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Ahmed Mohamed Musa
Peace Research Institute Oslo (PRIO)

Cindy Horst
Peace Research Institute Oslo (PRIO)

Hassan Aden
Peace Research Institute Oslo (PRIO)

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Ahmed Mohamed Musa

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Peace Research Institute Oslo (PRIO)

Hassan Aden

Peace Research Institute Oslo (PRIO)

Peace Research Institute Oslo (PRIO)
Hausmanns gate 3
PO Box 9229 Oslo
NO-0134 Oslo, Norway
Tel. +47 22 54 77 00
www.prio.org

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1. Introduction

After two decades of anarchy marked by conflict and instability, Somalia has made progress on the path to state-building. However, despite this progress, it is still classified as a fragile state due to sustained political and security challenges that impede its potential for greater progress. In the last two decades, Somalia's political landscape has undergone significant changes, including a shift from a strong central state to a federal system of governance. So far, Somalia has established five federal member states,¹ each with its own regional administration and leadership structure. The status of the Banadir region, which includes the capital city of Mogadishu, and Somaliland, remains unresolved. For the Banadir region, whether it should be a federal region or constitute a federal member state is an ongoing discussion. Somaliland unilaterally re-claimed its independence from the rest of Somalia in 1991 and since then has largely remained semi-autonomous.

The adoption of a federal system requires the implementation of elections at both the local and national levels. However, Somalia has not conducted direct elections – an election in which citizens vote directly instead of having representatives vote on their behalf (Cambridge Dictionary, n.d.) – since 1969. Over the past decade, Somalia has been conducting indirect elections, in which clan elders select delegates who then elect parliamentarians for the lower house, while parliaments of the federal member states elect upper house senators. The two federal legislators then vote for a President, who appoints a Prime Minister. However, since 2016, the discussion has shifted to holding direct elections – a goal that the Federal Government of Somalia (FGS) and its federal member states (FMSs) have yet to achieve.

Somaliland² has successfully conducted several direct elections, while Puntland³ has made partial progress towards this goal, as it recently completed biometric voter registration and successfully held local council elections on 25 May 2023. In this report, we explore the lessons that can be learned from the transition processes of both Somaliland and Puntland. Based on our analysis of elections in these two regions, we highlight the necessity of relative peace and security, inclusive politics, and a reliable electoral infrastructure. These elements are indispensable for laying the groundwork for successful direct elections in Somalia and its FMSs. Moreover, in order to effectively prepare for direct elections at the federal level, implementing such elections first at the FMS level could streamline the transition process.

Following a presentation of the research methodology, we offer a brief historical background of Somalia's state-building process following its implosion in 1991. Secondly, we document the transition processes to democracy in Somaliland and Puntland, starting with facilitating factors and hindrances and their current status in terms of democratisation. Thirdly, we analyse the challenges that the FGS and FMSs in Somalia are facing in their attempts to transition to direct elections and what lessons can be learned from Somaliland and Puntland's processes to successfully transition from indirect to direct elections.⁴

1.1. Research methods

This report presents findings based on in-depth interviews conducted in Hargeisa, Somaliland (n=6) and Garowe, Puntland (n=15) between May and July 2022. In Hargeisa, we interviewed political party leaders, election experts, representatives of civil society groups, and academics who hailed from Hargeisa, Burao and Erigavo. The interviews focused on three themes: the factors that facilitated Somaliland's transition to direct elections, the shortcomings in Somaliland's democratisation process, and the lessons that the Federal Government of Somalia (FGS) and federal member states (FMSs) can learn from Somaliland's experience.

In Garowe, we interviewed senior representatives of the Transitional Electoral Commission of Puntland (TEPEC), senior officials in the Puntland government, members of parliament, academics, and representatives of civil society groups. The discussions with informants in Puntland covered four main themes. First, we explored the dynamics of Puntland's efforts to transition to direct elections since its establishment. Second, we compared Somaliland's success in transitioning to direct elections within the first few years of its establishment to the delayed transition in Puntland. Third, we examined why attempts from previous governments to transition to direct elections failed. Fourth, we assessed the possibilities and challenges involved in the current ongoing effort to transition Puntland to direct elections.

The interviews were transcribed and analysed using thematic analysis, which involved identifying key themes and patterns in the data related to the research questions. We used NVivo software to conduct the analysis. To ensure confidentiality, we anonymised the research informants.

1.2. Historical background in Somalia

In 1988, Somali National Movement (SNM) fighters who were engaged in a guerrilla struggle against the Somalia National Army (SNA) entered the cities of Hargeisa and Burao, which resulted in mass displacement. The armed resistance against Somalia's military government spread to south-central Somalia. In January 1991, this turned into a full-blown civil war in Somalia, leading to the collapse of the state. In the following decade, Somalia remained without a functioning government. However, between 2000 and 2006, efforts to restore stability and the state resulted in the creation of a Transitional National Government (TNG) and later a Transitional Federal Government (TFG). This process was contested by different local and regional actors – including warlords and the Islamic Courts Union (ICU) – leading to the involvement of the Ethiopian National Defence Forces (ENDF), which supported Somalia's TNG against the ICU. The era of the TFG officially ended in 2012 with the election of President Hassan Sheikh Mohamud, heralding the inception of the Federal Government of Somalia (FGS) (Dahir & Sheikh Ali, 2021). This transition represented a significant milestone, as Somalia received an internationally recognised government. Most notably, the election of Hassan Sheikh Mohamud, the first president elected

inside Somalia since the collapse of the central government, symbolised Somalia's progression towards more democratic processes.

