



SOMALILAND NATIONAL DISABILITY FORUM

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MEMORANDUM OF UNDERSTANDING

PREAMBLE:

We the members of Somaliland National Disability Forum, whose names appear in the Appendix hereto,

CONCERNED about the prevailing negative attitude of the society towards people with disabilities,

FURTHER CONCERNED about the lack of national policies and guidance on the social, cultural and economic development of people with disabilities,

EMPHASISING the need to protect the rights of persons with disability including protection against all forms of exploitation, discrimination and degrading inhuman treatment,

RECOGNISING that people with disabilities have a right to participate in national development processes assuring them of welfare and rehabilitation,

NOTING that in the past people with disabilities have deliberately been excluded from mainstream development initiatives and discriminated against in all spheres of life.

AFFIRMING that people with disabilities have a great potential and can meaningfully contribute in positively transforming the society,

BEARING IN MIND the necessity of preventing disabilities and assisting people with disabilities to develop their ability in all fields and promoting their integration as far as possible into normal life.

AND WHEREAS the parties are desirous of collaborating in fulfilling a combined vision.

Now therefore the Parties to this Memorandum of Understanding Witness as Follows:

Nationwide Consortium of disability stakeholders designed for the collective group effort of all disability key actors, through networking and support from various disabled persons organizations, LNGOs, INGOs, community and authorities

Headquarter office: Hargeisa. Branches: in all regions of Somaliland

INTRODUCTION:

- i. The Somaliland National Disability Forum is a representative body established to articulate concerns of People with disability and membership is open to bodies actively involved in disabilities. The Forum is a coalition formed principally to mobilize government and civic actors around advocating and campaigning for the rights of People with disabilities.
- ii. The Genesis of SNDF was a result of recommendations borne out of a series of consultative meetings of the forum members from October 2002 held within Hargeisa.
- iii. Specifically the main purpose of the meetings was to form a focal point for stakeholders as one of the various means towards improving the conditions of people living with disabilities.

Article 1. NAME:

The name of the forum shall be **“Somaliland National Disability Forum” (SNDF)** herein after also cross-referenced as the Forum

Article 2: DEFINITIONS:

- i. **A disabled person - Helander’s definition** – year 1993. A disabled person is the one who in his or her society is regarded or officially recognized as such, because of a difference in appearance and/or behaviour, in combination with a functional limitation or and activity restriction.
- ii. **Impairment** – is any loss or abnormality of psychological, physiological or anatomical structure or function
- iii. **Disability** - any restriction of lack (resulting from an impairment) of ability to perform an activity in a manner or within the range considered normal for a human being.
- iv. **Handicap** – is a disadvantage for a given individual from an impairment or disability that limits or prevents the fulfilment of a role that is normal (depending on age, sex, social and cultural factors) for that individual.
- v. **Organization for disabled people** means any organization to which the majority of members are disabled and of the majority of its committee members are disabled.

Article 3. STATUS:

Nationwide Consortium of disability stakeholders designed for the collective group effort of all disability key actors, through networking and support from various disabled persons organizations, LNGOs, INGOs, community and authorities
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The Forum is a coalition with an extended mandate to coordinate efforts of its members in the area of improving the conditions of people with disabilities.

In particular the forum is established for the purposes of:

Leadership: To lead in reflecting the collective voice of people with disabilities, nationally and internationally.

Information and advice: To inform and advice on policies impacting the lives of people with disabilities.

Advocacy: To provide space and support through which collective action could be jointly undertaken.

Monitoring: To monitor compliance and relevance of laws and policies on disability.

Article 4. VISION:

The National Forum envisages a society where all people with disabilities (PwD's) regardless of social, gender or political stratification enjoy full equal rights and are represented at all levels of human development and decision making processes in accordance with International and regional standards.

Article 5. MISSION:

The National Forum will strive to contribute to building, strengthening and supporting people with disabilities in this country in becoming self reliant and dignified contributing members of the society through joint collaborative efforts, advocacy and provision of policy guidance on ways to promote disability work locally, nationally and even regionally where appropriate.

