

# PUNTLAND DEMOCRATIZATION:

**PROCESS, CHALLENGES AND WAYS FORWARD**



AUGUST 2021



## Acknowledgments

This research was conducted with the support of the International Media Support (IMS). The report was edited by Peter Chonka, Lecturer at King's College London and Fellow at Somali Public Agenda.

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## About SPA

**Somali Public Agenda** is a non-profit public policy and administration research organization based in Mogadishu, Somalia. Its aim is to advance understanding and improvement of public administration and public services in Somalia through evidence-based research and analysis.

**Cover photo:** Transitional Puntland Electoral Commission (TPEC) team registering voters.

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## Table of Contents

Executive Summary	1
Background of Democratization in Puntland	3
Methodology	7
The Current Puntland Local Government Elections	8
Opportunities of the Puntland Democratization Process	15
Challenges of the Puntland Democratization Process	17
Lessons from Puntland Democratization Process	18
Policy Considerations	19
Puntland Government	19
Transitional Puntland Electoral Commission (TPEC)	20
Political Associations	20
Puntland Civil Society	21
Puntland Public	21
Federal Member States of Somalia	21
International Partners	22
References	23

## Acronyms

TPEC	Transitional Puntland Electoral Commission
MOIFAD	<i>Ministry of Interior, Federal Affairs, and Democratization</i>
PUNSAА	Puntland Non-State Actors Association
MAP	Media Association of Puntland
PDRC	Puntland Development Research Centre
JPLG	Joint Programme on Local Governance
LGE	Local Government Election
ELGE	Early Local Government Election
INGO	International Non-Governmental Organization
CSO	Civil Society Organizations
SSF	Somali Stability Fund
IDP	Internally Displaced People

## Executive Summary

Puntland is the oldest of Somalia's five Federal Member States (FMSs) and a pioneer in the formation of local district councils. This was first implemented in Puntland in 2008 under the United Nations Joint Programme on Local Governance (JPLG). The first Puntland parliamentary (s)election was held in 2005 where clan elders selected 66 state legislators, who in turn elected Mohamud Muse Hersi "Adde Muse" president. Adde established a Constitutional Review Committee to work on the Puntland constitution.

In December 2012, six political associations were registered for the first time in Puntland. Puntland's parliament and administration at the time settled for another clan-based (s)election that was held in January 2014 after efforts to hold direct one-person-one-vote elections did not materialize. However, under President Farole (who succeeded Adde Muse in 2009), the Puntland Electoral Commission law was passed and on April 2012 the constitution of Puntland was ratified. In January 2014, Abdiweli Mohamed Ali Gaas – who was himself elected to replace Farole in a very contested parliamentary vote – appointed the Transitional Puntland Electoral Commission in 2016. However after the appointment of the TPEC, democratization activities in Puntland remained paused and TPEC did not function effectively for almost three years.

Said Deni – who was elected on 8 January 2019 – and his administration expressed commitment to expediting the stalled democratization process. Deni quickly re-established the TPEC. This early commitment gave the commission a conducive and flexible working schedule and timelines. The current administration also made financial commitment to TPEC, although it falls short for what they have pledged to do. Puntland's *Ministry of Interior, Federal Affairs, and Democratization* is also working on the demarcations of districts and a bill on electoral boundaries is expected to be introduced. The demarcations for the three districts – Qardho, Eyl and Ufeyn – where Early Local Government Elections will be held have already been completed. Puntland's Parliament, on the other hand, has completed all the necessary legal mechanisms for the elections in close collaboration with MOIFAD and TPEC.

There are opportunities and challenges associated with the Puntland democratization process, and important lessons that can be learnt from this exercise. Some of the key lessons include the inclusion of internally displaced people (IDPs) in the registration drive, the positive role of traditional elders (even when transitioning to full democracy and direct elections), the importance of initiating registration of persons at the Federal Member States level, and the encouraging experience of bottom-up registration of voters in Somalia.