Three developments have underpinned the progress that Somalia has made since the end of the transitional period in 2012. Firstly, four additional FMSs – in addition to Puntland, which has existed since 1998 – have been established: Galmudug, Hirshabelle, South West, and Jubbaland. Secondly, as part of the effort to create a federal system, Somalia established the Upper House of the parliament, comprising 54 senators during the 2016 parliamentary and presidential elections. The Upper House, together with 329 legislators of the House of the People (HoP), constitutes the legislative branch of Somalia's government. However, up until now, the federal elections have continued to be conducted using clan-based indirect elections. The Federal Indirect Electoral Implementation Team (FIEIT) and State Indirect Electoral Implementation Team (SIEIT) manage the indirect electoral process. Somaliland does not directly participate in the indirect elections, but its representatives are elected in Mogadishu by delegates hailing from Somaliland. The two-chamber legislators elect the President, who in turn appoints a Prime Minister, who then appoints executives based on the clan-based power-sharing formula, known as the 4.5 clan formula. This is a formula that was officially adopted during the 2000 conference in Djibouti, and it assigns a negotiated number of parliamentarians to each of four major clans and a cluster of so-called small clans (Elliot, 2009).

The federal government has started to engage with the international community and financial institutions, which has resulted in increased pressure on the country to improve its governance. This includes a call to hold direct elections. In addition, at the local level, there has been an increasing disdain for the indirect elections by concerned politicians and citizens who have been demanding a transition to direct elections. In February 2021, Somalia was expected to conduct direct elections and to move away from the previous indirect election methods. However, technical, political, and security-related challenges led to the failure of the direct election plan. These challenges included opposition from key politicians and leaders of two federal member states, Puntland and Jubbaland, who accused other federal leaders of having ulterior motives, such as planning to manipulate election results or to conduct sham elections. The dispute over the election process sparked an armed conflict between the sections of the army loyal to the federal government and other sections loyal to the opposition led by two former presidents and a prime minister. This armed conflict lasted for days, resulting in the displacement of 100,000 Mogadishu residents and almost pushing Somalia into a full-fledged civil war.⁵ To defuse the tension, political stakeholders agreed to revert to the indirect election system.

'In Somalia, the public is yearning for multiparty democratic elections.'

There is an increasing public dissatisfaction with clan-based indirect elections at both the federal and federal member state levels. The prevailing expectation is to transition to direct elections,

as expressed by a civil society representative interviewed for this project who argued that ‘in Somalia, the public is yearning for multiparty democratic elections’. Direct elections, a crucial component of democratisation processes, are vital for establishing and sustaining peace in countries transitioning from civil war (Fath-Lihic & Brancati, 2019). Organising inclusive, free and fair elections is often considered essential in building trust among political elites, transforming armed and warring groups into viable political parties, and reforming the security sector. It can also reduce the concentration of power in the hands of one group while mitigating the potential for autocratic regimes to (re)emerge (Lyons, 2005; Mukherjee, 2006; Flores & Nooruddin, 2012). However, the FGS and FMSs are struggling to design and implement direct elections.

2. Somaliland's Transition to Direct Elections

Somaliland transitioned from indirect to direct elections in 2002. Since then, it has successfully conducted two House of Representatives (HoR) elections (in 2005 and 2021), three Local Councils (LC) elections (in 2002, 2012, and 2021), and three Presidential elections (in 2003, 2010, and 2017) (Musa, 2022). Before transitioning to direct elections, Somaliland encountered similar obstacles to those currently faced by Somalia. Given the similarities between the two Somali territories, the case of Somaliland provides valuable lessons for Somalia and its FMS on how to design the transition from indirect to direct elections – while recognising the inherent complexity of this comparison considering Somaliland's status within the federal system.

Somaliland's democracy is not flawless. Arguably, it remains in 'the first stage of multiparty democratisation',⁶ while others believe it has regressed to clan democracy. Some of the noticeable weaknesses include the fact that only three political parties are licensed in Somaliland; the internal procedures of these parties are undemocratic; separate elections are held for the various levels of governance; the independence of key institutions is increasingly compromised; and there is only low representation of women and minority groups. Somaliland's transition to direct elections has not been free from challenges. For example, between 2008 and 2009, Somaliland conducted its first biometric (fingerprint) voter registration exercise for parliamentary elections, which was disregarded in 2011 due to data errors.⁷ In the next section, we will discuss the factors that facilitated Somaliland's transition to direct elections. Additionally, we will highlight challenges that still remain in Somaliland's progress towards becoming fully democratic. These challenges could also become obstacles to Somalia and its FMS on their journey towards democracy, unless plans to address them are put in place during the planning phase of the transition to direct elections.

