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PUNTLAND DEVELOPMENT  
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# DEMOCRATIZATION IN PUNTLAND THE WAY AHEAD



POLICY BRIEF

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# **Democratization in Puntland: The Way Ahead**

# Introduction

In 2019, President Said Abdullahi Deni took office in Puntland with a pledge to revive and complete the state's democratization process. The president, having observed the challenges encountered by the previous administration, promptly provided evidence of his commitment to the process by establishing the Transitional Puntland Electoral Commission (TPEC) III. Since then, the commission has taken on the responsibility of delivering early local council elections based on one-person-one-vote (OPOV). The early elections in three districts—Qardho, Ufeyn and Eyl—were successfully conducted on 25 October 2021, marking a significant milestone in Puntland's transition to democratic rule.

The initial intention had been to follow this success by rolling out local elections across the majority of Puntland's districts and eventually move towards OPOV elections for the state legislature and presidency. The process stalled in the first half of 2022, however, and range of other issues are likely to emerge in the coming stages that will need to be addressed if further loss of confidence in the democratization agenda is to be avoided.

It is against the above backdrop that this policy brief seeks to analyse the progress and challenges of Puntland's democratization process and, in so doing, help Somali and international stakeholders maintain momentum towards credible and peaceful elections. The policy brief is based on data collected through focus group discussions, key informant interviews, and discussions that took place at the Puntland Democratization Stakeholder Forum on 20 February 2020. Following this introduction, the brief proceeds as follows. First, an overview is given of TPEC III and the successful early elections. Next, the report analyses the key challenges faced in the wake of the early elections, before proceeding to explore the longer-term obstacles to the democratization process more generally. Finally, a number of policy recommendations are proposed.

## TPEC III and the successful early elections

Upon its establishment in November 2019, TPEC III immediately began the process of reviving democratization through public engagement with civil society organizations (CSOs), elders, youth, women and politicians. This was followed by the development of a strategic roadmap, finalizing of a legislative framework, capacity building at TPEC, and, in December 2019, publication of guidelines for registering political associations. In 2020, the commission made further important progress, finalizing the registration, vetting and certification of political associations by August; selecting the three electoral districts (Eyl, Ufeyn and Qardho) where the early elections would take place; and beginning civic and voter education campaigns. This laid the groundwork for voter registration to begin in mid-2021 using a unique, cost-effective biometric method—a task that was completed by September 2021. Moreover, the commission finalized distribution of voter cards in the three election districts and secured the final candidate lists from the political associations. The commission also organized debates in the three districts for the political associations and shared their campaign schedules for the 26 September–24 October 2021 pre-election period.

This critical work led to the successful implementation of elections on 25 October 2021, with thousands of Puntlanders across Eyl, Ufeyn and Qardho casting their votes in a peaceful manner. For the vast majority of voters, this constituted their first ever opportunity to choose their representatives. The elections demonstrated the feasibility of OPOV elections in Somalia, and presented an opportunity for citizens, political associations,

TPEC III and the government to learn and reflect prior to conducting elections—initially expected in December 2022—across all districts. As part of the process, a total of 46,839 voters were registered, although 9,262 did not collect their cards and 8,724 failed to vote. Altogether, an estimated 28,854 people cast their vote.

Crucially, the results evidenced competitive elections, with no political association winning a majority in any of the districts—although three parties clearly dominated outcomes:

- Kaah won 35 seats (13 in Eyl, 12 in Qardho and 10 in Ufeyn).
- Mideeye won 25 seats (6 in Eyl, 11 in Qardho and 8 in Ufeyn).
- Justice and Equity won 20 seats (4 in Eyl, 9 in Qardho and 7 in Ufeyn).
- Horseed won 3 seats (2 in Eyl and 1 in Ufeyn).
- Truth and Justice won 2 seats (both in Eyl)
- Ifiye won 1 seat (in Ufeyn).

