



XEERNIDAAMIYAHA MAAMULKA DHAQAALAH XISBIYADA/URURADA SIYAASADDA PUNTLAND

Agoosto 2021

Xeernidaamiyaha Maamulka Dhaqaalaha Xisbiyada/Ururada Siyaasadda Puntland:

Si waafaqsan awoodaha ku xusan Qodobka 114 ee Dastuurka Puntland, Qodobada 2aad iyo 8aad ee Xeerka Guddiga Doorashooyinka Puntland, Qodobka 10aad ee Xeerka Ururada Siyaasadda Puntland, Guddiga ku meel gaarka ah ee Doorashooyinka Puntland wuxuu ansaxinayaa: **Xeernidaamiyaha Maamulka Dhaqaalaha Ururada Siyaasadda, Sabti 14 Agoosto 2021.**

Oeexitaano

Urur: waxaa loola jeedaa urur siyaasadeed bulsho, kaasoo loo diiwan-geliyay ka qaybgalka iyo u tartamidda doorashooyinka golayaasha deegaanka, walina aan gaarin xisbi siyaasadeed.

Akoonka Bangi: waxaa loola jeedaa xisaab hubin oo ka furan bangi ka diiwaangashan kuna yaal Puntland, isla markaasna ku diiwaan-gashan magaca urur siyaasadeedka, xisbiga ama musharaxa.

Muwaadin: waxaa loola jeeda muwaadin reer Puntland ah sida ku cad Qodobka 5^{aad} ee Dastuurka Puntland.

Guddiga: waxaa loola jeedaa Guddiga Ku-meelgaarka ah ee Doorashooyinka Puntland (TPEC), oo mas'uul ka ah diiwaangelinta iyo kormeerka Xisbiyada siyaasadda, Ururada iyo Musharixiinta u tartamaya doorashooyinka.

Xisaabiye Idman: waxaa loola jeedaa qof uu xisbi siyaasadeed ama musharrax u igmaday una awood siiyay inuu caddeeyo xisaabaadka isla markaasna muujiyo sida looga baahan yahay halkan.

Shaacin: waxaa loola jeeda gelinta macluumaadka iyo xogaha la xiriira maaliyadda ee mareegta hufnaanta dhaqaalaha siyaasadd ee Guddiga mudada sharcigu xadiday.

Deeq: waxaa loola jeedaa taageero kasta, maaddi ama macnawi ah oo la siiyo urur, xisbi siyaasadeed, ama musharrax u taagan doorasho.

Deeq-bixiye: waxaa loola jeedaa cid kasta oo sameeya deeq.

Doorasho: waxaa loola jeedaa loolanka doorashada Golaha Wakiilada ama Golayaasha Deegaanka.

Ololaha Doorashada: waxaa loola jeedaa dhaq-dhaqaaq iyo dadaal kasta oo lagu taageerayo urur, xisbi ama musharax si loogu helo codad.

Kharash: waxaa loola jeedaa adeegsiga agab kasta, oo ay kujirto lacag, hanti iyo adeegyo, iyadoo loo adeegsanayo waxqabadyada urur siyaasadeed ama xisbi, ama iyadoo loo daneynayo musharaxa ama urur, ama ololaha doorashada xisbi siyaasadeed inta lagu jiro xilliga waqtiga ololaha ee sharciga ah.

Maalgalin: waxaa loola jeedaa dhammaan dakhliga ay heleen ururada siyaasadda, ama musharixiinta sida kaalmada ama deeqaha lacageed ama hanti walba ha ahaato guurto ama ma guurto ama adeegyo walba sida adeegyada warbaahinta, daabacaada goobaha xayaysiisyada ama baraha bulshada ee ay sameeyaan dhammaan warbaahinta iyo dadka saamaynta kuleh baraha bulshada.

Warbaahin: waxaa loola jeedaa Raadiye (maqal-keliya, ama maqal-muuqaal), Jaraaid, Xarumo warbaahineed , goobaha xayaysiisyada iyo qalab kasta oo loo adeegsado gudbinta wararka iyo macluumaadka maqal ahaan iyo muuqaal ahaan oo uu ku jiro Internet-ku.

Kheyraadka Guud ama Qaran: waxaa loola jeeda hantida dawladda, shaqaalaha, tas-hiilaadka, qalabka, ama adeegyada, oo ay ku jiraan kuwa qayb ahaan ama gebi ahaanba ay iska leeyihiin shirkadaha Dawladda.

Xisbi: waxaa loola jeedaa Urur siyaasadeed, kaasoo u gudbay xisbi ka dib hirgelinta doorashooyinka Golayaasha degaanka ah, isla markaasna xaq u yeelanaya inuu u tartamo doorashooyinka Baarlamaanka ee Puntland.