2.1. Factors contributing to Somaliland's transition to direct elections

2.1.1. Democratic leadership

One reason why Somaliland was able to transition to direct elections is that its political elites had a democratic culture. The findings from our research suggest that the Somaliland elite demonstrated democratic values during the armed struggle and after the 'liberation of Somaliland'. This democratic culture is often considered inherent in a pastoral society (Lewis & Samatar, 1999). The Somaliland National Movement (SNM), which led the 'liberation' struggle in Northern Somalia against the military government, not only fought for democracy but also practised it. As one of our interviewees stated, 'Democracy was a principle for the Somaliland National Movement leaders. The SNM held six congress meetings during its ten-year struggle, where a new chairman was elected'.⁸ In the decade-long armed struggle, five SNM leaders transferred chairmanship. According to the SNM charter, the movement pledged to return power to civilians as soon as they liberated Somaliland. In 1993, two years after the liberation of Somaliland, the movement's leaders returned power to the people as they had promised. President Mohamed

Ibrahim Egal, who had previously served as the Prime Minister of Somalia's last civilian government in 1969, was elected at the Borama grand conference. He replaced Abdirahman Tuur, the last chairman of the SNM and the first President of Somaliland. Many of Somaliland's political elite, including the leaders of SNM and the founders of the first political parties, attended Sheikh and Amoud schools and knew each other as students. Their educational socialisation was a further contributing factor in Somaliland's post-1991 state building (Philips, 2016) and transitioning to direct elections.

2.1.2. Statehood aspirations

Since the 1990s, Somaliland has presented itself as an independent state aspiring to gain recognition from the international community. These political aspirations have played a role in its exercise of a democratic governance system to showcase its democratic values to the Western world and demonstrate that it deserves recognition as an independent state. Commenting on this, an informant in Garowe said, 'Somaliland was formed on the logic of statehood, independent from Somalia; they always wanted to show the world that they are different from the rest of Somalia'.⁹ Somaliland sought to use multiparty elections to advance its quest for recognition. 'Somaliland's people, especially the dominant Isaq clan, believed that exercising democracy was a precondition for gaining international recognition.'¹⁰ Somaliland's political elite continuously emphasises stability and democracy to demonstrate that Somaliland is more deserving of recognition than the internationally recognised, but unstable and undemocratic, Somalia (Forti, 2011).

'Somaliland's people, especially the dominant Isaq clan, believed that exercising democracy was a precondition for gaining international recognition.'

The research participants in Hargeisa stressed the role of statehood aspirations in Somaliland's democratisation. The desire for statehood gave Somaliland a clear objective, and both its political elites and the majority of its citizens were in agreement that Somaliland must behave like a state to be recognised by the global community of sovereign states. Consequently, its leaders concentrated their efforts on achieving this goal. As a result, Somaliland's transition to direct elections is recognised as an 'organic' and bottom-up process, initiated and designed by its political class.

2.1.3. Reconciliation and security

Somaliland's reconciliation and peace-building process has been well-documented (Kaplan, 2008; Eubank, 2010; Bradbury, 2014). Over a dozen clan conferences were held in the 1990s to reconcile and build trust between competing clans and sub-clans. Somaliland's successful transition to direct elections can be attributed to its bottom-up reconciliation. This included resolving election-related disputes using domestic conflict resolution mechanisms, particularly in the early

stages of the transition process. During electoral conflicts, various election stakeholders – such as politicians, the election body, and political parties – respected local conflict resolution mechanisms, which were usually initiated by non-state actors such as businesspeople, elders, and religious leaders. For example, there was an election dispute during Somaliland's first presidential election in 2003, when the opposition candidates challenged the results after losing to the acting President by only 83 votes. Yet, this dispute was resolved internally without the involvement of international actors.¹¹

2.1.4. The 'Egal Factor'

During Somaliland's transition to direct elections, many of the political elite initially opposed the transition and instead advocated for clan-based indirect elections. While these politicians did not necessarily oppose democratisation, they suspected that the incumbent President, Mohamed Ibrahim Egal, from the dominant Isaq clan, was attempting to manipulate the electoral process to maintain his grip on power.¹² Consequently, a stalemate ensued, and President Egal even went so far as to arrest key traditional elders who supported opposition leaders. However, the situation changed in May 2002 when President Egal passed away. His Vice President, Dahir Rayale Kahin, from the non-Isaq Awdal region, became the acting President. This change in leadership gave momentum to the transition process, and Somaliland held its first local council elections in December 2002, followed by its first Presidential election in April 2003. A key informant commented on the role of President Egal's death in the transition process, saying:

President Egal was a political heavyweight who championed Somaliland's transition to direct elections. He recognised that he had little chance of being re-elected under the clan-based election system and saw an opportunity in the direct elections. Having participated in the 1969 elections, he knew how to appeal to the voters. The opposition leaders were aware of this and lobbied for the clan-based election system, resulting in a stalemate that persisted until his death in 2002.¹³

A second informant said:

Egal was succeeded by his deputy, who was perceived as less manipulative, new to the office, and from the periphery clans. He faced pressure to transition the country into democracy since the President's term was ending and there was no possibility of winning elections through a clan conference. Other political actors also recognised that they could easily defeat him. As a result, key political actors became interested in transitioning to direct elections.¹⁴

President Egal played a pivotal role in facilitating Somaliland's transition in a number of ways. Firstly, his experience as a former Prime Minister in Somalia's civilian government before the

military coup in 1969, as well as his participation in previous elections, proved instrumental in designing the transition process. Secondly, he staunchly opposed the clan-based election system and advocated for the implementation of direct elections. Despite tough opposition from other political actors, he was able to persuade the public about the benefits of direct elections. This highlights that political factors can impede the transition process and that, to avoid this, political space must be managed, and concerns held by different stakeholders need to be addressed.



Photo: A delegate casts her vote in the Somaliland elections, 12 December 2016. UN Photo / Tobin Jones

2.1.5. Technical aspects

One key lesson that can be learned from the Somaliland case is that conducting direct elections requires addressing both political and technical aspects of the electoral process. From a technical perspective, the democratisation process in Somaliland has made gradual progress since 2001, successfully overcoming various practical obstacles. Initially, in 2000, Somaliland established the legal framework for elections, which included a constitution that partly stipulated the electoral processes. The establishment and approval of the constitution through a referendum were necessary prerequisites for conducting direct elections, as the constitution provided the necessary legal framework. Subsequently, the parliament passed several electoral laws, including Law No.14 of Regulation of Political Parties and Associations. Another crucial legal framework that was introduced was the Somaliland Election Management Body (EMB). These legal frameworks were

established prior to the first direct elections held in December 2002, which involved the participation of six political associations.¹⁵

To address the challenge of allocating seats in parliament, Somaliland's political elites have resorted to using a seat allocation formula that was in place before independence in 1960.¹⁶ However, this approach is not without its flaws, particularly as non-Isaq clans feel underrepresented in parliament. Additionally, many of the technical issues that existed in the early years, such as multiple voter registrations, were resolved with the introduction of advanced technologies, such as iris-based biometric voter registration, which was instituted in 2016 (Interpeace, 2016). This has improved the reliability of voter registration by addressing duplicate registrations through fingerprint and facial registration, thereby reducing election irregularities.¹⁷ To account for the high levels of illiteracy among citizens, Somaliland introduced an innovative approach in which the names of candidates were presented alongside designated symbols associated with them, such as an icon of a lightbulb, camel or a tortoise, which voters could recognise.

2.2. Challenges in Somaliland's democratisation

Somaliland's democracy has made significant progress, but it is not without flaws. One significant issue is Somaliland's inability to hold timely elections. Despite the constitution stipulating that election schedules can only be altered in the event of special circumstances, such as widespread conflict or disaster, the elections have repeatedly been postponed without the presence of such circumstances. These delays have had negative consequences, including political disputes and a loss of trust in the democratic system and key institutions such as the high court and Somaliland's election body, the National Electoral Commission (NEC). The Somaliland elections have stalled since 2022, partly due to missed election schedules. In October 2022, Somaliland's upper house, known as the House of Elders or the *Guurti*, extended the President's office term by two years and its own office term by five years. With these extensions, the *Guurti* has turned the President's five-year office term into a seven-year term and its own six-year term into a twenty-year term, beginning in 1997. Local critics have thus labelled it as the 'house of extensions'.

Two decades ago, Somaliland adopted the three-party system in order to address the issues associated with the fragmented and proliferated clan party system in the 1960s. In this system, the three political associations that receive the highest number of votes in the Local Council (LC) elections are promoted to national parties, and they are allowed to contest parliamentary and presidential elections for ten years before new parties can be registered. However, the three-party system has resulted in limited political space and participation, failing to produce parties with a broad national base. Additionally, the parties lack internal democracy, which hinders them from separating their identity and politics from the clan identity and politics of their founders and chairpersons.

Somaliland conducts each election separately. The May 2021 elections were an exception to this, in that the House of Representatives and Local Council elections were combined for the first time. In principle, three elections (Presidential, HoR, and LC) – or four if the upper house of *Guurti* is elected – should take place every five years. However, due to the high cost of elections and Somaliland's limited budget, holding these elections separately is not sustainable, and it limits the prospects of democratisation. One of the factors considered when scheduling elections is the inability to finance multiple elections in close proximity, which is sometimes used as a justification to postpone elections.¹⁸

The inclusion of various social groups is a crucial factor in measuring democratisation. In Somaliland, the low representation of women and minorities has raised concerns among many stakeholders. Partners in democratisation have pushed for women and minorities quota systems, but the parliament has rejected the proposal. In the 2021 elections, 28 women ran for elected positions. However, none of the female candidates were elected to the parliament (Musa, 2022).

