



**HUMAN RIGHTS CENTRE**

*Speaking for those who are not heard*

***DASTUURKA JAMHUURIYADDA  
SOMALILAND***

***XUQUUQDA QOFKA, XORRIYAADKA ASAASIGA  
AH IYO WAAJIBAADKA SAARAN MUWAADINKA***

**THE CONSTITUTION OF  
THE REPUBLIC OF SOMALILAND  
THE BILL OF RIGHTS**

*Qoraalkan waxa ku urursan qodobada dastuurka ka midka  
ah ee ka hadla xuquuqda iyo xoriyaadka aasaasiga ah*

*This is the Bill of Rights in the Constitution of Somaliland*



Printed in the Republic of  
Somaliland

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## MAHADNAQ

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Xaruntu waxaay u mahad celinaysaa Xafiiska Qaramada Midoobay ee UNSOM oo gacan ka gaystay daabacadda qoraalkan.

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## HORDHAC

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Dastuurka Jamhuuriyadda Somaliland waxa si buuxda ugu ansixiyay afti dadwaynaha Somaliland, sanadkii 2001. Xubinta 3aad ee Dastuurka oo ka bilaabanta qodobka 21 ilaa qodobka 36aad ee Dastuurku waxaay ka hadashaa xuquuqda uu leeyahay banii aadamku. Waxa muhiim ah in dadku ay bartaan qodobada dastuurka ee u damaanad qaaday xuquuqda aasaasiga ah. Hadaba, Xarunta Xuquuqal Insaaka waxaay ula muuqatay inay daabacdo oo

faafiso qodobadaas si ay dadku u helaan oo u arki karaan. Iyada oo aanay la socon wax faah-faahin ama sharaxaad ah ayaad halkan ka heli kartaaa qodobada dastuurka ee ku saabsaan xuquuqaha iyo xorriyadaadka aasaasiga ah ee banii aadamka.

Xarunta Xuquuqal Insaanka oo ah urur aan dawli ahayn waxa lagu sameeyey Hargeysa sanadkii 2013 si ay u diiwaangeliso tacadiyadda ka dhanka ha xuquuqal insaanka, ugu doodo dadka lagu gefay xuquudooda, ayna wacyigelin u samayso. Waxa

sameeyey Xarunta dad reer  
Somaliland ah oo ka duulaya,  
lana dhacsan qodobada  
dastuurka ee sida fiican u ilaaliyay  
xaqa banii aadamka.

**Guleid Ahmed Jama**  
Gudoomiyaha Xarunta  
Xuquuqal Insaanka  
Hargeysa Somaliland

XUBINTA 3AAD  
XUQUUQDA QOFKA,  
XORRIYAADKA  
ASAASIGA  
AH IYO WAAJIBAADKA  
SAARAN MUWAADINKA

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QODOBKA 21AAD  
HIRGELINTA IYO  
FASIRAADDA



Waaxaha Xeer-dejinta, Fulinta iyo Garsoorka ee Qaranka iyo kuwa dawladaha hoose ee gobollada iyo degmooyinka Jamhuuriyadda.



Somaliland heer kasta ha ahaadeene, waxay u hoggaansamayaan





shuruucda ku cad qodobada xubintan.



Qodobada la xidhiidha xuquuqda iyo xorriyaadka aasaasiga ah waxa loo fasirayaa si waafaqsan bayaannada caalamiga ah ee xuquuqda aadamaha iyo xeerarka caalamiga ah ee Dastuurka ku xusan.

QODOBKA 22AAD  
XUQUUQDA  
SIYAASADEED,  
DHAQAALE, BULSHO  
IYO XAQA DOORASHADA

-  Muwaadin kasta wuxuu xaq u leeya hay in uu ka qayb galo hawlaha siyaasadeed, dhaqaale, buisho, iyo hiddaha si waafaqsan xeerarka iyo Dastuurka.
-  Muwaadin kasta oo buuxiya shuruudaha xeerku tilmaamayo wuxuu xaq u leeyahay in la doorto, waxna uu doorto.