Adeeg: waxaa loola jeeda taageero kasta, fududayn ama la macaamil wanaagsan ee xisbi siyaasi ah ama urur siyaasadeed ama musharax inta ay ku guda jiraan doorashada ama ololaha doorasho.

Dhinaca saddexaad: waxaa loola jeedaa shakhsi kasta oo dusha u rita kharashka xisbiga, ururka ama Musharaxa.

Mareeg: waxaa loola jeedaa mareegta tooska ah ee ay dadkoo dhani wada heli karaan, isla markaasna la baari karo, taasoo uu Guddigu diyaariyay si loogu faafiyo xisbiyada siyaasadda, ururada iyo Musharixinta.

Guddiga

Qodobka 1^{aad}: Guddiga ku meel Gaarka ah ee Doorashooyinka Puntland waa hay'ad dawladeed oo madax bannaan, lehna awood dhaqaale iyo go'aan qaadasho. Guddigu wuxuu:

- (1) kormeerayaa u hogaansanaanta xisbiyada siyaasadda, ururada iyo musharixiinta xeerarka iyo shuruucda doorashooyinka;
- (2) ku daabacayaa isla markaasna ku faafinayaa go'aamadiisa wargaysyada rasmiga ah iyo hal wargays oo wayn 48 saacadood gudohood marka go'aanku soo boxo;
- (3) soo bandhigayaa isla markaasna faafinayaa warbixin gaar ah oo ku saabsan dhaqaalaha siyaasadda iyo kharashaadka ololaha muddo lix bilood gudohood ah kadib doorasho kasta;

Guddoomiyaha Guddiga

Qodobka 2^{aad}: (1) Guddoomiyaha Guddiga Doorashooyinka:

- (a) Wuxuu ku matalaa Guddiga la xiriirka hay'adaha Dawladda, sida Hanti-dhawrka Guud, Ururada Bulshada Rayidka ah iyo Axsaabta siyaasadda, wuxuu sidoo kale Guddiga ku matalaa Maxkamadaha hortooda.
- (b) Wuxuu wakiilan karaa mid kamid ah xubnaha Guddiga si uu u kormeero daahfurnaanta maaliyadeed asagoo taageero ka helaya Waaxda Arimaha Shuruucda ee Guddiga

Hanti-dhawrka Guud

Qodobka 3^{aad}: Hanti-dhawrka Guud wuxuu yeelanayaa waajibaadkaan soo socda:

- (a) La dagaalanka musuq-maasuqa ka dhexjira dhammaan heerarka kala duwan ee Hay'adaha Dawladda;
- (b) Baarista, xili kasta oo xisbi siyaasadeed, Ururo ama Musharax looga shakiyo inuu si sharci daro ah ku qaatay hanti dadwayne;
- (c) Go'aan ka gaarista si-xun u adeegsiga hantida dadwaynaha ee shaqaalaha rayidka ah wuxuuna kusoo rogi karaa ganaax ku haboon, hadii baaritaanka ku cadaato in faldambiyeed dhacay Hanti-dhawrka Guud wuxuu kayska oo ay la socdaan cadaymaha muujnaya falka dhacay u gudbinayaa Xeer-ilaalinta si ay dacwad ugu soo oogaan;
- (d) Dalbashada dukuminti kasta oo uu leeyahay xisbi siyaasadeed kasta, urur ama musharx kaasoo muhiim u ah baaritaanada la xiriira qaadashada ama lunsashada hantida iyo adeegyada Dawladda Puntland.

Reebnaan

Qodobka 4: (1) Hantida lawada leeyahay ee loogu talagalay in loo isticmaalo hawlaha guud sida garoomada, goobaha danta guud iyo warbaahinta ay dawladu leedahay waxaa si siman u adeegsan kara dhinacyada siyaasada si ay ugu fuliyaan olalahooda siyaasadeed iyadoo la raacayo jadwalka guddigu dajiyay sida ku cad qodobka 24-aad ee Xeerka Goleyaasha Deegaanka Puntland iyo xeerarka kale ee la halmaala. Si kastaba ha ahaatee, waxaa reebban;