Article 6. THE OBJECTIVES OF THE FORUM:

- i. To bring together stakeholders on disability in order to promote a collaborative approach, encourage a common vision; and develop strategies to address issues of common concern.
- ii. To act as an advocacy group that would create and promote national awareness, policies and integration of disability issues at all levels.
- iii. To act as a coordination body of stakeholders on disability through the formulation of strategies that would ensure coordination of disability work in the country

- iv. To promote and enhance better networking information sharing, and link aging amongst stakeholders
- v. To encourage and promote research on disabilities and maintain a data base and or a resource centre.
- vi. To undertake all other lawful activities as may be incidental to or linked to the achievement of the aforesaid objectives.
- vii. Pursue any other objectives as the forum may deem fit.

Article 7. THE CORE VALUES:

The following values will dictate the forum's strategies and methods of working at all times.

- i. Open information sharing of experiences, best practices and knowledge
- ii. Gender sensitivity with the concerted promotion of women and girls with disability
- iii. Mutual respect and promotion of the dignity of People with disabilities
- iv. Full participation, involvement and consultation with people with disabilities in all developmental activities.
- v. Accountability and transparency
- vi. Disabled children's rights protection
- vii. Non – discrimination of people with disabilities
- viii. Empowerment and skills sharing.
- ix. Collaboration and networking.

Article 8. NATIONAL CHARACTERISTICS OF THE FORUM

In order for this body to fit within the definition of a national body with national characteristics it's imperative that it will:-

- i. Ensure broad national support, this will be achieved through networking and support from various organizations for PwDs, LNGOs, Umbrella organizations, line ministries and INGOs.
- ii. Ensure full and active participation of disabled people organizations from all the regions of Somaliland.
- iii. Encourage governments and other stake holder's to respond positively to disability issues and concerns.

Article 9. ELIGIBILITY FOR SNDF MEMBERSHIP

The forum has four classes of members:

- I. Corporate members which are organizations for PwDs (Known as DPOs) as defined under Article two.
- II. Ordinary members who are disabled individuals committed to the objectives of SNDF and individuals representing disabled individuals who are not able to represent themselves.
- III. Corporate associate members, which are organizations (Other than Organization of People with Disabilities) interested in promoting the objectives of SNDF.
- IV. Associate members who are individuals but not disabled and are interested in promoting the objectives of SNDF.
- V. The Ministry of family development and social welfare is The unique line ministry of the Forum, which is GA member without voting rights.

Article 10. RIGHTS AND OBLIGATIONS OF SNDF MEMBERS

Members shall have the following rights and obligations:

- i. Attend all meetings convened by the GA such as Annual General assembly Meeting and any other extraordinary meetings of GA
- ii. Receive from the forum appropriate and updating information as per its goals.
- iii. Nominate or be nominated to be elected to any office of the forum and have a right to vote.
- iv. Participate in any of the forum's activities assigned by the forum.
- v. To observe and abide by the memorandum of agreement and conform to the code of conduct as approved by the GA.

Article 11. CESSATION OF SNDF MEMBERSHIP

Membership to the forum shall cease in the following instances:

- i. By voluntary withdrawal of the member organization. Writing Notice of such withdrawal shall be given to the forum at least one month before withdrawal.
- ii. Upon dissolution or winding up of the member organization
- iii. By special resolution of the CB in the event that such member acted contrary to the memorandum of understanding and or code of conduct.

- iv. By special resolution upon appeal to the GA in the event that such member acted contrary to the memorandum of understanding and or code of conduct.

PROVIDED that a member shall not be suspended or expelled without an inquiry to establish the facts and that they have been given the right to be heard.