3. Puntland's Attempts to Transition to Direct Elections

Puntland, located in northeast Somalia, was established in 1998 at a clan conference held in Garowe city. Similar to Somaliland, Puntland state formation moved from a peace agreement signed after a grand clan conference, to a transitional charter (*axdi-kumeel gaara*) – a social contract – to a constitution, a referendum and elections (Healy, 2010). The transitional charter stated that Puntland would become the first federal state of Somalia. It was also decreed that the first president's office term would be three years, during which time the President should draft a new constitution and transition Puntland to direct elections. In 2001, the Puntland Parliament approved a draft constitution to replace the national charter. In 2012, it succeeded in approving its provisional constitution with the participation of 480 delegates.¹⁹ The new constitution reaffirmed that Puntland is a democratic state where people elect their leaders through direct elections.

3.1. Why Puntland's attempt to transition to direct elections was delayed

Twenty-five years since its formation, Puntland conducted the first direct municipal (local council) elections on 25 May 2023. Explaining why Puntland has delayed transitioning to direct elections, an informant in Garowe said:

Several questions need answers before holding elections. These include whether the infrastructure is in place, whether there is adequate security, whether there is a system that can ensure fair and free elections, and whether sufficient funding is available.²⁰



Photo: UN Photo / Abdulkadir Osman

In this section we analyse the challenges to Puntland's transition to direct elections. From 1998 to 2022, successive Puntland leaders made promises to transition and attempted to hold direct elections. However, whenever Puntland has attempted to transition, it has fallen into an electoral and constitutional crisis. The first serious attempt by President Abdirahman Faroole's in 2012, was met with armed resistance. Two decades after its establishment, Puntland is still struggling to realise the direct election aspirations of its leaders and people. While Puntland has generally been stable over the last two decades and has controlled much of its territories, political and technical challenges have constrained its transition to direct elections.



Puntland's Qardho district as it holds direct elections, 25 October 2021. Photo: UN Photo / Abdulkadir Osman

3.1.1. Politics and priority

On 25 May 2023, Puntland conducted 'historic' local council elections.²¹ However, Puntland's journey towards conducting direct elections, to elect its parliament and president, is still beset with political challenges. One factor contributing to Puntland's inability to transition to direct elections is the priority given by Puntland's elite to rebuilding a federal government that aligns with their vision of a federal system. From the outset, Somaliland and Puntland chose different paths in establishing their administrative systems. The founders of Somaliland decided to create an independent administration separate from Somalia, while Puntland's leaders opted to remain part of Somalia. Puntland's founders made continuous efforts to influence the re-establishment

of a federal government system in Somalia, a system they envisaged upon Puntland's establishment in 1998. Unlike successive Somaliland governments, who focused on building government institutions while dealing with internal political challenges, Puntland's first president, Abdullahi Yusuf, and his successor, Mohamud Muse Hersi, spent a significant amount of time and resources on re-establishing a federal government in Somalia. Some of the research participants argued that Puntland would have a good chance of holding direct local council elections and completing voter registration in 2022 if their President did not contest as a Federal President during the 2022 elections.

Further challenges include the fact that attempts to transition Puntland to direct elections are often met with suspicion by opposition groups and political elites. This is because such attempts are perceived as ways by which the incumbent leaders aim to manipulate the electoral process and extend their time in office. For instance, attempts by former President Abdirahman Farole and current President Saed Deni have been viewed with suspicion by the public and the political elite as a ploy to extend their time in power. This mistrust is exacerbated by the fact that incumbent leaders often initiate the transition process late, towards the end of their term in office, which reinforces suspicions of political manipulation and term extension. As a result, some political elites resort to violence to prevent office term extension or unilateral transitions, leading to a breakdown of trust between members of the political elite.

A critical and related challenge faced by Puntland in its attempt to transition to direct elections is the informal clan-power-sharing formula known locally as the '*tara*-system'. This is a practice where the presidency rotates between three clans. Whenever the government tries to push for transition, a faction within the political establishment advocates for the continuity of the indirect system for parliamentary and presidential elections, fearing that a change in the rules of the game would result in the loss of their opportunity to ascend to the presidency. For example, when President Abdirahman Farole from Garowe attempted to transition Puntland to a multiparty election system in 2012, the elders and political elite of Qardho and Galkayo cities resisted, in part, concerned that multiparty elections would disturb the clan-power sharing agreement. Similarly, the incumbent President Saed Deni from Qardho is pushing for a transition to direct elections, but some of the political elites from Garowe, where the next Puntland President is expected to come from, are opposing it. They have the same concerns as those held by the political elites from Qardho and Galkayo in 2012. Informants in Puntland stressed the need to foster trust among the political actors as a key step toward facilitating peaceful transition to multiparty elections.