Importantly, according to the participants interviewed for this brief, there was strong popular support behind the process due to a perceived need to move from the traditional system of clan power-sharing—where power is usually held by a small number of individuals—to a system in which citizens can exercise their fundamental democratic rights, as well as improve accountability and transparency. Successful completion of the process also provided positive inspiration for Somalia more broadly in terms of establishing democratic governance—indeed, many participants highlighted Puntland’s position as a leader in Somali governance, first through federalism and now through democratization.

## Key challenges since election day

Despite such popular support, the democratization process has since lost momentum due to a number of challenges—namely, the delay in seating the elected councils; conflict in Bossaso that erupted in December 2021; the resignation of the TPEC leadership; and the recently concluded federal elections which substantially distracted the attention of the leadership. These challenges must be properly addressed if momentum is to be re-booted and a credible pathway towards local elections devised.

### Delay in seating elected councils

Article 43 of the Puntland Local Government Law stipulates that the government has a period of 30 days in which to seat the elected councillors. Despite the government’s political association (Kaah) winning the highest number of seats in all three districts, however, the second- and third-placed political associations—Justice and Equity and Mideeye—immediately formed a coalition to gain the mayorships of Ufeyn and Qardho. In the aftermath of a series of events, the government became unenthusiastic about following through on the process. This led to a five-month delay in the seating of the councils—and commensurately the election of mayors—significantly damaging confidence in the process.

After much pressure from CSOs, political associations and citizens, the Ministry of Interior, Federal Affairs and Democratization shared the Eyl, Ufeyn, and Qardho establishment (oath and mayorship election) schedules. On 6 April 2022, Ufeyn became the first district council to take the oath and elect a mayor and deputy: Justice and Equity won the mayorship, beating Kaah by one vote, while Mideeye won the deputy mayorship. In Qardho, the same coalition alliance manifested its strength, with their combined total of 20 councillors voting for Mideeye as mayor and Justice and Equity as deputy. The seating of Eyl was supposed to take place on 14 April with only Kaah contesting the mayorship, but the political association allowed two of its members to bid for the position, leading to a loosening local community cohesion and a militia taking over the election venue. The dispute had not been resolved at the time of writing, with the oathing and election ceremony yet to take place. This will need to be finalised to fully re-establish confidence in the process.

## Conflict in Bossaso

The removal and replacement of Puntland Security Force (PSF) commander Mohamud Osman Abdullahi ‘Diyano’ by President Deni in December 2021 triggered a conflict in Bossaso that not only further distracted Deni’s government from proceeding with the local democratization process but also complicated the election process for the Federal Government of Somalia (FGS) lower house seats in Bossaso. On 4 March 2022, the president finally reached agreement with traditional elders from Bossaso and Mohamud ‘Diyano’, who was re-installed as commander of Puntland Security Commando Forces, while his erstwhile replacement Amiin Abdullahi was installed as commander of Puntland Intelligence Special Forces. This agreement facilitated the election on 5 March of the 16 federal members of parliament. Even so, the conflict points to the contentious dynamics underlying Puntland’s politics, centring on Bossaso. Unless such conflicts can be sustainably resolved, they are likely to resurface in the roll-out of local elections.

## Resignation of TPEC leadership

A major challenge/setback to the success of the local elections came on 2 January 2022 when Guled Salah Barre submitted his letter of resignation as TPEC chairman—as well as member of the commission—stating that he could no longer proceed with his role due to mounting challenges. His resignation was closely followed by the resignation of TPEC’s deputy chairman Jama Hersi Farah, prompting alarm among citizens, CSOs and donors. Despite TPEC issuing a statement asserting that the process would continue without further delay, led by a new acting chairman and deputy chairman, the public confidence plunged into uncertainty. The problem was compounded when another commissioner was selected as a federal member of parliament and so had to leave TPEC. Subsequently, on 31 March, the president nominated a candidate to one of the three vacant TPEC positions, with the speaker of parliament expected to nominate the remaining two commissioners, although this is still pending. These delays in nominating commissioners have weakened the confidence, especially within the international community, and undermined the commission’s work.

