



April 2023

# Revitalizing Jubaland's political settlement

Opportunities for re-establishing dialogue

# Overview: Jubaland's volatile political settlement and contentious 'election' process

Since the formation of Jubaland state in 2012, decades of conflict have given way to increased stability across parts of the region. Even so, insecurity, political violence and humanitarian crises have persisted amid recurrent tensions between Jubaland and the Federal Government of Somalia (FGS). Indeed, political fragmentation continues to characterize dynamics in the state: al-Shabaab controls most of Middle Juba, while there is an absence of cooperation between leaders in Gedo and the Jubaland administration. Instability in Jubaland recently escalated into major episodes of violence, with conflict between the state administration and the FGS playing out in Gedo during 2019–2021.

Jubaland's instability arises in part from the weakness of its 'political settlement'—the underlying rules of the game agreed among political actors regarding the distribution of, and competition, for power. Jubaland's political settlement has several key shortcomings. First, there has never been a lasting, stable agreement on sharing resources across the state, especially revenue raised from Kismayo port and border points with Ethiopia and Kenya. Competition for Kismayo especially, as the region's de facto capital, has been at the centre of violent conflict dynamics for the past 30 years and continues to drive competition between groups.

Second, Jubaland's security landscape is fragmented between Gedo, Middle Juba and Lower Juba regions, with most security actors focused on political competition rather than ensuring security for citizens.

Third, there has been limited scope for open and inclusive governance. Many communities' express grievances over the clan power-sharing arrangements undergirding Jubaland institutions, while previous 'election' processes have come under criticism for political interference and lack of transparency. Although much of the competition for control of Kismayo has centred on a few dominant clan groupings, it has also been characterized by the marginalization of less powerful clans, who lack effective representation in institutions or the space to participate in decision-making.

Fourth, since 2012, the state's relations with the FGS have often been tense and conflictual, with successive federal administrations seeking to project power and align with factions in Jubaland, exacerbating already volatile political dynamics.

Fifth, regional actors have aggravated conflict dynamics by supporting competing groups in Jubaland.

Finally, al-Shabaab, which remains outside Somalia's political settlement, still holds its main stronghold in Middle Juba and continues to conduct attacks across Jubaland and the wider country.

These weaknesses in Jubaland's political settlement facilitated the tensions and violence that emerged alongside the protracted national election struggle beginning in 2019. Even following the conclusion of the election process in May 2022, they continue to be associated with political instability and conflict potential. Most recently, tensions have flared due to the state legislature approving a one-year term extension for the parliament and president. The

next Jubaland elections had been scheduled for August 2023, with the lead-up set to be extremely contentious in light of attempts by marginalized groups to alter clan power-sharing norms. The term extension has only added to this contention.

If real progress in peacebuilding, development and governance is to be sustained, Jubaland's political settlement must be transformed, creating an environment in which an inclusive range of actors can agree on how best to distribute and compete for power. To that end, this brief outline possible pathways for re-establishing dialogue around a consensus-based election process, thereby laying the groundwork for a wider transformation in political settlement dynamics.

## Managing state elections and the next political transition

Managing a peaceful, consensus-based transition in Jubaland is a critical priority. Tangible progress in the political settlement may only be possible in the next political cycle and beyond and is thus heavily dependent on the outcome of the state election process. A consensus-based (s)election process could lead to renewed cooperation between key actors, laying the foundations for greater agreement on power and resource sharing, security, and, eventually, democratization. Conversely, a divisive process could precipitate deterioration in the settlement and an escalation in conflict. The following points outline a possible pathway for managing the process:

- **Establish a dialogue format to discuss the state election process.** It is essential that a dialogue format for the upcoming state election process—encompassing timing, design and implementation—is established as soon as possible between Jubaland stakeholders. Initially, this could be achieved through informal Somali-led processes geared towards re-establishing communication channels between different camps, especially the state leadership and leaders in Gedo. The FGS, together with Jubaland-linked actors at the national level, such as federal parliamentarians, can then play a role in catalysing broader dialogue among Jubaland actors, potentially leading to an all-Jubaland conference incorporating a range of political actors (politicians, elders, private sector, civil society).
- **Address past grievances and rebuild trust.** Before turning to more contentious issues around the election, such as timing, the dialogue process could establish trust and confidence by providing space to address past grievances; establish cooperation around the drought response; agree interim security arrangements in Gedo; agree ad hoc fiscal transfers to support development outside Kismayo; and agree basic ground rules for the election process.
- **Promote consensus on election design and delivery.** The dialogue process will then need to establish timings and negotiate a design process that increases the chances of free and fair elections. Key issues to be agreed include early and participatory establishment of an election commission; collective identification of the elders who will lead MP selection; transparent rules for the election process; and clarification of the FGS's role in the process, as well as civil society's role in monitoring. The conference could also begin identifying and prioritizing key political settlement issues that will

need to be addressed in the next cycle, providing the next administration with a consensus-based starting point.

- **FGS support for the state election process.** Throughout, the FGS can play a critical role by positioning itself as a neutral actor capable of mediating between camps in pursuit of a free, fair and timely election process.