3.1.2. Lack of electoral infrastructure

The attempts to transition to direct elections in Puntland have been impeded by the lack of necessary infrastructure such as voter registration, political parties, electoral boundaries, and a constitutional court. There has also been limited democratic culture in Puntland, such as strong

pro-democracy groups, vibrant media, and civic education, which are important for a democratic transition and a functioning democracy. However, efforts have been made to address these challenges, bringing the state closer to direct elections. In October 2021, Puntland successfully conducted elections in the Eyl, Ufeyn, and Qardho districts, piloting voter registration and election administration (Rift Valley Institute, 2023). In the first quarter of 2023, Puntland conducted a successful biometric voter registration exercise in most of its districts and cities. On 25 May, Puntland successfully held local council elections and it aims to eventually use voter registration for parliamentary and presidential elections. In December 2022, Puntland achieved another milestone by establishing a constitutional court.²²

Another important technical factor that significantly affects the elections in Puntland and the rest of Somalia's federal member states is the country's lack of experience with direct elections. The last multiparty elections in Somalia were held in 1969, which means that most of the population has no direct experience with free and fair elections. This lack of experience with electoral systems makes it challenging for citizens to comprehend the importance of direct elections and the processes involved and also limits the understanding of the role of public discourse and accountability mechanisms. Citizens and political stakeholders will support the establishment of democratic systems provided that they can see their benefits and an enabling environment is created. Therefore, it is important that democratisation is not limited to direct elections only: political accountability, freedom of speech and civic education must be strengthened, both as an integral part of the transition process and as a result of the transitioning processes.

4. A Path to Direct Elections in Somalia

In this section, we aim to synthesise what the federal member states (FMSs) and the federal government of Somalia (FGS) can learn from Somaliland and Puntland's transition processes. While we acknowledge that there are similarities between the remaining FMS and FGS and Somaliland and Puntland, and that there are lessons to be learned from their transitions, we also recognise that there may be differences in terms of security and the interests of regional and international actors in these territories. It is worth noting that progress has been made at the state level, with some FMSs taking steps towards adopting direct elections. For example, Galmudug state, which borders Puntland, established its first state-level electoral commission in December 2022 and passed electoral laws, following in the footsteps of Puntland. Similarly, the South West cabinet passed electoral commission laws in November 2022. Based on the Puntland and Somaliland cases, we identify three key factors that can play a vital role in facilitating or constraining the transition process in Somalia: security, political commitment, and electoral infrastructure.

4.1. Security: The essential prerequisite for direct elections

The Somaliland and Puntland transitions show that security is the foremost prerequisite for direct elections. Safeguarding the election staff, voters, and candidates is crucial for election participation and implementation. Reliable security measures affect the transition to direct elections in different ways.

4.1.1. Voter safety

'Security is a fundamental prerequisite for free and fair elections. If Al-Shabaab controls entire regions, and there is no security, how can the federal leaders talk about direct elections?'

Ensuring the safety of voters is paramount for their participation in the democratic process. Al-Shabaab has been known to impede Somalia's elections by targeting and assassinating elders who participated in indirect elections (ICG, 2020; Tahir, 2022). Some of the informants we interviewed in Somaliland and Puntland questioned the priorities of other FMSs and the FGS, arguing that 'the discussion should shift towards how to provide security and authority instead of elections'.²³ A key informant we spoke to in Garowe emphasised the importance of security in holding direct elections, stating that 'security is a fundamental prerequisite for free and fair elections. If Al-Shabaab controls entire regions, and there is no security, how can the federal leaders talk about direct elections?'²⁴ Another informant highlighted that 'one person, one vote is linked to security, and such security does not exist in the South'.²⁵ Conducting direct elections in areas like Mogadishu and other major urban settlements, which are critical electoral constituents, will be less feasible due to the daily security challenges posed by Al-Shabaab. Although there has been significant progress in the last few months, with the Somalia National Army and clan militias liberating areas in central Somalia from Al-Shabaab, the risk that the group poses has not been eliminated.

4.1.2. Legitimacy

Enhanced security measures will also strengthen the legitimacy of the governing authority. In contrast to Somaliland and to a large extent Puntland, Al-Shabaab has been challenging the authority of FMS and FGS since 2007, and it continues to be the sole authority in most rural areas, while clandestinely exerting control in major urban areas. During our interviews in Hargeisa, a former advisor to a federal ministry pointed out that:

Somalia's federal leaders appear not to take the absence of authority seriously. They merely assume that they have authority, even though they lack it, even within the capital. In a country with an abnormal situation, Somali leaders act as if everything is normal, even pretending to be capable of holding direct elections, despite the challenges posed by Al-Shabaab in the capital.²⁶



An electoral official checks delegates' identification cards. Photo: AMISOM / Awil Abukar, via Flickr

4.1.3. Costs

Elections are costly, and with their modest budgets both Somaliland and Puntland received financial support from donors to fund elections. Conducting elections in a context of weak security also increases the cost, as election equipment and staff require airlifting, given that travelling by road in Southcentral Somalia is unsafe. At present, both the Federal Government of Somalia

and other federal member states operate on a relatively modest budget, which relies heavily on donor support. For instance, in 2022, the FGS budget amounted to one billion, with 70% of the funds coming from international donors (SPA, 2022). Nevertheless, there are concerns about the sustainability of the costly election process, as the international community may struggle to maintain its financial support. Furthermore, the coordination among various donors could pose a challenge, which might further impede the progress of the process.