This report proposes recommendations to different actors that, if implemented and considered by the stakeholders in the Puntland democratization process,

could go a long way in enhancing and improving the transparency and quality of Puntland's Local Government's Elections and the democratization process as a whole. The recommendations include: that the Puntland government maintains its political commitment, which is crucial for the accomplishment of universal suffrage; that TPEC should keep up the momentum and avoid any conflict of interest going forward; that political associations must include women and youth in their organizational structures, and that they should offer alternative leadership and constructive criticism in their campaigning and selling of their political agenda. Puntland civil society is encouraged to speed up and launch a coordinated awareness exercise in order to bridge the information gap. On the other hand, the study recommends other Federal Member States of Somalia to take the democratization process of Puntland as a benchmark and learn best practices from each other. The international partners should continue the goodwill and technical and financial support they have offered to Puntland's democratization process.

## Background of Democratization in Puntland

Puntland State of Somalia was established in August 1998 by a home-grown and community-led constitutional conference, which was attended by traditional elders, political elite, representatives from the civil society, and businesspeople. This conference birthed the first administration in Puntland led by the late Abdullahi Yusuf Ahmed. The conference also adopted a three-year charter, which stipulated that Puntland would transition from the clan-based power-sharing system into a fully democratic system. The new administration was tasked with drafting a new constitution for Puntland, holding a referendum for it, conducting a census, and establishing the Puntland Electoral Commission (PEC) in preparation for a multi-party system (PDRC, 2015).

In its first three years, Puntland experienced political unrest and civil strife. In 2001, the then President of Puntland, Abdullahi Yusuf Ahmed, and Jama Ali Jama both claimed to be the legitimate Puntland president and fought over control of the region after Abdullahi Yusuf extended his term. Puntland had no constitution at the time and the dream to hold direct elections was jeopardized by the political instability that ensued. This conflict brought about displacement of civilians and loss of lives until the two leaders came to an agreement in 2003 after elders and civil society brokered a deal (IRIN, 2003).

The first Puntland parliamentary election was held in 2005 and clan elders selected 66 state legislators. Mohamud Muse Hersi “Adde Muse” was elected president in 2005. Adde established a Constitutional Review Committee comprised of MPs, Cabinet Ministers, and lawyers in May 2005. He would later suspend the committee under no clear circumstances (PDRC, 2015).

Abdirahman Mohamud Farole succeeded President Adde Muse in 2009. Farole’s government revised and completed the Puntland provisional constitution in the same year. This was an important step towards the introduction of a multi-party political system in Puntland. Farole made a fairly good attempt and his administration was technically prepared and capable. However, he did not get enough buy-in from the Puntland political elite. There were enough resources, ballots were even printed and the process reached an advanced phase, but in the end it did not materialize.<sup>1</sup>

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<sup>1</sup> Interview with senior Puntland politician and Ex Federal Minister, Garowe, May 2021.

**BOX: Chronology of the election process**

- July 2011: TPEC established
- 15–18 April 2012: Constitutional Convention approves the constitution and extends President Farole's term by one year (it had been due to expire on 8 January 2013)
- June 2012: Puntland Local Elections Law passed by parliament
- July 2012: Political Associations Act passed
- August 2012: District Electoral Law passed
- September 2012: political association registration starts, extended by three weeks in December (to 31 December)
- September 2012: four Bari region clans issue statement opposing presidential term extension, protests in Qardho, Galkayo, and other major towns
- October 2012: Horseed Radio shut down, accused of false reporting online
- 31 December 2012: political association registration closes, six associations are cleared to contest the election
- March 2013: Midnimo, UDAD, PDP, and Wadajir political associations send a joint letter to TPEC and authorities calling for six reforms to be implemented before the election
- 15 April 2013: TPEC announces election will take place on 30 June
- May 2013: Council of Ministers approves the Constitutional Court law
- 13 July 2013: election materials distributed to all uncontested districts, violent protests in Qardho, Galkayo, and other towns
- 13 July 2013: Puntland president announces elections are postponed

*Source: Puntland at the polls, Saferworld 2013*

Towards the end of his term in 2012, Farole attempted to introduce a democratic election system. The political elite were skeptical about this move, which he took during his last year in power. He extended his term, arguing the new Puntland constitution gave him five years instead of the usual four years served by his predecessors. This presidential term clause was the most controversial aspect, as the provisional constitution provided a maximum four-year term before being revised by the Farole administration. He amended the constitution to allow a five-year presidential term, and in his final fifth year, he then tried to introduce a multi-party system. His opposition described his last year as an illegal extension. Farole's bid to hold elections in his last year in office was therefore unfeasible.<sup>2</sup>