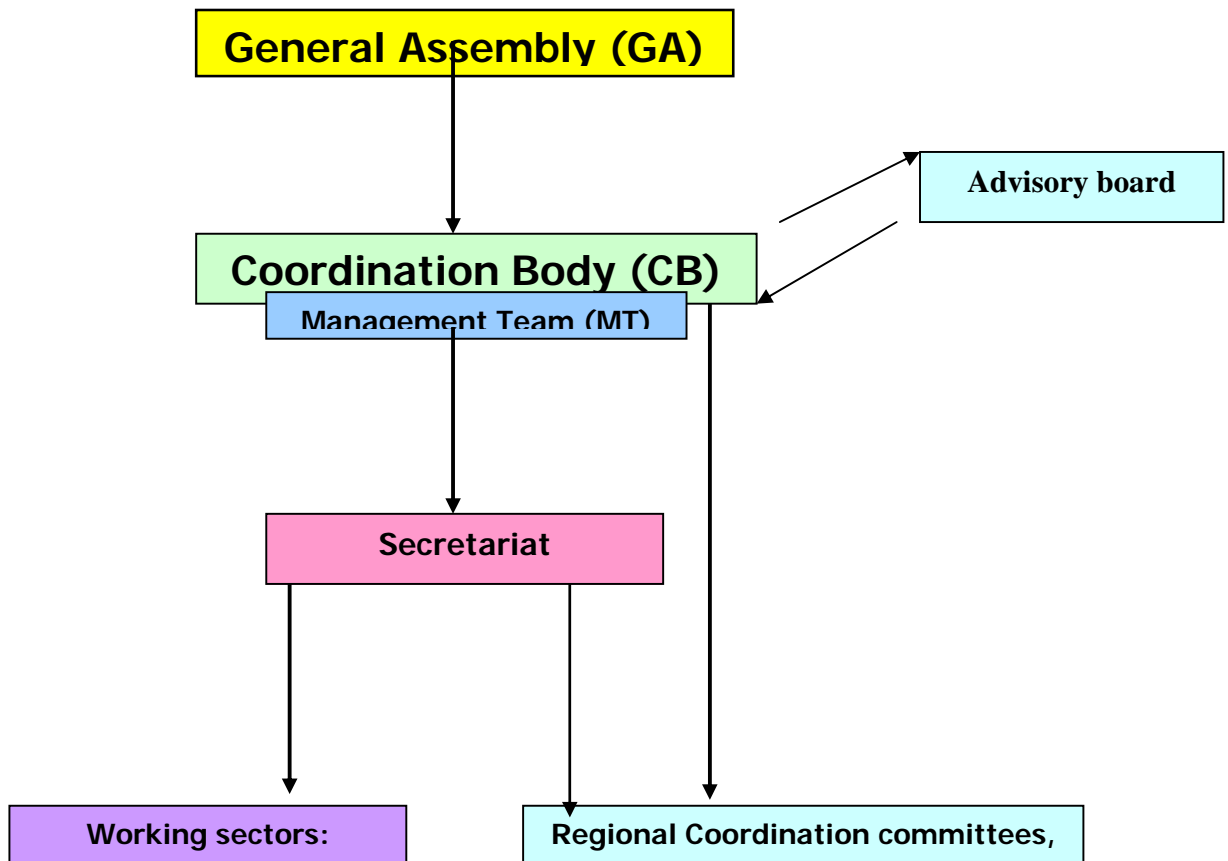
In case of a member not being satisfied by the decision taken by the Coordination body (CB) the said member may appeal to the GA through the Secretary, where upon the GA shall cause to be put in place a special task force of members not exceeding 7 in number to investigate the issue in dispute within a reasonable time frame as shall be decided by the GA in an extraordinary meeting. The appeal shall be lodged through the Coordination body.

Article 12. ORGANS OF THE FORUM

The forum shall have the following organs:

- i. The General Assembly (GA)
- ii. Advisory Board (AB)
- iii. The Coordination Body (CB)
- iv. Working sectors
- v. The Regional Coordinating Committees (RCC's)
- vi. The Secretariat

Article 13. SNDF ORGANIZATIONAL STRUCTURE



Article 14. ROLES AND FUNCTIONS OF EACH ORGAN OF THE FORUM.

14.1.1. THE GENERAL ASSEMBLY (GA)

There shall be a General Assembly, which shall be supreme authority of the forum on all matters pertaining to the forum and shall adopt all policies of the forum.

- i. The General Assembly shall be composed of two members from each local organization for people with disabilities and one member from the rest of the bodies who are members of this forum.
- i. The quorum of the General Assembly shall be two-thirds $\frac{2}{3}$ of all the registered members. No meeting shall be transacted unless a quorum is present at the time the meeting proceeds to business.

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- ii. The General Assembly shall meet bi-annually in exception of extra ordinary meetings.
- iii. The General Assembly shall comprise of and be attended by not more than two delegates representing DPOs and one delegate representing other member organizations provided that; Delegates are endorsed and introduced in writing by their parent organization's authentic representative.

14.2. THE ROLES AND FUNCTIONS OF THE GENERAL ASSEMBLY

The General Assembly shall:

- i. Agree on, adopt and amend the terms of the memorandum
- ii. Elect office bearers to the Coordinating Body
- iii. Consider how to further the objectives of the forum
- iv. Review the functions¹ and polices of the forum
- v. Constitute it self into an AGM to receive the chairpersons reports and consider the annual audited accounts and any other matters pertaining.
- vi. Constitute it self into a delegates conference to elect and appoint CB every 2 years.
- vii. approve new members to the forum
- viii. Approve budgets and other financial contracts or dealings between the forum and other external bodies; approve yearly programs and activities of the forum.
- ix. Dissolve the forum by resolution approved by 3/4 majority vote of the membership.
- x. Set up special committees / taskforce to conduct limited special assignments.