4.2. Inclusive political commitment

Political commitment has been identified as a crucial facilitating factor in the successful transition to direct elections in Somaliland, while the lack of political commitment has emerged as a major limiting factor in Puntland's transition. In Somaliland, political commitment was shaped specifically by clear statehood aspirations. This goal has become the foundation for commitment to implementing direct elections. The political will of the elites ensured the effective management of political space through bottom-up conflict resolution mechanisms, providing a structured and balanced environment for political discourse. Moreover, shared social trust among political elites facilitated Somaliland's transition. This trust was owing to commonalities in age, educational background, and a shared interest in using the democratic exercise as a litmus test to gain support for statehood aspirations, which in many ways forged a collective commitment to the common political cause of conducting direct elections.

While Somaliland exemplifies the crucial role of inclusive political commitment to direct elections, the Puntland case serves as an example of how a lack of political commitment can delay the transition to direct elections for decades. Despite Puntland's status as a relatively peaceful state, free from major Al-Shabaab threats, its protracted delay in transitioning to direct elections is frequently attributed to a lack of political commitment and the development of entrenched interests among the political elites in the current indirect electoral system. As such, for Somalia to successfully transition to direct elections, it is critical to forge political trust among political elites at both the national and federal member state levels, alongside building an inclusive commitment to direct elections and state building.

4.3. Election infrastructure

Somalia has not conducted direct elections for over five decades, and as a result, the country lacks the necessary election infrastructure. This includes a constitution that has the support of political actors, reliable voter registration, competent and independent electoral institutions, political parties, seat allocation, demarcation of electoral borders, conflict resolution mechanisms, and election administration procedures. Although election infrastructure is important for the transition process, it takes the third priority after security and political commitment.

Elections are sensitive, and in post-conflict areas, countries run the risk of sliding back into chaos due to election-related disputes. The current indirect elections in Somalia are rife with irregularities such as violence, rigging, and intimidation (Menkhaus, 2017). In the absence of proper election infrastructure, or with poorly designed and less transparent infrastructure, there is a high likelihood that elections will be conducted poorly and risk triggering violence.

‘If something goes wrong, the impact will be lesser when the election infrastructure exists at the federal member state level. But if direct elections are initiated at the federal level, any mishap can have serious ramifications.’

When establishing a sound election infrastructure, it is essential to focus on the federal member state level first, to minimise election-related risks. An academic interviewed for this study stressed the importance of minimising these risks, stating: ‘If something goes wrong, the impact will be lesser when the election infrastructure exists at the federal member state level. But if direct elections are initiated at the federal level, any mishap can have serious ramifications’.²⁷ A step-wise approach that starts at the lower level reduces the level of uncertainty and risk.

5. Conclusion

In the past two decades, Somalia has made significant progress in its state building efforts. It has emerged from a period of anarchy, established a federal system, and liberated major urban areas from Al-Shabaab. These developments have created momentum for the transition to direct elections. Lessons from Somaliland and Puntland, which are at different stages of democratisation, indicate that *security*, *political commitment*, and *reliable election infrastructure* are critical pillars for conducting direct elections. The factors that have contributed to direct elections, and the challenges faced, provide a good template for other Somali states to adopt or avoid as they design their democratic systems.

The Federal Government of Somalia and the four federal member states in the South face serious security challenges from Al-Shabaab, making it difficult to conduct direct elections even in the administrative capitals. Furthermore, there is a lack of effective electoral infrastructure, including citizen and voter registration, electoral boundaries and seat allocations. Therefore, it is clear that Somalia needs to proceed with caution and ensure that the process of transitioning to direct elections is not rushed, as this could lead to the country relapsing into civil strife and political chaos.

Starting at the local and district level

Based on experiences from Somaliland and Puntland, we argue, along with many of our informants, that direct elections should start at the local council and district level. Local elections provide a solid foundation for building trust and confidence in the democratic process and for establishing electoral infrastructure at the local level. For direct elections to succeed in Somalia, it is important to proceed cautiously and ensure that the process does not result in political instability. Security is a vital prerequisite of holding direct elections, which would suggest that the process should be prioritised in more secure localities first.

Creating a secure environment

Somali political actors must maintain their focus on prioritising security as it represents a crucial step towards achieving greater political stability and a more democratic future. Organising direct elections at both the federal level and within the federal member states, which are confronted with significant security challenges from non-state actors, may prove less feasible and could potentially lead to electoral fraud and manipulation. Emphasising security is also vital for upholding the legitimacy and authority of state actors.