- a) In loo isticmaalo hantida ama dhaqaalaha dawladda Puntland wax ka ahayn kuwa ku xusan qodobka (1) hawlaha la xiriira olalayaasha siyaasadeed ama danaha gaarka ah.
- b) Qof waliba oo lagu soo eedeeyo u adeegsiga hanti qaran dano xisbi ama urur siyaasadeed ama musharrax, wxuu guddigu horkeenayaa maxkamad sharci ah.
- c) Sarkaal dawladeed ee kasta ama shaqaalee rayid ah ee si qaldan u maamula ama u adeegsada dhaqaalaha ama dakhliga dawladda, ama ka qayb qaata isdamaryooyinka noocaas ah, waxa uu galay dambi culus waxaana la marinayaa caddaalada.
- d) Uma bannaana xisbi, urur ama musharrax in uu usoo gudbiyo guddiga xog qaldan.
- e) Wax kharashaad olole ah lama samayn karo inta lagu guda jiro 48-saac ee uu olaluhu joogsado, marka laga reebo lacagaha lasiiyo wakiillada xisbiga ama musharraxa.
- f) Xisbiyada siyaasadeed uma bannaana in ay lacago kasoo qaataan dawlado shisheeye, shirkadaha ama ururrada kale ee leh dano gaar ah oo ka hor imaanaaya diinta iyo danaha guud ee Puntland.
- g) Ururrada, xisbiyada ama musharrixiinta waxaa ka reebban in ay u adeegsadaan hanti qaran danahooda doorasho.
- h) Xisbiyada waxaa ka reebban in ay dhaqaale, adeeg, taageero iyo kaalmo kale ka helaan kooxaha hubaysan ama ciidama qalabka sida.
- i) Saraakiisha dawladda Puntland iyo shaqaalaha rayidka waa in aysan u iillan/eexan urur ama xisbi siyaasadeed ama qof gaar ah, waa inaysan aqbalin, qareemin ama u olalayn tartamayaasha doorashada ,waana in ay shaqadooda u gutaan si waafaqsan Dastuurka iyo xeerarka kale ee Puntland. Waxaa sidoo kale reebban in loo adeegsado xafiis dawladeed iyadoo la fulinaayo dano siyaasadeed.

(2) Waa in xeerku xaddidaa xaddiga tabaruca ee ay hanti-gaarlayaashu ku deeqi karaan, iyo sidoo kale xaddiga ururradu iyo musharrixiintu ku bixin karaan doorashada.

Xaquuqaha Xisbiyada iyo Ururrada Siyaasadda

Qodobka 5: Ururrada iyo Xisbiyada Siyaasadda ee ku tartamaaya doorashooyinka waa in ay u yeeshaan hellidda iyo adeegsida warbaahinta dawladda xuquuq isku mid ah inta lagu guda jiro olalaha siyaasadeed. Guddiga Doorashooyinka Puntland ayaa masuul ka noqonaya isku xirka lagu xusay qodobkaan. Guddigu waa in uu:

- (a) Si isku mid ah loogu qaybiyo fursadaha wakhti ee warbaahinta dawladda iyadoo ay wada joogaan dhammaan ururrada iyo xisbiyada siyaasadda, iyo musharrixiinta.
- (b) La siiyo ururrada danaynaaya ugu yaraan ogaysiis todoba (7) maalmood ka hor iyo goobta bakhtiyaa-nasiibka
- (c) Qaban qaabiyaa doodo u dhexeeya ururrada iyo xisbiyada siyaasadda, iyo musharrixiinta oo laga siidayn doono muuqaal-baahiyayaasha (TV) iyo baraha bulshada.
- (d) Helida Taagerida dhaqaale iyo xog ee taagerayaashoda buxiyey shuruudaha muwaadinimo.
- (e) Waxay kaloo xaq u leyihiin inay dakhli ka helaan dowlada lakin waa inuu noqdaa mid daah furan si siman loo helo isla markaasna waafaqsan shuruudaha maaliyadeed ee Puntland.

Waajibaadka

Qodobka 6: Si loo hubiyo daahfurnaanta dhaqaale iyo si looga hirtago in si qaldan loo adeegsado deeqaha qalaad ama hantida qaran, ururrada iyo xisbiyada siyaasadda, iyo musharrixiintu waa in ay:

- a) Deeqaha la siinaayo ururrada iyo xisbiyada siyaasadda iyo musharrixiinta waa in la mariyaa bangiga oo aan laga dhigi karin lacag caddaan ah.
- b) Lagu xawilaa dhammaan kala wareejinta hal kooto ayna ogaysiiyaa GDKM marka la diiwaangaliyo ururrada, xisbiyada iyo musharrixiinta, ama saddex bilood gudahood marka la meel mariyo xeerkaan.
- c) Loo awood siiyo Guddiga iyo Hanti-dhawraha guud in ay heli karaan kootada bangiga