## Said Deni's presidential aspiration

Said Abdullahi Deni's effort to contest federal presidential elections led to a focus on managing Puntland's Upper and Lower House elections rather than advancing the local elections process. Now that the FGS's presidential election is over and former president Hassan Sheikh Mohamoud is once again elected as the president of the Federal Republic of Somalia, president Said Abdullahi Deni of Puntland is expected to return home providing a new opportunity recommence the local elections process. However his absence has led to serious conflicts within the Puntland executive that will need to be addressed, in order to rebuild confidence in the process.

## Key challenges for the democratization process

While addressing these lingering issues from the first stages of the local elections process is paramount, there are a number of broader challenges that must be overcome in order to successfully complete local elections in the remaining districts and advance democratization in Puntland more generally. Doing so is essential to ensuring the credibility of the process, minimizing conflict risk and maximizing the model's democratic credentials.

### Overcoming budgetary challenges

From the outset, the (now former) TPEC chairman complained about a lack of budgetary support from the Puntland government for the process. Despite a certain percentage of the budget being allocated to TPEC and the advancement of the democratization process, over the course of 2021, and according to former TPEC chair, only 16 per cent of the allocated budget was received. This lack of budgetary support not only limits TPEC's work but implies a limited commitment from government to the process, thereby reducing the chances of donor support.

### Establishing an effective judicial and dispute resolution system

TPEC has taken the risk of accelerating the process without a constitutional court in place, presupposing that the Supreme Court can take up this role until the constitutional court is established. The mandate of the Supreme Court organ also ended on 15 August 2021, however, leading to a legal and judicial vacuum that was only resolved on 31 March 2022 when President Deni, after extended pressure, appointed a new Supreme Court chairman and deputy chairman. Indeed, for the protracted period during which the councils were not seated, there was no legal body holding the government and parliament to account for the process.

There is however still no constitutional court. This is especially important given the fact that President Deni's declaration of his candidacy for the federal presidency has triggered disagreements with Puntland's vice president on their respective roles. Such tensions in the Puntland executive organ potentially hinder effective progress in the democratization process, especially if there is no constitutional court to resolve eventual political or electoral disputes.

## Demarcating district boundaries

A key challenge going forward is clarification of administrative and electoral district boundaries. How these boundaries are drawn will significantly affect electoral dynamics and outcomes, potentially leading to conflict if certain communities or political groups are perceived as being favoured. Clarification of boundaries may also intersect with land conflicts and competing claims on certain areas between groups. This was raised as an issue during the early elections, with the former TPEC chairman revealing that the commission had 'received a number of boundary complaints from communities in adjacent districts of Qardho and Ufeyn during the early elections'. This suggests that substantially more complaints will follow when the local council elections are extended across the entire state. The Ministry of Interior is currently completing a district demarcation study that, once approved by the cabinet and the parliament, will form the basis for the electoral districts. On the other hand should this process not be sufficiently consultative and based on buy-in at the local-level, it could spark conflict that would impact the elections.

## Improving public engagement and voter education

In order to improve the credibility of the democratization process there must be much greater engagement with the public. This involves two key areas. First, it is essential that political parties/associations are better connected to constituencies. In the case of Puntland, the eagerness for a new system of governance resulted in the formation of a number of political associations. Perception surveys conducted by Puntland Development & Research Centre (PDRC), however, show that citizens had little or no engagement with these associations and were largely oblivious to their activities. Citizens were unaware of how the programmes and agendas of the various political associations differed, and instead mostly associated them with the individual personalities at their head.

Secondly, on election day a high illiteracy rate among voters was noted in all three districts. Many voters required assistance, which involved announcing which political association they wished to vote for, with a representative from said association then supporting the person to cast their ballot. As such, this removed a key element of free-and-fair elections: the secrecy of the ballot. Full-scale voter education aimed at reducing voters' inability to recognize their desired political association is crucial for increasing credibility in the remaining districts.