Farole's administration also prepared the Puntland Electoral Commission law, which provided the legal basis to establish the Transitional Puntland Electoral Commission. The Puntland constitution was also ratified under his tenure on 18 April 2012 by 478 delegates (Interpeace, 2012). The delegates comprised of community leaders, government officials, and representatives from the diaspora. The Puntland Parliament passed the Local Council Election Law in September 2012. The Political Associations Law was also approved in June 2012 and signed by the president in July. This law would be later amended in September 2012.<sup>3</sup>

<sup>2</sup> Interview with senior Puntland politician and Ex Puntland Minister, Garowe, May 2021.

<sup>3</sup> Interview with Member of Parliament, Puntland State Parliament, Garowe, May 2021.

In December 2012, political associations were registered for the first time in Puntland. Six political associations namely HORCAD, Horseed, Midnimo, UDAD (Ururka Dadka Puntland/Puntland People's Party), PDP (People's Democratic Party), and Wadajir were registered. A two-month political debate between the political associations and TPEC on the electoral issues arising from the proposed amendments to the Electoral Law ensued. On the election day – 14 July 2013 – the delivery of voting materials in areas in Karkaar (a new region named by Puntland), Bari, Sanag, and Mudug regions was confronted by the local communities with strong resistance. This culminated in several civilians and a military commander being killed. President Farole later suspended the elections due to the unprecedented violence it triggered. These developments jeopardized the democratization process, which consumed tremendous efforts from the government, the public, and the international partners. The Puntland Parliament and the administration at the time finally settled for another clan-based (s)election exercise that was held in January 2014.

Abdiweli Mohamed Ali Gaas – a former Prime Minister of the Transitional Federal Government led by Sharif Sheikh Ahmed – became the fourth president of Puntland. He assumed power at a time when his predecessor's efforts to hold local council elections had failed to come to fruition and the Puntland public was yearning for a direct vote. In a participatory poll run by PDRC in 2014, 91% of the respondents said they intended to cast their votes in future elections. This signaled an overwhelmingly positive popular mindset towards universal suffrage (PDRC, 2014).

Critics say that President Gaas did not invest much time and the required commitment into the democratization process. He appointed TPEC in 2016 but over the following 3 years it did not function effectively and democratization activities in Puntland were essentially at a pause. Sections of the political elite considered this to be merely lip service and a sign that the government was not committed to the democratization cause.<sup>4</sup> There was barely any financial commitment and TPEC could not win the confidence of local stakeholders at the time, nor that of the international partners whose financial support was essential. The government did not prioritize democratization and TPEC was incapacitated.<sup>5</sup>

In his first year in office, President Said Deni – who was elected on 8 January 2019 – expressed his commitment to expediting the stalled democratization process. Deni established the TPEC in good time. This early commitment gave the commission a conducive and flexible working schedule and timelines.

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4 Interview with Puntland Politician, Garowe, May 2021.

5 Interview with Ex TPEC Official, Garowe, May 2021.



*Said Deni, Puntland President, registers in Qardo district for the 2021 LGE (Photo: TPEC)*

The Puntland Parliament, for its part, initiated a debate in June 2019 on changing the system of elections in Puntland. A parliamentary committee was appointed to determine how Puntland could transition from the current electoral process. At the following session, the government nominated five members for the electoral commission, and four members were nominated by the Parliament. The nine-member TPEC was finally approved by the Puntland parliament on 16 November, 2019.<sup>6</sup>

*Puntland's Ministry of Interior, Federal Affairs, and Democratization (MOIFAD)* has also played a central role in the democratization process. It spearheaded the (re) establishment of TPEC. This was primarily created to hold Local Government Elections and when its mandate ends another commission to deliver parliamentary elections will be established. MOIFAD is also working on the demarcations of districts and a bill on electoral boundaries is expected to be introduced soon. The demarcations for the three districts – Qardho, Eyl and Ufeyn – where Early Local Government Elections will be held has already been completed.<sup>7</sup>

The Puntland government has also made a financial commitment to support the TPEC. Although this was included in the 2020 budget, the amount contributed to TPEC in the 2020 fiscal year was only 15% of the pledged amount of \$1,613,804.<sup>8</sup> Understandably, the outbreak of COVID-19 affected the government's capacity.