14.3 THE COORDINATION BODY (CB):

The Coordination Body shall have the following functions:

- i. Implement and further facilitate the realization of the objectives, policies and decisions of the Forum and make appropriate recommendations to the General Assembly.
- ii. Consider reports submitted by the secretariat on the activities of the forum and make recommendations to the General Assembly
- iii. Supervise the affairs of the Forum
- iv. Appoint a director and other support staff of the Forum when necessary provided there are sufficient funds to support the position.
- v. Define duties of all secretariat staff.
- vi. Supervise the performance of the secretariat.
- vii. Set up task force and sub committees as may be necessary to deal with specific tasks and co-opt such individuals as shall have the requisite expertise.
- viii. Fundraise for the Forum
- ix. Consider and submit for approval to the General Assembly the budget of the Forum
- x. To under take any other duties for the achievements of the Forums objectives.

The CB shall meet at least four times a year or as often as may be necessary,

PROVIDED that one of the meetings shall be held immediately preceding the annual general meeting of the GA

- a. The quorum of the CB shall be two thirds 2/3 of the members entitled to attend and vote.
- b. The number of people serving on the CB may be decreased or increased from time to time by the GA as it shall deem fit in accordance with the provisions of the memorandum of agreement.

14.4. COMPOSITION OF THE SNDF COORDINATION BODY (CB):

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The Coordination Body shall be composed of the following office bearers provided that one third will be women:

- i. The chairperson
- ii. The vice chairperson
- iii. Secretary
- iv. Treasurer
- v. A member representing physical disability
- vi. A member representing hearing impairment
- vii. A member representing visually impaired
- viii. A member representing learning difficulties
- ix. A member representing Epileptic people
- x. A member representing psychosocial, gifted and talented

14.5. DUTIES AND FUNCTIONS OF THE COORDINATION BODY

14.5.1. The Chairperson

- a. The chairperson shall be elected by the GA and shall preside over the meetings of the GA and the Coordination Body.
- b. Be a co-signatory to all the forum's accounts and financial transactions
- c. Have powers to call emergency meetings of the coordinating body
- d. Submit reports to the General Assembly
- e. In the event of an equality of the vote at any meeting the chair shall have a casting vote.

14.5.2. The vice chairperson

- i. Preside at all meetings of the general assembly and CB in the absence of the Chairperson or when delegated to do so by the Chairperson.
- ii. Carry out any other duties as may be assigned by the Coordinating body or General Assembly

14.5.3. The general secretary

- iii. Keep all records and proceedings of all meetings of the Forum
- iv. In consultation with the CB draw up and publish the agenda of the CB and GA meetings
- v. Be a co-signatory to the report of the CB and GA.
- vi. Keep an up to date register of all members and maintain constant contact with all members.
- vii. Present quarterly reports to the CB

14.5.4 The treasurer:

- i. Keep all financial accounts of the Forum and present monthly records of accounts to the CB and quarterly records to the General Assembly.
- ii. Be a signatory to all the Forum's financial transactions
- iii. Be chair to the finance committee.

Article 15. CB Membership position can be a vacant

A member of the CB shall vacate office and that office shall be deemed to be vacant if:

- i. S/He or she absents themselves from three consecutive meetings of the CB without obtaining the chairpersons permission which permission shall not be unreasonably withheld.
- ii. S/He resigns from his office
- iii. S/He dies
- iv. S/He becomes of unsound mind or becoming unable to manage his/her affairs.
- v. Upon dissolution or winding up of the member organization decided by the CB and approved by GA
- vi. A decision made by CB that S/He conducts himself in a manner to bring the forum in disrepute or works to the detriment of the forum

Article 16. ELECTION OF THE COORDINATING BODY

- i. All elections to the Coordinating Body shall be carried out in the General Assembly
- ii. Nominations shall be proposed and must be seconded by two members
- iii. The tenure of office to the Coordinating Body shall be two years.
- iv. A member may be re elected after hers/ his term has expired provided that no member shall serve for more the two (2) consecutive terms of two years each in the same office.
- v. Voting shall be presided over by an independent electoral board purely constituted to preside over the said elections.

