This committee is vested to evaluate, protect and counsel matters relating Economic Policy of the country.
- b- This committee shall co-operate with economic institutions i.e. Ministry of finance, Ministry of Commerce, Ministry of Industry and fishing, Ministry of tourism, Ministry of water and Minerals, Ministry of rural development, Ministry of livestock, Ministry of Air-Transport, Banks and all source of revenue generating areas.
- c- This committee shall relay on article 11, 12, 13 and 14 of the Somaliland constitution and all other relevant laws in their duties.

6. Committee of Laws and Judiciary.

a- This committee is vested and entrusted to evaluate and to scrutinize the functionality and the adjudication proceedings of the judicial Branch.

b- Submit to the House for the suggestions concerning any Bill coming from the House of Representatives before the Enactment of the House.

c- This committee shall co-operate with institutions relating to the judiciary Branch, The House of Representatives, The Judicial Commission, Ministry of Justice, Ministry of Religion and Endowment, Ministry of Presidency and the National Procuracy.

## Conclusion

## Needs of Upper House

- ü The Scrutiny Role of the Upper House of Parliament.
- ü Strengthening its Capacity with Establishing an Office of Resource and Information.
- ü Technical Advisors
- ü Strengthening the strategy for reconciliation in Inter Clan conflicts as well as security affairs.
- ü Strengthening the capacity of traditional leaders & "Guurti" through provision of trainings, including the staff.
- ü Local customary laws being documented and wrote to cope with and support the constitution within the legal framework of the legislation.

Thanks.

Abdillahi Ibrahim Habane

General Secretary of Upper House of Parliament.

Date: March 28, 2007

Hargeisa.