QODOBKA 23AAD  
XORRIYADDA  
DHAQDHAQAAQA  
IYO IS-ABAABULKA

Qof kasta oo muwaadin ah ama si  
xeerka waafaqsan dalka ku  
jooga waxa uu xor u yahay in uu  
dalka ka maro ama ka dego



Meel kasta oo uu doono, iyo  
weliba in uu ka baxo ama ku soo  
laabto dalka marka uu doono.



Arrimaha ku xusan faqradda laad  
ee qodobkan waxa ka reebban  
meelaha ama waqtiyada xeerku

ka reebo mariddeeda ama degitaankeeda.



Muwaadiniintu waxay xor u yihiin in ay isu habeeyaan ururro siyaasadeed, cilmiyeed, dhaqameed, bulsheed, xirfadeed, ama kuwa shaqaale si waafaqsan xeerka.



Waxaa reebban urur kasta oo leh ujeeddooyin lid ku ah danaha ummadda ama qarsoodi ah ama Ieh qaab cudan ama hubaysan amaba kuwa kale ee khilaafsan xeerka weji kasta ha lahaadeene

QODOBKA 24AAD  
XAQA NOLOSHA, NABAD  
GALEYNTA JIDHKA,  
XURMAYNTA MAGAC-  
SAMIDA IYO DAMBIYADA  
LAGA  
GALO XUQUUQDA  
AADAMIGA



Nafta aadamuhu waa deeq  
llaahay, waana qaali; qof  
kastaana wuxuu xaq leeyahay  
noloshiisa, wuxuuna ku waayi  
karaa oo keliya marka  
maxkamad horteed uu ku  
caddaado dembi uu xeerku

jideeyey in dil lagu mutaysan karo.



Qofku wuxuu xaq u leeyahay in la nabad galiyo jidhkiisa; ciqaabta jidhka iyo wax yeelo kasta oo loo geysto way reebban tahay.



Qof kasta wuxuu xaq u leeyahay in la xurmeeyo sharaftiisa, sumcadiisa iyo noloshiisa gaar ahaaneed.



Dambiyada laga gab xuquuqda qofka sida xasuuqa, di maxkamad la'aan ah, jidh dilka iyo wixii la mid ah malaha muddo dh

QODOBKA 25AAD  
XAQA XORRIYADDA,  
DAMMAANAD-QAADKA  
IYO  
SHURUUDAHA  
XUQUUQDA IYO  
XORRIYMDKA



Qofna xorriyaddiisa loogama qaadi karo si aan xeerka waafaqsanayn.



Ma bannaana in qofna la qabto, la baadho ama la xayiro, haddii uusan markaa dembi faraha kula jirin, ama aanu amar qabasho oo

sababaysan ku soo saarin  
Garsoore awood u lihi.



Dawladda ayaa  
muwaadiniinta u  
dammaanad qaadaysa  
xuquuqda iyo xorriyadaha.  
Xeer ayaa qeexaya ciqaabta  
ka dhalan karta ku xad  
gudubkooda.



Dhammaan xorriyaaka qofka  
waxa shardi ah in ayna ka hor  
iman xeerarka anshaxa guud,  
xasiloonida dalka ama  
xuquuqda qofka kale.



## QODOBKA 26AAD CIQAAB IYO DEMBI



Ciqaab iyo dembi waa wixii qodob xeer ama qaanuun jideeyey, waxaana reebban in ciqaabta loo fuliyo hab aan xeerka waafaqsanayn.



Mas'uuliyadda dembi ciqaabeed waxay ku kooban tahay cidda geysatay oo keliya.



Eedayanuhu waa dembi-laawe inta aanu maxkamad horteed kaga caddaanin dembi.