<sup>6</sup> Interview with Member of Parliament, Puntland Parliament, Garowe, May 2021.

<sup>7</sup> Interview with an official from MOFIAD, Garowe, May 2021.

<sup>8</sup> Interview with TPEC Official via phone, June 2021.

## Methodology

This study on Puntland democratization was carried out using qualitative methods. The primary data was collected through Key Informant Interviews (KII) with stakeholders in Puntland's democratization process.

A total of 16 interviews were conducted in Garowe, the capital of the Puntland State of Somalia between 23-30 May 2021. 15 out of the 16 were interviewed in person and one informant was interviewed by phone. Those interviewed for this study included:

- Officials from the Ministry of *Interior*, Federal Affairs and Democratization
- Officials from the Ministry of Youth and Sports
- Officials from TPEC
- Representatives from political associations
- Members from Puntland Parliament
- Representatives from Puntland Non-State Actors Association (PUNSAA)
- Officials from Media Association of Puntland
- Officials from Office of the Puntland Human Rights Defender
- Representatives from research institutions namely PDRC
- Youth and women's group representatives
- Traditional elders
- Representatives from International INGOs

The key informant interviews were complemented with a review of the existing literature and desk research.

Despite the rich sources and primary data used to conduct this research, the study was only conducted in Garowe. Further, the number of persons interviewed were limited, and the duration of the fieldwork was only one week. Some potential interviewees were in remote or less accessible areas. Others were not in the country, while some were not reachable by phone. Notwithstanding these limitations, the report—using the primary data as well as the available literature—sheds light on the history of democratic governance in Puntland, the current democratization process and challenges. It puts forward a number of policy considerations for the future of Puntland democracy.

## The Current Puntland Local Government Elections

The Parliament of Puntland officially approved TPEC on 16 November 2019. The commission was established with a mandate to oversee the management and conduct of Local Government Elections (LGE), the registration of political associations and eligible citizens, and registration of the first three political parties following the first successful LGE (TPEC Annual Report, 2020). The core mandate of TPEC and its partners is to focus on achieving political decentralization and democratization in Puntland in the period between 2020-2021.

A key component of the democratization process spearheaded by Puntland's Ministry of Interior and implemented by TPEC is the development of legal instruments to form the basis for the process. Some of the passed laws that have a bearing on the democratization process are:

1. The Constitution of the Puntland State of Somalia
2. Puntland Electoral Commission Law
3. Local Councils Election Law of Puntland (Law No. 7)
4. Political Parties/Association Law
5. Voter Registration Law

A total of nine Political Associations have registered to attend the forthcoming Early Local Government Elections. They are:

1. Urur Siyaasadeedka Run iyo Cadaalad (Truth and Justice Political Association)
2. Urur Siyaasadeedka Shaqaalaha (Labour Political Association)
3. Urur Siyaasadeedka Dhalinyarada (Youth Political Association)
4. Urur Siyaasadeedka Cadaaladda iyo Sinaanta (Justice and Equality Political Association)
5. Urur Siyaasadeedka Kaah (Kaah Political Association)
6. Urur Siyaasadeedka Mideeye (Mideeye Political Association)
7. Urur Siyaasadeedka Mustaqbal (Mustaqbal Political Association)
8. Urur Siyaasadeedka Horseed (Horseed Political Association)
9. Urur Siyaasadeedka Ifiye (Ifiye Political Association).



