



**PUNTLAND'S LOCAL GOVERNMENT ELECTIONS: IMPLICATIONS AND PROSPECTS FOR PUNTLAND'S PARLIAMENTARY ELECTIONS**



**LOCAL GOVERNMENT ELECTIONS**

The phased process of conducting local government elections (LGEs) in Puntland has now commenced, building on the agreements made between various political actors—mainly the political associations, Puntland state and the Transitional Puntland Electoral Commission (TPEC). The initial phase involved voter registration, which was first concluded in Bari, Karkaar and Gardafui, with similar campaigns reaching areas of Nugal, Mudug, Sanaag and Haylaan. The total number of registered voters, including those who took part in the early elections, amounts to 387,094.

While voter registration is a vital component of any local elections process, it is also the juncture at which unresolved political disputes come to a head, potentially delaying subsequent phases. Thus, it comes as little surprise that voter registration in Puntland was several times due to emerging political and institutional challenges, such as disputes over district demarcation and lack of buy-in from some political parties and elites.

The transition to one person one vote (OPOV) in Puntland has been volatile and fraught with obstacles. Thus, considerable efforts are needed to ensure that the remaining local elections in Puntland's districts proceed in a peaceful, fair and timely manner.

In particular, there remains a lack of clarity on the overall implications of the LGEs for Puntland's parliamentary elections. While most political actors are now supportive of the local elections process, the timing and modality of the parliamentary elections continues to provoke controversy. As long as this issue remains unresolved, it threatens to generate political disputes that could derail the entire process. The aim of this briefing is therefore to analyse possible scenarios around the process and provide options for managing the forthcoming parliamentary elections.

**POSSIBLE SCENARIOS AND THEIR IMPACTS ON THE PARLIAMENTARY ELECTIONS**

The initial election schedule published by TPEC in September 2019 indicated that the Puntland LGEs would take place in June 2022. This timetable was, however, thrown off-course by political, economic and technical problems, with the primary cause of the delay being Somalia's state-level federal elections in 2022. Given these delays, several politicians have expressed doubts that the state administration will be able to conduct local elections by the current deadline of 25 May 2023,

warning of possible political ramifications for the Puntland parliamentary elections scheduled for 8 February 2024. Some politicians contend that TPEC's limited capacity and the short amount of time remaining make it difficult to envisage the government holding two sets of elections within a year of each other. Others believe this will not be an issue. According to the Puntland constitution, the three parties that come out on top at the LGEs will then compete for the parliamentary elections. Once the local elections are over, it is argued, these three legally emerging political parties will be able to handle the timing of the parliamentary elections.

Two out of the nine Puntland political associations are currently opposed to the existing procedure (mechanics of the process in general) do not appear to be united in their opposition. For example, Mideeye political association and Horseed political association have failed to demonstrate a shared stance on LGEs, with the former urging local Bossaso citizens to participate in the voter registration process and appearing generally to be supportive of local elections.

Against this backdrop of political differences, three potential scenarios can be envisaged in terms of the timing and sequencing of the elections process.

**Scenario 1: Local elections are concluded on 25 May**

In this scenario, TPEC is able to complete the LGEs process

No	Key Tasks	Key Dates
1	Period for resolving complaints related to the provisional voter list (PVL)	18-25 March 2023
2	Publish the final voter list (FVL)	26 March 2023
3	Deadline for civil servants to resign if they want to run for local council elections.	26 March 2023
4	Political parties submit their candidate lists for local council elections	21 March 04 - April 2023
5	Print and distribute voter cards.	27 March - 18 May 2023
6	Political parties submit their lists of party agents.	15 April-04 May 2023
7	CSO and international partners submit their Polling lists of local council election observers	15 April-04 May 2023
8	Approve and issue ID cards to Political Association agents and observers	05-10 May 2023
9	Publish the final list of candidates for the local council elections	29 April 2023
10	Campaign period for Political Associations (Start and End)	29 April-22 May Mid-night 2023
11	Local Council Election Day	Thursday 25 May 2023

according to the schedule set out in Figure 1, meaning that by the end of May three political parties will have emerged and the Puntland government will be able to start the parliamentary election process. There would also be discussions around amending the constitution to allow more than three political parties to emerge, with an amendment to this effect put before the next elected parliament.

Figure 1. Puntland local council elections timeline

Assuming the LGEs are concluded by 25 May, this will allow two weeks before the first Puntland parliamentary session is convened, which may in theory give the state government sufficient time to prepare the necessary election laws, including formation of the Puntland Election Committee (PEC)—a permanent committee mandated with conducting Puntland’s parliamentary elections and the Law of Political Parties. This would also potentially allow parliament sufficient time to read, amend or repeal existing laws that would be contradicting the new laws.

The emergence of the three constitutional political parties, with the possibility of further parties in future, could also help in halting the customary constitutional annex that each four years allows parliament to call on traditional elections of parliament (since the Constitution calls for democratic elections). The 3 political parties will be an official stakeholder in deciding what comes next and how the parliamentary elections will take place.