QODOBKA 27AAD  
XUQUUQDA QOFKA  
XORRIYADDA LAGA  
QAADAY



Qofka xorriyadda laga qaaday  
waxa uu xaq u leeyahay in uu  
la kulmo sida ugu dhaqsaha  
badan qareenkiisa,  
qaraabadiisa ama ciddi kale ee  
uu codsado.



Qofka xorriyadda looga  
qaaday fal-dembiyeed lagu  
eedeeyey awgeed, waxa uu xaq  
u leeyahay in lagu hor geeyo  
maxkamad 48 (siddeed iyo

afartan) saacadood gudahood,  
laga bilaabo marka la qabtay.



Waxa reebban in qofka lagu  
dirqiyo qirasho dembi, marag  
furid, ama dhaar. Mid kasta oo  
arrimaha ka mid ah oo qofka  
khasab lagu marsiiyaana wax-  
kasoo qaad ma laha.



Waxa reebban in qofka lagu  
xidho meel aanu xeerku  
bannayn.



Xeerka ayaa xadaynaya  
muddada ugu badan ee qof  
loo hayn karo baadhitaan.



Eedayanuhu wuxuu xaq u  
leeyahay in go'aan maxkamadi

ku ridday uu racfaan uga qaato  
maxkamadda ka sarraysa.



Marka qof la qabto iyo marka  
la cusboonaysiinayo sii-  
hayntiisa waxa uu xaq  
u leeyahay in la ogeysiyo  
arrintiisa cidda uu doorto.



Xabsigu waa edbin iyo toosin.  
Dawladana xilbaa ka saaran  
kor-u-qaadidda akhlaaqda iyo  
xirfad baridda maxbuuska si  
uu ugu noqdo bulshada isaga  
oo yeeshay dhaqan suubban.



Ciqaabta lagu mutaysan karo  
jebinta faqradaaha 1aad ilaa  
7aad ee qodobkan xeer ayaa  
caddaynaya.

## QODOBKA 28AAD XAQA DACWADDA & ISDIFAACA



Qof kasta wuxuu xaq u leeyahay inuu dacwad xeerka waafaqsan ka furto maxkamadda awoodda u Ieh.



Qof kastaa wuxuu xaq u leeyahay in uu iska difaaco maxkamadda horteeda.



Xaaladaha xeerku tilmaamyo Qaranku wuxuu kafaalo qaadayaa inuu bixiyo difaac lacag la'aan ah; iyada oo

saboolkana laga dhaafi karo  
ajuurada maxkamadda

## QODOBKA 29AAD XURMAYNTA HOYGA

Hoyga iyo meelaha kale ee la deggan yahay waxay leeyihiin xurmayntooda; mana bannaana basaasiddooda, baadhiddooda iyo geliddooda, haddaanu jirin amar garsoore oo sababaysan. Waxa waajib ah in si toos ah loogu akhriyo amarka garsaoraha mulkiilaha ama degganaha hoyga inta aan la gelin. Baadhaha waxa ka

reebban ku xad-gudubka  
amarka garsooraha.

QODOBKA 30AAD  
XORRIYADDA  
ISGAADHSIINTA

Qofna lama fara-gelin karo  
qoraalladiisa gaarka ah,  
waraaqihiisa boosta ama  
xidhiidhkiisa isgaadhsiineed,  
marka laga reebo xaaladda uu  
xeerku baneeyo  
baadhitaankooda, daba-  
galkooda, ama dhegaysigooda  
iyada oo ay markaana waajib

tahay in la helo amar garsoore  
oo sababaysan.

QODOBKA 31AAD  
XORRIYADDA  
LAHAANSHAHA  
HANTI GAAR-AHMNEED



Qof kastaa waxa uu xaq u  
leeyahay in uu si gaar ah u  
yeesho hanti, taas oo ay  
shardi tahay in uu ku helo  
waddo xalaal ah.



Hantida gaar ahaaneed ee  
lagu helay si xeerka  
waafaqsan, lalama wareegi



karo dan guud awgeed  
mooyaane, iyadoo markaana  
Ia bixinayo cawil-celin  
munaasib ah.