## EARLY THREE DISTRICT LGE: (Qardho, Ufayn & Eyl)



NO.	ACTIVITY	TIME
1	Publish FVL	02 August, 2021
2	Submission list of LGE candidates	20 Aug – Sun 19 Sept, 2021
3	Final resignation day of government employees interested in participating LGE	25 Aug, 2021
4	Establishment of Election Security committee	01 Sept, 2021
5	Certification and publishing of LGE candidates	20-24 Sept, 2021
6	Submission of political association representatives list for LGE	20-29 Sept. 2021
7	Submission of observers list for LGE	20-29 Sept. 2021
8	Distributing Voter cards	20 Sept-10 Oct, 2021
9	LGE Campaign period Opens and Closes	24 Sept-23 Oct, 2021
10	Vetting and approval of Observers and Political Association Representatives list for LGE	01-5 Oct, 2021
11	Final Campaign period (mid-night)	23 Oct, 2021 (Mid-night)
12	E-day	Mon, 25 October, 2021

TPEC has been effective in its communication with stakeholders. They call the stakeholders for regular monthly updates and work hand-in-hand with the partners/civil society on issues around awareness. Technically, the voter registration system in the three districts where early local governments will be held is working smoothly. Cases of double registration have already been identified by the system and are due to be rectified by TPEC. Civil Society groups were part of the process from the outset, from the consultation on legislative processes to the registration exercise.<sup>9</sup>

Although there is no legal basis for the selection of the three districts, many of the political associations were against the Early Local Government Elections in the three districts of Qardho, Ufeyn, and Eyl. Puntland laws dictate that elections should be held all at once hence there is no legal basis for conducting elections in only 3 districts and the rest at a later date. But for the general good, (and presumably they want the opportunity to become parties which they wouldn't get if they didn't participate), the political associations decided to continue working with TPEC and be part of the process.<sup>10</sup>

As a prelude for the wider LGE and to gain the confidence of the stakeholders and international partners, TPEC decided to first conduct LGE in three districts only. The criteria for selecting the three districts included:

- The districts should not be from the same region. They have to be located in three different regions
- The district must be stable enough and have reliable border security to allow for free assembly of voters. It should also have a functioning and stable administration.
- The three districts should have diverse political and environmental characteristics to provide an effective benchmark. In this case, one district was selected from highly populated districts (Qardho), one from the coastal areas (Eyl), and the third one from regions that are largely populated by nomads/pastoralists/farmers (Ufeyn).<sup>11</sup>
- TPEC is supported by local civil society partners such as Puntland Non-State Actors Association (PUNSAA), Puntland Development Research Centre (PDRC), and Media Association of Puntland (MAP). International NGOs including Interpeace and Diakonia also offer technical support to TPEC and the cross-cutting democratization activities.

On 13 May 2021, MAP signed an agreement with TPEC on the Puntland Journalists Code of Conduct for Local Elections awareness campaign. MAP is a core partner with TPEC both as a media body and as a civil society entity.

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<sup>9</sup> Interview with PUNSAA, Garowe, May 2021.

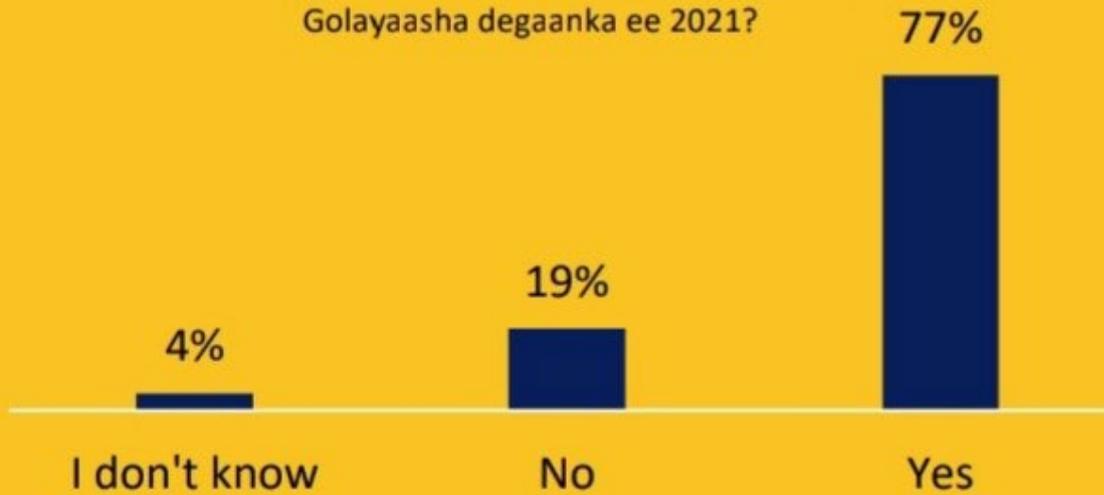
<sup>10</sup> Interview with senior Puntland politician and Ex-Minister, Garowe, May 2021.