Article 17. SUSPENSION AND DISMISSAL OF CB MEMBER

- i. The Coordinating Body shall have power to suspend any of its members at any level giving reasons to the member in question in writing provided the decision is approved by 2/3 majority of the members of the present. Coordinating Body
- ii. Insanity, embezzlement, abuse of office and any other activities deemed to be outrageous, damaging or in breach of this agreement shall constitute grounds for suspension or dismissal.
- iii. The Coordinating Body will call an emergency meeting of the General Assembly to report such a decision made on a suspended member for consideration and ultimate decision.

Article 18. TERMINATION OF COORDINATION BODY MEMBERS

A member of the CB at any level wishing to resign shall tender her/his resignation in writing to the Coordinating Body giving one months notice.

Article 19. THE MANAGEMENT TEAM

The management team shall be made of:

- i. The chairperson
- ii. The vice chairperson
- iii. The General secretary
- iv. The treasurer
- v. One other member of the coordinating body.

The management team shall regularly over see the operations of the secretariat and draw to the attention of the Coordinating Body any matter that requires their attention/action as approved by the memorandum of agreement.

Article 20. VOTE OF NO CONFIDENCE ON THE COORDINATING BODY

- i. Any member of the General Assembly who has sufficient cause to institute a vote of no confidence upon the Coordinating Body or upon a single member of the Coordinating Body shall proceed to do so spelling out details or grounds for the motion.
- ii. The movers of the motion of no confidence upon the entire Coordinating Body or upon one or several members of the Coordinating Body shall give at least one months written notice to the General Secretary
- iii. The general secretary who shall prepare a written response from the Coordinating Body within two weeks from receipt of the motion and who on assessment of the

allegations, call an emergency meeting to take consideration shall submit the copy of the motion of no confidence to the chairperson.

- iv. A motion shall be carried only by the approval of a 2/3 majority of the members present.

Article 21. VOTING

- a) Voting method shall be by show of hands other wise secret ballot shall be used on controversial issues that risk dividing the general assembly.
- b) Decisions shall be made on the basis of a simple majority
- c) The representatives of DPOs shall each be entitled to cast two votes, while representatives of other organizations will be entitled to one vote per organization.

Article 22. OPERATIONAL MODALITIES.

22.1. THE SECRETARIAT

The forum shall establish a secretariat for the better and efficient running of its affairs under the general supervision of the management team and the Coordinating Body

The secretariat shall implement all recommendations and policies formulated by the Coordinating Body and the General Assembly and shall be responsible for all the day-to-day affairs of the forum and shall perform all such other duties as the Coordinating Body may from time to time direct in accordance with the memorandum.

The Coordinating Body shall appoint the Director of the secretariat on such terms as the GA may determine.

22.2 THE DIRECTOR

There shall be a Director appointed by the chairperson of the Coordinating Body upon terms and conditions approved by the Coordinating Body (CB)

The Director shall be the chief executive of the secretariat and shall be responsible for the day-to-day operations.

The Director shall be ex officio member at all meetings of the Coordinating Body and General Assembly

Article 23. SNDF PROPERTY:

All properties of the forum should be registered on behalf of the Forum. All forum's properties is responsible by the secretariat and supervises the CB a separate assets register shall be maintained.

Article 24. MANAGEMENT, MONITORING AND REPORTING MODALITIES:**24.1 MONITORING:**

The Coordinating Body will be responsible for the ongoing monitoring of activities, technical backstopping and assessments of progress. A select team drawn from member organizations will carry out an annual review of the Forum activities.

24.2. REPORTING:**24.2.1 NARRATIVE REPORTING**

The Coordinating Body will prepare and submit half quarterly narrative reports to the GA covering the activities performed and results obtained in accordance with approved work plan schedules.

24.2.2. FINANCIAL REPORTING:

The CB shall prepare monthly accounting statements that will be compiled into quarterly reports on expenses in relation to budgets and annual work plans shall be integrated in the progress reports for submission to the GA quarterly.

Article 25. FINANCIAL MANAGEMENT

The Forum shall have a bank account, which shall be opened in a bank agreed upon by the Coordination body and approved by the Forum Members at the General Assembly.

The joint and alternate signatories shall be;

1. The Chairperson
2. The Treasurer
3. One other member nominated by the CB.

Article 26. AUDITING

A certified auditing company appointed by the General Assembly will conduct annual financial audits.