Xeer ayaa xadaynaya  
waxyaabaha geli kara danta  
guud ee keeni kara  
la wareegidda hanti gaar-  
ahaaneed.

QODOBKA 32AAD  
XORRIYADDA  
BANNAANBAXA,  
RA'YI - DHIIBASHADA,  
SAXAAFADDA IYO  
WARBAHINTA KALE



Muwaadin kasta waxa uu xor u yahay in uu ra'yigiisa ku bandhigo qoraal, hadal, muuqaal, suugaan ama qaab kale oo xeerka waafaqsan.



Muwaadin kasta wuxuu xor u yahay inuu abaabulo kana qayb qaato, kulan ama bannaan-bax nabadeed oo xeerka waafaqsan.



Saxaafadda iyo warbaahinta  
kale waxay ka mid yihiin  
xorriyaadka asaasiga ah ee  
ra'yi- dhiibashada, waxayna  
leeyihiin madax-  
bannaanidooda; way  
reebban tahay  
tallaabo kasta oo Iagu cab  
udhinayo; hawshoodana xe  
er baa nidaaminaya.

## QODOBKA 33AAD XORRIYADDA CAQIIDADA



Qof kasta wuxuu xor u yahay caqiidadiisa, lagumana qasbi karo inuu qaato tu kale. Shareecadda Islaamku ma oggola in qofka Muslinka ah ka noqdo caqiidadiisa.







Masaajidku waa goob cibaado, waxaanu mudan yahay xurmayn. Waa goob lagu fidiyo Diinta iyo hanuuninta ummadda dun iyo adduunyaba. Waxa reebban in laga jeediyo waxyaabaha ummadda kala

kaxayn kara; dawladduna waxay ku leedahay ilaalin guud iyo kaalmayn wixi suurto-gal ah.

QODOBKA 34AAD  
WAAJIBMDKA  
MUWAADINKA IYO  
CIQAABTA  
GUDASHO LA'AANTA  
WAAJIBAADKA



Muwaadin kasta waxa waajib ku ah adkaynta midnimada ummadda, ilaalinta jiritaanka Qaranimada iyo difaaca dalka iyo dunta si waafaqsan xeerka.

-  Qof kasta waxa ku waajib ah inuu xaq dhawro Dastuurka iyo xeerarka dalka.
-  Qof kasta waxa ku waajib ah inuu si hagar la'aan ah u bixiyo cashuurta iyo takaaliifta kale ee xeerku waajibiyey.
-  Qof kasta waxa waajib ka saaran yahay daryeelka, ilaalinta iyo badbaadada deegaanka.
-  Xeerka ayaa caddeynaya ciqaabta ka dhalan karta gudasha la'aanta waajibaadka ku xusan faqradda laad, 2aad, 3aad iyo 4aad.

QODOBKA 35AAD  
ISU-CELINTA  
EEDAYSANAYAASHA AMA  
DEMBILAYAASHA IYO  
MAGAN-GELINTA  
SIYAASADEED



Qofka shisheeyaha ah ee dalka ku soo galay ama ku joogay si xeerka waafaqsan ee weydiista magangelyo siyaasadeed, waa la sun karaa haddii uu buuxiyo shuruudaha ku xusan xeerka u dhigan magan-gelinta.



Ma bannaana in muwaadinka Somaliland loo dhiibo dawlad shisheeye.



Jamhuuriyadda Somaliland waxay dib u celin kartaa dambule ama eedaysane dalkiisa ka soo cararay, haddii uu jiro heshiis dhex maray Jamhuuriyadda Somaliland iyo dalka weydiistay celintiisa.



## QODOBKA 36AAD XUQUUQDA HAWEENKA



Xuquuqda, xorriyaadka iyo waajibaadka Dastuurku xaqiijiyey, haweenku ragga way ula siman yihiin, wixii Shareecadda Islaamka midkood u gaar yeeshay mooyaane.