Establishing independent institutional frameworks

Independent institutions play a critical role in the process of democratisation, particularly in ensuring the integrity of elections and resolving election-related disputes. These disputes can arise

from issues such as vote rigging and tampering with results, which not only violate democratic principles but also undermine public trust in the electoral process. Addressing such issues requires independent electoral commissions and oversight bodies that can guarantee that elections are conducted in a free and fair manner. Moreover, a competent and independent judicial system is vital in resolving election disputes through proper institutional frameworks. If the judicial system is perceived as biased or incompetent, it can further erode public trust in democratic institutions. Therefore, it is imperative that Somalia invests in building independent and competent institutions to support its democratisation process. This includes establishing robust and independent electoral commissions and oversight bodies, as well as strengthening the judicial system to ensure that it can effectively resolve election-related disputes. By doing so, Somalia can enhance public trust in the electoral process and democratic institutions, ultimately contributing to a more stable and peaceful society.

Notes

1. Puntland, Galmudug, Hirshabelle, South West and Jubbaland.
2. A former British Protectorate in the north that unilaterally declared its independence from the Italian-colonised South in 1991 but continues to be internationally recognised as part of Somalia.
3. A semi-autonomous federal member state since 1998.
4. Some of the findings from this project have been published in two blog posts: Hassan Aden; Asha Adam, Ahmed Mohamed Musa & Cindy Horst (2022) What can Somalia's federal member states learn from Somaliland as they transition to multiparty elections? *PRIO Blog*, 28 December. Available at: blogs.prio.org/2022/12/what-can-somalias-federal-member-states-learn-from-somaliland-as-they-transition-to-multiparty-elections; and Ahmed Mohamed Musa; Hassan Aden, Asha Adam & Cindy Horst (2022) Why has the Puntland state of Somalia been unable to conduct a 'one person one vote' election for over 24 years? *PRIO Blog*, 9 November. Available at: blogs.prio.org/2022/11/why-has-the-puntland-state-of-somalia-been-unable-to-conduct-a-one-person-one-vote-election-for-over-24-years; and a policy brief: Ahmed Mohamed Musa; Hassan Aden & Cindy Horst (2023) Leveraging Local Elections to Advance Somalia's Transition to a Multiparty Democratic System, *PRIO Policy Brief*, 2. Oslo: PRIO. Available at: www.prio.org/publications/13446.
5. See Felix Tih (2021) Violence forces 100,000 to flee homes in Mogadishu, *Anadolu Ajansı*, 28 April. Available at: www.aa.com.tr/en/africa/violence-forces-100-000-to-flee-homes-in-mogadishu/2223513.
6. Interview, intellectual, Hargeisa, 25 August 2022.
7. Interview, election expert, Hargeisa, 15 May 2022.
8. Interview, academic and civil society member, Hargeisa, 25 August 2022.
9. Interview, TPEC member, Garowe, 10 July 2022.
10. Interview, civil society member, Garowe, 10 July 2022.
11. Interview, election expert, Hargeisa, 15 May 2022.
12. Interview, academic and civil society member, Hargeisa, 25 August 2022.
13. Interview, academic and civil society member, Hargeisa, 25 August 2022.
14. Interview, election expert, Hargeisa, 15 May 2022.
15. Kulmiye, UDUB, UCID, Sahan, Asad, Hormood.
16. In February 1960, parliamentary election was held in the Somaliland British Protectorate. 33 MPs were elected based on clan seat allocation. Since 1991, clan seat allocation has been built on the 1960 clan seat allocation model.
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23. Interview, academic and civil society member, Hargeisa, 25 August 2022.
24. Interview, academic, Garowe, 1 July 2022.
25. Interview, TPEC member, Garowe, 10 July 2022.
26. Interview, analyst, Hargeisa, 5 July 2022.
27. Interview, academic, Garowe, 1 July 2022.

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Transitioning Somalia to Direct Elections

Lessons from Somaliland and Puntland

In recent years, the Federal Government of Somalia (FGS) has increased its engagements with the international community and financial institutions, which has resulted in increased pressure on the country to improve its governance. This includes a call to hold direct elections – a goal that the Federal Government of Somalia and its federal member states (FMSs) have yet to achieve. Somaliland, which unilaterally declared independence in 1991, has

successfully conducted several direct elections, and FMS Puntland has also made partial progress towards this goal. Puntland has recently completed biometric voter registration and successfully held local council elections on 25 May 2023. In this report, we examine the factors that facilitated the transition process to direct elections in Somaliland and Puntland, as well as the challenges that have hindered progress. Drawing on lessons learned from

those experiences, we explore how to chart a path towards successful direct elections in Somalia. Future research is needed to understand challenges to the transition process from the perspectives of stakeholders in south-central Somalia.

Ahmed Mohamed Musa

Peace Research Institute Oslo (PRIO)

Cindy Horst

Peace Research Institute Oslo (PRIO)

Hassan Aden

Peace Research Institute Oslo (PRIO)