The main challenge under this scenario is that the time available for fulfilling the various elements necessary to set up parliamentary elections through OPOV is far too short, particularly when the scope of work includes developing a legislative framework for the parliamentary process. Moreover, a second challenge arises from contention over the political parties. Many politicians who have already declared their intention to run for the presidency are not members of any political association, or future political party yet Puntland has adopted a parliamentary system in which the state president will be chosen by the elected parliament. For such candidates to accept this new trend and join the existing political associations of one of the future 3 political parties will be difficult.

The conclusion of Puntland’s local elections and the emergence of three or more political parties would pave the way for a comprehensive consultation between different stakeholders, including the political parties, traditional elders, the Puntland government, politicians, and civil society groups. One possible means of facilitating this would be to appoint a new PEC, which could prepare for the parliamentary elections and propose an extension to the government’s tenure until such elections are held—achieving consensus on term extension, however, is likely to prove a daunting task. Indeed, opposition politicians with aspirations to the Puntland presidency in 2024 have already made their objections to a term extension public, even threatening that unrest and violence can erupt if this is attempted.

Another possible option is to reach agreement on the formation of a new parliament in which the political parties are the key stakeholders, but the election process is based on the 66-clan power-sharing model. This may be the most realistic outcome should the LGEs be concluded peacefully but will undermine progress towards OPOV.

As both political associations and government officials have indicated, however, talking about parliamentary elections could itself undermine the progress made, further increasing the chances of the power-sharing system making a return.

A third possible option is the formation of a caretaker government by the existing parliament, which will then conduct the parliamentary elections. The problem here is that people’s trust in the current parliament is currently very low, rendering this option unlikely in the extreme.

### **Scenario 2: Protracted local elections until the end of the year**

In this scenario, the LGEs go beyond the planned date of 25 May 2023, provoking uncertainty and tensions during a period that coincides with the official campaign for Puntland’s parliamentary elections. Two potential factors may exacerbate delays to the local elections: firstly, a failed rainy season (expected in April), which would worsen the ongoing drought; and, secondly, civil unrest in Puntland state, with some politicians already making clear they are planning to disrupt the local elections. There has already been an attempt to cause disruptions, which saw armed militias obstructing the training of voter registration staff in Garowe on 6 February. The incident forced the Puntland government to adjourn voter registration in the capital, while allowing other districts of Nugaal region to continue. One possible option would be to postpone the LGEs until after the parliamentary elections and a new administration is elected beginning 2024—this may be the only remaining option if the local elections are disrupted.

### **Scenario 3: The halting of elections on the scheduled date**

In this scenario, opposition politicians use violence to disrupt the voting scheduled to take place on 25 May. If this happens, two likely options arise: either the Puntland government holds local elections in sufficiently peaceful regions while setting aside areas subject to violence, or it postpones all LGEs until next year. The latter option is only likely to come about if the state government unsuccessfully attempts to use coercive force to quell the spoilers, as happened in 2013 when the then Puntland president tried to organize local elections for the first time. Current circumstances are different from the situation in 2013, however, as voter registration in Puntland’s districts has already been completed, meaning a complete suspension of the local elections process is almost unthinkable.

## **KEY TRADE-OFFS BETWEEN LOCAL AND PARLIAMENTARY ELECTIONS**

The biggest problem facing the election process is that even if the LGEs are concluded peacefully according to the envisaged schedule, this still leave insufficient time in which to conduct the parliamentary elections in a democratic manner by January 2024.

This poses a serious dilemma.

On the one hand, if local elections are completed and political parties emerge, strong momentum will be generated for the parliamentary elections to be OPOV. This presents a significant opportunity for expanding universal suffrage in Puntland and, indeed, across Somalia.

On the other hand, given that the current parliamentary session will have concluded by the end of November 2023, the Puntland government will not have enough time to prepare for the parliamentary elections, including introducing the necessary laws, procedures and guidelines. This means that in order to deliver parliamentary elections it will be necessary to extend the term of the existing government and parliament, which may appear undemocratic and is unlikely to be accepted by presidential aspirants and opposition figures.

In light of the above impasse, the only perceived alternative may be to revert back to the clan system of selecting parliamentary representatives. This, though, would represent major setback for Puntland's democratization agenda. Currently, the clan system of selection is entirely controlled by traditional elders and is prone to manipulation by politicians. The question that arises here is whether the political associations that win the LGEs will be content to sit back and allow traditional elders to manage the next parliamentary elections without their consent. It is highly unlikely that political associations will be willing to simply abstain from the political scene for the next five years, and should they do so it begs the question of why they should invest in the local election process in the first place.

## RECOMMENDATIONS

- Hold early discussions aimed at building consensus between political actors on how to conclude the local elections process by the end of this year, and discuss plans for the parliamentary elections in January 2024.
- Given that politicians have long called on Puntland's president to clarify his intentions behind the LGEs and repudiate any term extension beyond January 2024, there is a need for the president to speak to the public and propose a clear roadmap towards next year's parliamentary elections.
- Should violence prevent voting taking place in some districts, LGEs should still be pursued in those districts where safe elections are tenable. This would at least rescue the process from the mistake made in 2013—when the entire local election process was cancelled due to violence taking place in a few areas— and prevent Puntland falling into a constitutional trap.
- Only allowing a limited number of political parties may be problematic, as demonstrated in Somaliland. A discussion on the issue therefore needs to be opened among politicians, think tanks and academics in order to determine its practicality and suggest possible alternatives.