Xukuumaddu waa in ay dhiirrigelisaa xeerna ka soo saartaa xaqa ay haweenku u leeyihiin in ay ka xoroobaan dhaqamada aan Shareecadda waafaqsanayn ee waxyeelada u leh jidhkooda iyo damurkooda.



Haweenku waxay xaq u leeyihiin in ay hanti yeeshaan, maamulaan, kormeeraan, adeegsadaan, gudbin karaan si Shareecadda waafaqsan.



Si sare loogu qaado aqoonta iyo dakhliga haweenka iyo weliba daryeelka qoyska, haweenku waxay xaq u leeyihiin in loo fidiyo waxbarashada dhaqaalaha qoyska iyo in loo furo dugsiyada farsamada iyo xirfadaha gaarka ah iyo kuwa waxbarshada dadka waaweyn

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THE BILL OF RIGHT IN  
THE CONSTITUTION OF  
THE REPUBLIC OF  
SOMALILAND<sup>1</sup>

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<sup>1</sup> The English version is translated by  
Somalilandlaw.com.

## Article 21: Implementation and Interpretation



The legislative, executive and judicial branches of the state and the local government of the regions and the districts of the Republic of Somaliland, of all levels, shall be bound by the provisions of this Part.



The articles which relate to fundamental rights and freedoms shall be interpreted in a manner consistent with the international conventions on human rights and also with the international laws referred to in this Constitution.

## Article 22: Political, Economic, Social and Electoral Rights



Every citizen shall have the right to participate in the political, economic, social and cultural affairs in accordance with the laws and the Constitution.



Every citizen who fulfils the requirements of the law shall have the right to be elected (to a public office) and to vote.

## Article 23: Freedom of Movement and Association



Every person who is a citizen or lawfully resident in the country shall be free to move to or settle at any place of his choice, or leave or return to the country at will.



The matters (rights) set out in Clause 1 of this Article are subject to any law which forbids the movement to or settlement at specific places or during specific times.



All citizens shall have the right to form, in accordance with the law, political, educational,

cultural, social, and occupational or employees' associations.



Associations with objectives which are contrary to the national interest or are secret or are military in nature or armed or are otherwise against the law, whatever their outward appearance might be, are prohibited

## Article 24: The Right to Life, Security of the Person, Respect for Reputation and Crimes against Human Rights



Human life is the gift of Allah and is beyond price. Every person has the right to life, and shall only be deprived of life if convicted in a court of an offence in which the sentence laid down by law is death.



Every person shall have the right to security of his person. Physical punishment and any other injury to the person are prohibited.





Every person shall have the right to have his dignity, reputation and private life respected.



Crimes against human rights such as torture, extra-judicial killings, mutilation and other similar acts shall have no limitation periods.

## Article 25: The Right to Liberty, Guarantees and the Conditions of Rights and Freedoms



No person shall be deprived of his liberty except in accordance with the law.



No person may be arrested, searched, or detained, except when caught in flagrante delicto, or on the issue of a reasoned arrest warrant by a competent judge.



The state shall guarantee to all citizens their rights and freedoms and the punishment

for any of their infringements shall be determined by law.



The freedoms of the person shall not override the laws protecting the public morals, the security of the country or the rights of other individuals.

### Article 26: Crime and Punishment



Crimes and (their) punishment shall be laid down by the law, and no punishment shall be administered in a manner which is contrary to the law.



The liability for the punishment of any crime shall be confined to the offender only.

Accused person is innocent until proven guilty in a court.

### Article 27: The Rights of Persons Deprived of their Liberty



Any person who is deprived of his liberty has a right to meet as soon as possible his legal representative, relatives

or any other persons he asks for.



Any person who is deprived of his liberty because of alleged criminal offences shall have the right to be brought before a court within 48 (forty eight) hours of his arrest.



No person shall be compelled to proffer a confession, a witness statement or testimony under oath. Any such matters (evidence) obtained under duress shall be void.