Article 27. FUNDS OF SNDF

- i. The Coordinating Body shall be at liberty to solicit funding from donors.
- ii. The Coordinating Body in consultation with the General Assembly will develop a funding policy.
- iii. Soliciting of funds for and by the forum shall be carried out in a transparent manner by the secretariat as authorized by the CB. All such fundraising efforts will be reported to the GA.
- iv. Solicited and received donations and contributions to the forum be they in cash or in kind shall be assets of the forum and no member, organization group or person shall lay claim to them as entities irrespective of the soliciting roles that will have played.
- v. Financial records shall be availed to members, donors and well wishers as when deemed necessary.
- vi. SNDF shall, subject to the provisions of this constitution, apply its funds in income in promoting the objectives of SNDF.
- vii. SNDF shall not pay any dividends to it's members

Article 28. SNDF MEMBERSHIP SUBSCRIPTIONS AND FEES

Each of SNDF member organization shall pay a monthly subscription of (3 USD) three US Dollars, payable in every three months ,if any has failed to pay six months fees shall automatically loses the membership.

Article 29. THE SEAL

The seal shall be kept in the safe custody of the General Secretary and shall not be affixed to any instrument except by authority of the resolution of the CB and shall be fixed in the presence of the chairperson and the general secretary of the forum who must sign every instrument of the forum to which the seal is so affixed in their presence.

Article 30. BYE – LAWS

The Coordinating Body shall make bye laws regulating all matters pertaining to the secretariat and on any other matters necessary for the smooth running of the forum,

PROVIDED that the powers to regulate the matter being the subject of the bye –laws is vested in the GA.

Article 31. The financial year of SNDF runs from the 1st of January to the 31st December of every year

Article 32. DISSOLUTION

- i. The Forum shall be dissolved by resolution of 3/4 of all members.
- ii. The Forum’s surplus funds, property and assets (If any) by consensus and general agreement shall be given or transferred to some other body having similar objects similar to those of the Forum and which prohibits the distribution of its income or assets among its members. Provided that in the event those members fail to reach an agreement, then it shall be distributed to such other charity as may be selected by an agreed arbitrator.

Article 33. SETTLEMENT OF DISPUTES AND AMENDMENTS:

The General Assembly or its appointed task force shall be the forum for settlement of disputes among members. However members will co-operate to try and reach mutually acceptable resolution to any dispute arising out of the interpretation or execution of this Memorandum. Any amendment to this Arrangement shall be decided upon by resolution of 2/3 of the members and confirmed and communicated in writing between the members

Article 34. INTERPRETATION

Schedule of interpretation all the contents and any amendments made shall be translated into Somali language for all members.

Article 35. RATIFICATION:

The constitution will be affected for ratification the majority voting of GA member organizations in extraordinary GA meeting held on 23rd -24th March 2005 at Ming Sing Restaurant Hargeisa, with the approval and signature by the SNDF Chairman.

SNDF Chairman
Jama Ibrahim Awad

SNDF Member Organizations¹⁾

No	Name of the member organization	Acronym
1.	Somaliland Handicap Association	SHA
2.	Comprehensive CBR in Somaliland	CCBRS
3	Nasa-Hablod Handicap Association	NAHA
4	Hargeisa Youth Development Association	HADYA
5	Hargeisa Deaf School	HDS
6	Activist Network for Disabled Persons	ANDP
7	Orthohope Rehabilitation Center	ORC
8	Disability Action Network	DAN
9	Hargeisa School For Special Needs	HSSN
10	Disabled Women Organization and children	HAN
11	Horn Afrique Youth Voluntary Committee	HAVOYOCO
12	Disabled Children Association	DCA
13	Hargeisa Handicap Association	HHA
14	Tawakal Women's Association	TWO
15	Albustan Handicap Association	AHA
16	Hargeisa Handicap Women	HHW
17	Somaliland Blind Society	HABS
18	Youth Development Disability Organization	YODDO
19	Somaliland Red Crescent Society	SRCS
20	Negaad Women Umbrella	Negaad
21	Somaliland Youth Umbrella	SONYO
22	Borama Deaf and Blind School	BD&BS
23	Sahil Handicap Organization	SHO
24	Tawakal Lifeline Organization	TLO
25	Erigavo Handicap Organization	EHO
26	Las-anod Handicap Association	LHA

1) The patron of SNDF The Vice President of Somaliland, H.E. Ahmed Y. Yassin

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