## Transforming the fundamentals of the political settlement

Should the election process lead to a more legitimate, consensus-based administration in Jubaland, the state government will have the opportunity to lay out a bold but pragmatic agenda for transforming the political settlement. Any such agenda must be flexible, recognize the complexity of the issues underlying the political settlement, and be agreed upon by relevant stakeholders. Given the difficulties involved, tangible progress is likely to take several political cycles and require constant re-negotiation. This phase could also incorporate greater public engagement with civil society, women, youth and the private sector. Discussions should focus on finding ways to:

- **Reach a consensus on resource distribution in Jubaland.** The control and distribution of resources is a key point of contention in Jubaland's political settlement. This includes the distribution of revenue, especially from Kismayo's ports and Jubaland's border points, as well as broader issues around employment, contracts, development projects and humanitarian aid. These can be addressed in part through accountable local governance structures capable of providing a resource distribution framework, with mechanisms agreed to ensure resources are more evenly distributed across the state, possibly through greater fiscal devolution to local administrations. Such an initiative could be supported through revitalizing Jubaland's district council formation process, which would also enable greater aid redistribution. Moreover, formalizing revenue streams at border points would mean they could be incorporated into the settlement. At the same time, care should be taken to ensure these developments are aligned with national-level discussions on fiscal federalism. In addition, serious infrastructure developments aimed at increasing economic integration within Jubaland, as well as with the rest of the country, would create opportunities for mutual economic benefit and build confidence in terms of resource sharing.
- **Establish inclusive power-sharing structures.** In order to address grievances, any political process must give voice to issues of representation in the executive, the state legislature, regional and district administrations, and the wider administrative branch. A genuine power-sharing formula must be at heart of any settlement process, with Jubaland's diversity acknowledged by an opening up of competition for leadership positions, such as the president. While this does not necessarily have to lead to a permanent power-sharing structure, enabling cooperation and peaceful competition among a wider range of groups would engender confidence in a transition to more democratic governance.
- **Develop pathways for reconciliation and dealing with the past.** Under a consensus based Jubaland administration, it would be valuable to establish ongoing fora for dealing with past grievances and cultivating a

more diverse identity for the state. This could be achieved, firstly, through working with traditional authorities, civil society, media, and culture and heritage-based initiatives to address the past and agree on a new set of values going forward, and, secondly, by strengthening local government institutions. This should be complemented by efforts aimed at addressing land conflict—both historical and current—including developing a land policy and relevant legislative frameworks.

- **Integrate security forces.** Integrating security forces so that they reflect Jubaland's diversity will be crucial for maintaining security, as well as addressing trust deficits and grievances, particularly around power-sharing. As such, the composition of Jubaland's Darwish, police and intelligence agency will need to be revisited. In Kismayo, this means working towards a security force that better reflects the inhabitants of the state. Moreover, autonomous forces in Gedo should be brought under a unified command and control and integrated into Jubaland Darwish and police, or the Somali National Army (SNA), with the status and command and control of existing SNA forces in Jubaland clarified. Such developments will need to be aligned with the national security architecture. A cautious approach should be adopted in order to prevent forces being integrated or redistributed overly rapidly, which could provoke conflict or disrupt community confidence in security forces. The process should also identify confidence-building measures aimed at creating the conditions for the African Union Transition Mission in Somalia (ATMIS) to leave Jubaland.
- **Lay the foundations for greater democratic governance.** Progress on key settlement issues, in conjunction with successful state elections, would raise the possibility of a gradual transition towards one-person-one-vote elections in Jubaland. This could begin with normalizing more open competition for leadership positions, as well as establishing norms and institutions conducive to a 'fairer' indirect election process. More broadly, important learning points can be drawn from Puntland's democratization process, particularly its emphasis on political party formation, the gradual introduction of local election processes, and the setting up of diverse civil society and media to articulate group-based interests. If the upcoming elections in Jubaland conclude in a consensus-based manner and progress has been made in other areas, piloting local elections may be a possibility. Regardless of the approaches taken, building institutional capacity, increasing social accountability mechanisms and creating opportunities for local-level participatory governance will be crucial, laying the foundations for Jubaland achieving universal suffrage in the long run.
- **Address the issue of al-Shabaab.** No lasting political settlement in Jubaland can be achieved without addressing the issue of al-Shabaab. Here, the FGS's recent prioritization of the fight against the armed group provides a potential basis for alignment between the Jubaland administration and the FGS. More generally, addressing issues of marginalization and exclusion in Jubaland would weaken al-Shabaab's appeal—and, ultimately, power—in the region, perhaps enabling engagement and even settlement with the group. In addition, if greater trust and cooperation has been established among Jubaland's other actors, then dealing with the issue of al-Shabaab will be more feasible.
- **Continue strengthening FGS–Jubaland relations.** Negative interactions between the FGS and Jubaland could destabilize dynamics in the state. As such, it is important that progress is made in strengthening relations between the two, both in terms of short-term cooperation and the long-term resolution of outstanding contentious issues. Dialogue on intersecting political issues in Jubaland will also provide opportunities for a wider range of people to influence negotiations on national issues.

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## Credits

This policy paper is a product of the Somali Dialogue Platform.

The Somali Dialogue Platform is a programme which supports Somalis to achieve consensus on contentious political issues and is implemented by the Rift Valley Institute. The Somali Dialogue Platform is funded by the UK Foreign, Commonwealth and Development Office (FCDO), the Ministry of Foreign Affairs of Denmark, and the United States Agency for International Development (USAID). The views expressed do not necessarily reflect the official policies of the UK Government, the Government of Denmark or the US Government. The Platform maintains editorial independence on all its products.

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