No person shall be detained in a place which is not determined by law.



The law shall lay down the maximum period in which a

person can be detained in custody pending investigations.



Any accused person who is convicted by a court shall have the right to appeal to a higher court.



When a person is detained in custody or his detention is extended, he shall have the right to have his status communicated to any person he so chooses.



Prisons are for reform and correction. The state is responsible for the rehabilitation and skills training of prisoners so that they can return to society with reformed characters.



The punishment for the infringement of Clauses 1 to 7 of this Article shall be determined by law.

## Article 28: Right to Sue and Defend



Every person shall have the right to institute proceedings in a competent court in accordance with the law.



Every person shall have the right to defend himself in a court.



The state shall provide free legal defense in matters which

are determined by the law,  
and court fees may be waived  
for the indigent.

### Article 29: The Sanctity of the Home



The home and other dwellings shall be inviolable, and their surveillance, search and entry shall not be allowed without a reasoned order from a judge. Any such order must be read properly to the proprietor or occupier before entry is



affected. It is prohibited for any person carrying out a search to contravene the order of the judge.

### Article 30: Freedom of Communication



No person's private written communication, postal letters, or telecommunications shall be interfered with except in matters in which the law allows their investigation, tracing or listening in and a reasoned order from a judge has been obtained.

## Article 31: The Right to Own Private Property



Every person shall have the right to own private property, provided that it is acquired lawfully.



Private property acquired lawfully shall not be expropriated except for reasons of public interest and provided that proper compensation is paid.



The law shall determine matters that are within the public interest, which may bring about the expropriation of private property.

## Article 32: Freedom of Public Demonstration, Expression of Opinion, Press and other Media



Every citizen shall have the freedom, in accordance with the law, to express his opinions orally, visually, artistically or in writing or in any other way.



Every citizen shall have the freedom, in accordance with the law, to organize or participate in any peaceful assembly or demonstration.



The press and other media are part of the fundamental freedoms of expression and

are independent. All acts to subjugate them are prohibited, and a law shall determine their regulation.

### Article 33: Freedom of Belief



Every person shall have the right to freedom of belief, and shall not be compelled to adopt another belief. Islamic Sharia does not accept that a Muslim person can renounce his beliefs.



The Mosque is a blessed place and deserves veneration. It is the place for preaching religion and for providing the

nation guidance in spiritual and temporal matters and the preaching therein of matters which would divide the nation (sedition) is prohibited. The state shall be responsible for its general protection and any practicable support.

### Article 34: The Duties of the Citizen



Every citizen shall have the duty, in accordance with the law, to strengthen the unity of the nation, the protection of the sovereignty of the state, and the

defense of the country and the religion.



Every person has the duty to respect the Constitution and the laws of the country.



Every person has the duty to pay promptly his taxes and other duties as imposed under the law.



Every person shall have the duty to care for, protect and save the environment.



The law shall determine the punishment for failure to fulfill the duties imposed in Clauses 1 to 4 (of this Article).

## Article 35: Extradition of Accused and Convicted Persons and Political Asylum



Any foreigner who enters the country lawfully or is lawfully resident in the country and who requests political asylum may be accorded asylum if he fulfills the conditions set out in the law governing asylum.



The extradition of a Somaliland citizen to another country is prohibited.



The Republic of Somaliland may extradite to their countries convicted or accused foreigners if there is a treaty between the

Republic of Somaliland and the country requesting their extradition.

### Article 36: The Rights of Women



The rights, freedoms and duties laid down in the Constitution are to be enjoyed equally by men and women save for matters which are specifically ordained in Islamic Sharia.



The Government shall encourage, and shall legislate for the right of women to be free of practices which are contrary to



Sharia and which are injurious to their person and dignity.



Women have the right to own, manage, oversee, trade in, or pass on property in accordance with the law.



In order to raise the level of education and income of women, and also the welfare of the family, women shall have the right to have extended to them education in home economics and to have opened for them vocational, special skills and adult education schools.