haddii laga soo gudbiyo cabasho kooto hayaha ama ururka/xisbiga

- d) La magacaabo xisaabiye loo igmaday in uu la socda kootooyinka olalaha urrurada, xisbiyada ama musharrixiinta ugu yaraan labadii doorasho ee ugu dameeyey, iyo in uu ogaysiiyo guddiga xisaabiyaha loo xilsaaray saddex bilood gudahood marka la meel mariyo xeerka hadda jira.
- e) Lagu soo bandhigo mareegta guddiga dhammaan deeqaha la helay iyo kharashaadka la sameeyey, shay-shay, oo ay ku jiraan aqoonsiga, meesha uu deggan yahay ama ama cidda lagu darayo, jinsiyadda, danaha siyaasadeed, lambarka diiwaangelinta cod-bixiyaha, iyo lambarka aqoonsiga cashuurta ee dhammaan deeq-bixiyeyaasha, muddo aan ka badnayn 30 maalmood ka dib maalinta doorashada.
- f) Urrurada iyo xisbiyada siyaasaddu waa in ay bandhiggaan dhakhligooda iyo karashkoda sanadkasta ugu damayn 31da December
- g) Xisbiyadu waxay gacan ka gaysan karaan ololahooda musharrixiinta iyadoo ka wareejinaya kootada xisbiga/ururka isla markaana ku wareejinaya kootada murashaxiinta. Ugu yaraan boqolkiiba soddon iyo Shan wadarta tabarucaadka xisbiyada/ururrada ee ololaha musharrixiinta waa inay helaan haweenka musharrixiinta ah. Musharrixiinta waxa ay maalgalin karaan ugu badnaan 50% dhaqaalaha olalahooda.
- h) Dhinaca saddexaad waa in uu oggolaansho ka helaa musharraxa, xisbiga ama ururka ka hor inta aysan bixin wax kharashaad ah. Dhammaan xisbiyada, urrurada ama musharrixiintu waa in ay kusoo bandhigaan kharashaadka dhinaca saddexaad mareegta guddiga.

Ganaaxyada

Qodobka 6: (1) Guddiga Ku-meel gaarka ah ee Doorashooyinka Puntland waa hay'ad dawladeed oo madax-bannaan oo la awood go'aan gaarid. Guddigu waa in uu:

- (1) Qaban karo cabashooyinka uga imaanaaya muwaadiniinta ama bulshada rayidka ah ee loo soo marinaayo mareegihiis ee ka dhanka ah tacaddiyada ama dambiyada ay gaystaan urruda, xisbiyada ama musharrixiinta siyaasadda, oo ay ku jiraan cabashooyinka maldahan.

- (2) Ugu baaqaan dadweynaha in ay ka marag-kacaan ama keenaan caddayn la halmaasha cabashooyinka hakadka ku ah mareegta guddiga.
- (3) Ku baaraan oo go'aan uga gaaraan cabashooyinka suuragalka ah 10 casho gudahood haddii loo haayo caddayn ku filan.
- (4) Kusoo rogo ganaaxyo maamul ururrada, xisbiyada iyo musharrixiinta ku xadgudba sharciga ama xeernidaamiyaan.
- (5) Ganaaxyadu waa inaysan ka yaraan saddex jeer qiimaha deeqda sharci darrada ah waana inaysan ka badan shan jeer qiimaha deeqda sharci darrada ah.
- (6) Si ku meel gaar ah u hakiyaa diiwaangalinta ururrada iyo xisbiyada siyaasadda ee ku guul darraysta in ay soo badhigaan xogohooda ilaa inta ay kasoo gudbinayaan.
- (7) Haddii ururka ama xisbiga la hakiyey uu ku guuldarraysto in ay soo bandhigaan labo dagniin ka dib, ayna kasoo wareegto hal sano, xibsiga ama ururka waa laga saarayaa diiwaangalinta hantidiisana waxaa loo qaybinayaa xubnihiisa.
- (8) Diiwaangalinta musharrixiinta loogu talagalay wareegga doorashooyinka soo addan waa laga joojinayaa haddii aan si rasmi ah shaaca looga qaadin dhaqaalaha olalaha.
- (9) In ay u gudbiyaan xafiiska xeer iaalinta, dacwadaha dambiyada doorashada sida u adeegsiga hantida iyo dhakhliga qaranka hawlo siyaasadeed.

(2) Haddii ay dhacdo in cabashooyinka Guddiga aan la xallin in ka badan 10 maalmood, dacwad-oogayaasha sidoo kale waxay u gudbin karaan cabashooyinkooda qoraal ahaan Maxkamadda Sare, oo u yeeri karta Guddiga inuu baaritaan dheeri ah sameeyo. Dhinacyada daneynaya ayaa sidoo kale racfaan ka qaadan kara go'aannada Guddiga muddo hal toddobaad gudahood laga soo bilaabo go'aanka Guddiga.

(3) Shaqaalaha rayidka ah ee soo sheega warbixinno la xiriira in sifo sharci darro ah oo loo adeegsanayo hantida qaranka ujeedooyin siyaasadeed waxaa laga ilaalinayaa aargudashada dawladda.