<sup>11</sup> Interview with TPEC Official via phone, June 2021.



Q) Do you plan to vote in the upcoming local council elections in 2021?

S) Ma ku talojirtaa in aad ka codayso doorashooyinka Golayaasha degaanka ee 2021?



*Democratic perception survey, PDRC 2021*

Interpeace (International Organization for Peacebuilding) supports visibility and community outreach. One of the key roles of Interpeace in the region has been supporting peace-building processes, making advocacy, and raising awareness on issues like democratization and gender inclusion in politics, conflict resolution, and capacity building for electoral bodies.<sup>14</sup>

Diakonia, through its partners like PUNSAA, continues to engage women and youth to register for elections. Its local partner organizations have been working on voter and civic education, as well as raising awareness of constitutional and democratic issues. They have also supported TPEC, particularly on capacity building for its staff. Diakonia also supports civil society organizations monitoring the elections.<sup>15</sup>

Youth platforms and organizations like Haldoor Forum support the ongoing electoral process by making awareness through digital platforms in the form of short clips and messages that convey educative messages on the process and the work of TPEC, government, and civil society. They also hold discussion forums and publish articles on the democratization process.<sup>16</sup>

In terms of funding, TPEC has received a total contribution of **\$554,016.76** in 2020 from all partners including the government of Puntland (TPEC, 2020). The breakdown of the total revenue received by TPEC in 2020 was:

- Puntland Government- \$254,877
- Sahan/Swiss/Danish- \$238,000
- Interpeace/Sweden- \$16,490
- Political association registration fees- \$44,590

<sup>14</sup> Interview with Interpeace, Garowe, May 2021.

<sup>15</sup> Interview with Diakonia, Garowe, May 2021.

<sup>16</sup> Interview with Youth leader, Garowe, May 2021.

Switzerland and Denmark were the first countries to commit both technical and financial support. SSF has also given technical support to TPEC.<sup>17</sup>

TPEC has prepared an Electoral Dispute Resolution Guideline. The Article 8 of Puntland Electoral Commission Law (2014) gives TPEC the authority to handle any administrative disputes that might arise during and after the elections. Any dispute on and around election outcomes would be adjudicated by the High Court. TPEC has also called for the establishment of a Constitutional Court.<sup>18</sup>

The state of media and access to information regarding the democratization process is generally good. First and foremost, there are no journalists who have been arrested, detained, or charged under electoral-related offences. There were around four such cases between December 2020 and February 2021 when the Somalia federal-level electoral process was being seriously contested. Secondly, with regards to access to media in the electoral process, MAP has signed the Puntland Journalists Code of Conduct on Local Government Elections with TPEC. The Ministry of Information, PDRC, and PUNSAA witnessed the signing of the code of conduct. This agreement encompasses the rights and responsibilities of Puntland journalists. Article 4 prohibits the media from disseminating unreliable information that could jeopardize the stability and smooth running of the elections. It also stipulates that journalists should not obtain or search for information or images using intimidation. Article 5 lists the rights of the media including that they should be able to follow the registration and election process, and will be provided with information related to the registration process such as registrants, candidates, associations/parties, voters, polling stations, registration centers and registrars. It also underlines the rights of the journalists and seeks to protect them from any kind of harassment and impunity.<sup>19</sup>

From a human rights perspective, general complaints do exist, but there are no specific high-profile cases. No official complaints, particularly on human rights issues regarding the electoral process, have reached the Office of Puntland Human Rights Defenders.<sup>20</sup>

The voter registration exercise for the three districts officially ended on 7 June, 2021. TPEC is currently working on the registration list. A provisional list was issued on 27 June, 2021 for the perusal of the stakeholders before the final list of voters is produced. This will be followed by printing the voting cards and the voting, which is scheduled for October 25.<sup>21</sup> A total of 46,839 valid registered voters will cast their votes in the ELGE; in Qardho –26,285; Eyl –11,837; and Ufeyn –10,231.<sup>22</sup>

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17 Interview with TPEC Official via phone, June 2021.

