

The House of Elders' second presidential term extension

This the text of the House of Elders' Resolution passed on 13 March 2009 which extended the term of office of the President and the Vice-President, again, until 29 October 2009. The term would have otherwise expired on 6 May 2009. This is the second presidential term extension resolved by the Elders – on 10 May 2008, the House extended the term which was due to expire on 15 May 2008 by nearly a year. Both of these extensions were extremely controversial and many, including this editor, believe that the power of the House to extend presidential terms under s.83 (5) applies only to situations where an election could not be held because of security considerations. Everyone knows that the delays in Somaliland elections, the holding of which the Government is particularly tasked by law, had nothing to do with security considerations. The repeated use of s.83 (5) for term extensions in these circumstances is, in my view, unconstitutional.

Editor, Somalilandlaw.com

Go'aanka Kordhinta Muddada xilka Madaxweynaha & Ku-xigeenka Madaxweynaha JSL.

(Source: www.guurti.org 1/04/2009)

HORDHAC:-

Kal-fadhigii aan caadiga ahayn ee furmay 13/03/2009, ujeedadiisuna ahayd sidii uu Goluhu Go'aan uga yeelan laha dib-u-dhaca ku yimid wakhtigii hore loogu qorsheeyay qabsoomidda Doorashadda Madaxtooyadda.

Golaha Guurtidda oo loo soo gudbiyay qoraalo ka kala yimid Komishanka Doorashooyinka Qaranka, Madaxweynuhuna soo lifaaqay iyo wixi xeerar aha ee la xidhiidhay doorashooyinka sida Xeer No. 20/2001 (XEERKA DOORASHADDA GOLAYAASHA DEEGAANKA IYO MADAXTOOYADDA), XEERKA DIIWAAN-GELINTA COD-BIXIYAYAASHA IYO LIFAAQIISA (XEER LAMBAR 37/2008) ayaa loo qaybiyay 25 March, 2009.

Golaha oo ay ku sugnaayeen 79 Mudane madasha fadhiga, maalinti sabtidii ee ay Bishu ahayd 28 March 2009, Guddoominayayna Guddoomiyaha Golaha Guurtidda JSL Mudane Suleymaan Maxamuud Aadan, weheliyaana Mudane Sh. Axmed Sh. Nuux Furre Guddoomiye-ku-xigeenka 1aad ee Golaha, iyo Mudane Siciid Jaamac Cali Guddoomiye-ku-xigeenka 2aad ee Golaha, wuxu guddo-galay Doodda ku saabsanayd Dib-u-dhaca Doorashadda 28 March, 2009, nuxurka

dooduna wuxu ku saabsana laba qoddob oo aragti ahaan iska-soo-horjeeday, kalana aha : -

- i. Muddo-kordhin xilka Madaxweynaha iyo Ku-xigeenka Madaxweynaha in la sammeeyo oo ka bilaabanta 06 MAY, 2009, KUNA EG 29 OCTOBER 2009.
- ii. Wax kordhin ah in aan loo sammayn muddada xilka Madaxweynaha iyo Ku-xigeenka Madaxweynaha.

Labadaasi qoddob oo ay xubnaha Goluhu ka yeesheen dood, iyadda oo dhinacyadda kala aragtidda ahi ay cuskanayeen sababo kala duwan aya la soo gaba-gabeeyay doodii, ka dib markii xubnihii is-qoray ay dhammaystirteen.

HADDABA, GOLUHU:

Marku Arkay: Asbaabtii ay Komishanku u soo cuskadeen, dib- u- dhacana ku keentay wakhtigii hore loogu qorsheeyay qabsoomidda Doorashadda Madaxtooyadda,

Marku Arkay; Soo-gudbintii Madaxweynaha ee lambarkeedu Aha JSL/M/GG/081/1- 1401/032009, kuna Taariikhaysnayd 22/03/2009.

Marku Arkay; Xeerka Lambar 20/2001 Xeerka Doorashadda G/Deegaanka iyo Madaxtooyadda, Qoddobkiisa 8aad;

Marku Arkay; Xeerka Lambarkiisu yahay 37/2008, Xeerka Diiwaan-gelinta Cod-bixiyayaasha;

Marku Arkay; Lifaaqa wax-ka-beddel ee Xeer Lambar 37/2008, Qoddobkiisa 4aad ee Nidaamka Dhammaystirka Diiwaan-gelinta, faqradiisa 2aad;

Marku Arkay; Lifaqa wax-ka-beddelka ee Xeer Lambar 37/2008, Qoddobkiisa 10aad, faqradiisa (a);

Marku Arkay; Qoddobka 83aad ee Dastuurka Qaranka JSL, Faqradiisa 5aad;

WUXU GO'AAMIYAY SIDANI: -

1. In Muddo kordhinta Xilka Madaxweynaha iyo Ku-xigeenka Madaxweyne ay ka bilaabanto dhammaadka muddadii hore 06/05/2009, kuna egtahay illa 29

October 2009; taasi oo ah muddo dhan Shan Bilood iyo Saddex iyo Labaatan cisho (5 Months & 23Days), doorashaduna ku beegnaan doonto Bil ka hor dhammaadka mudada xilka Madaxweynaha iyo Ku-xigeenka Madaxweynaha sida ku cad Qoddobka 83aad, faqradiisa 2aad ee Dastuurka JSL.

Go'aanka Muddo kordhinta waxa lagu meel-mariyay cod-aqlabiyad ah oo dhan 42Xubnood.

Waxa diiday 35Xubnood, 1Mudane wuu ka Aamusay, Guddoomiyuhuna ma u coddayn.

Sidaasi darteed, Go'aankani oo waafaqsan Dastuurka Qoddobkiisa 83aad, faqradiisa 5aad, wuxu dhaqan-gal ku noqday sidaasi.

Alla Mahad Leh

Shir-Guddoonka Golaha Guurtidda.

1. Suleymaan Maxamuud Aadan
Guddoomiyaha Golaha Guurtidda _____
2. Sh. Axmed Sh. Nuux Furre
Guddoomiye-ku-xigeenka 1aad ee G/Guurtidda _____
3. Siciid Jaamac Cali
Guddoomiye-ku-xigeenka 2aad ee G/Guurtidda _____
4. C/laahi Ibraahim Habane
Xoghayaha Guud ee Golaha Guurtidda JSL. _____