## Technical and non-technical challenges affecting voter turnout

Another challenge going forward is addressing the low voter turnout witnessed in the three early elections:

- Eyl had 11,470 registered voters, of whom 8,671 collected their card and 6,755 casted their ballot on election day. This equates to a 41 per cent absenteeism rate.
- In Qardho, 25,405 registered, 20,620 collected their card and 16,722 voted, equating to a 34 per cent absenteeism rate.
- In Ufeyn, 9,964 registered, 8,287 collected their card and 5,366 voted. This equates to the highest absenteeism rate of the three districts, at 46 per cent.

Moreover, it should be noted that many eligible voters from the three districts failed to register, increasing the percentage of non-voters.

The major reasons for the low turnout were: 1) drought—a majority of voters were pastoralists, who follow rain patterns, meaning many had moved their livestock to areas outside the districts where they had initially registered; 2) limited coverage of civic education campaigns; 3) doubts the election would take place due to previous failed attempts; and 4) limited time for distribution of voter cards—only eight days was allocated for this purpose, with distribution limited to the villages hosting polling stations, making it impractical for many potential voters to obtain their cards.

## Policy recommendations

The 25 October 2021 OPOV elections in Eyl, Qardho and Ufeyn represented a critical milestone in Puntland's history and enjoyed significant popular support. While there is a clear desire for democratic governance to be expanded and consolidated in the state, a number of challenges stand in the way of this goal. The following policy recommendations are therefore intended to support resolution of the key issues explored in this report.

### To the government of Puntland

- Prioritize resolving the conflict in Eyl around the seating of the council, with relevant third-party organizations—such as Puntland civil society—invited to play a role as needed.
- Work with the state assembly leadership to finalize the replenishment of the vacated TPEC positions and ensure there is clear momentum behind the process.
- Conduct widespread consultations, in collaboration with civil society, regarding district demarcation. This would limit possible conflicts and allow TPEC to proceed with the electoral districts. Furthermore, the government should play an active role in reconciling any disputes arising from the demarcations.
- Provide a democratization dividend in the form of budgetary support to the three elected councils to improve service delivery, economic empowerment and infrastructure. This will render the process attractive to other districts.
- Release the government-allocated budget support to TPEC and political associations in order to strengthen their engagement in the remaining districts.
- Demonstrate government commitment to the process through continuous engagement with stakeholders and the public, including regular public briefings and statements clarifying timelines and next steps.

## To Puntland civil society

- Provide support to community-led dialogues in Bossaso, as well as high-level political consultations within Puntland, to address the longstanding tensions that could potentially undermine electoral implementation.
- Take a prominent role, in coordination with government, in expanding voter education, with a focus on improving understanding of and confidence in the electoral process and connecting political associations with citizens, particularly in rural, coastal and nomadic communities.
- Provide induction trainings to newly elected councils, as well as specific trainings based on district priorities and needs. These trainings should be carefully coordinated in order to maximize capacity building of councillors and avoid duplication.

## To TPEC

- Provide a clear roadmap and timeline for the remaining district elections.
- Support political associations in simplifying their logos, thereby helping voters distinguish between associations.
- Ensure that, with changing timelines and modalities, voter registration and voting arrangements take into account the specific needs of pastoralist communities during this drought period.
- Consider increasing the time period for which voters can collect their voter cards for the following local elections.

## To international actors

- Message continued support for the process, including the importance of maintaining momentum and addressing critical priority issues, such as seating the council in Eyl.
- Provide support to all Puntland stakeholders in implementing the recommendations outlined above.
- Establish coordinated and sustained efforts to support the growth of political associations, especially in the key areas of financing, communications and visibility.
- Support the delivery of democratization dividend to the three elected councils in the form of economic empowerment and infrastructure.