18 Ibid

19 Interview with MAP Official, Garowe, May 2021.

20 Interview with Office of Puntland Human Rights Defender, Garowe, May 2021.

21 Interview with TPEC Official via phone, June 2021.

22 TPEC, Garowe, August 04, 2021.

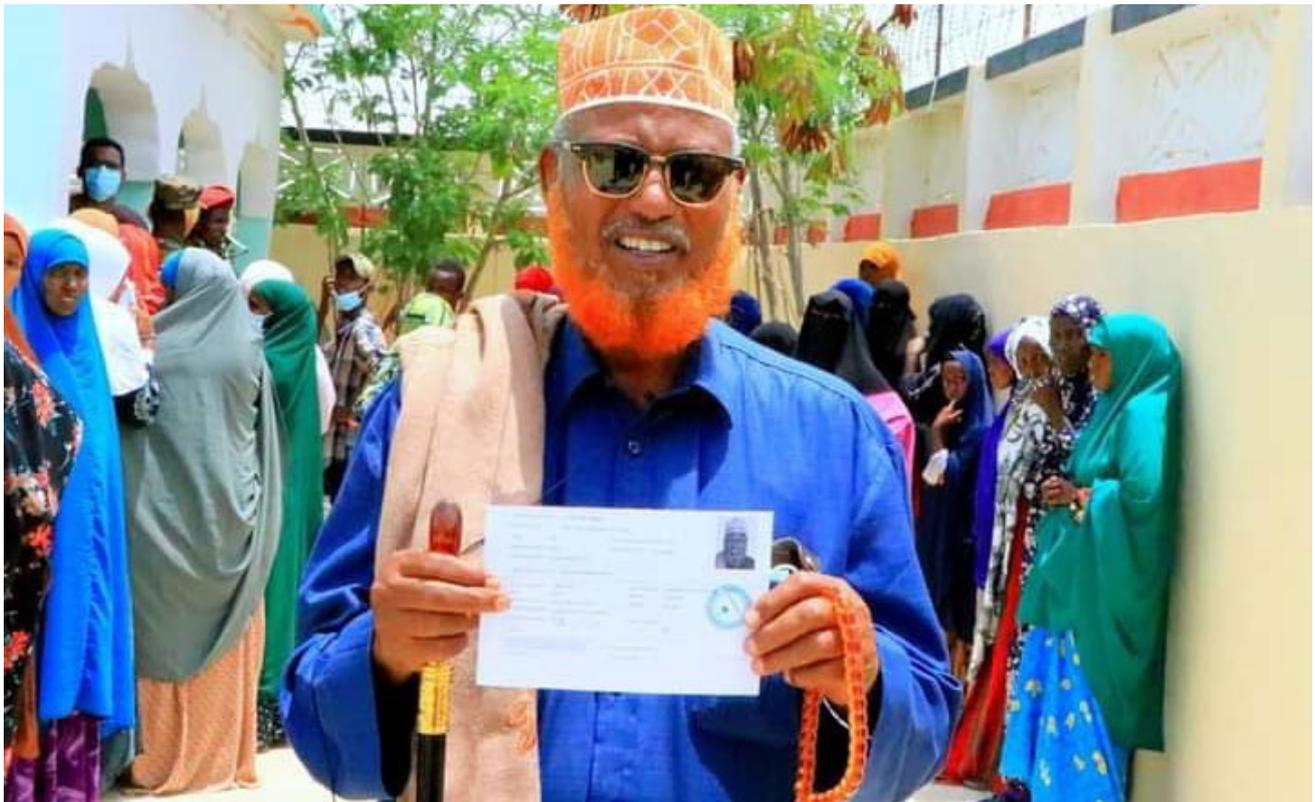


*Voter registration by TPEC mobile teams in a rural area under Eyl district (Photo: TPEC)*

Puntland women have been visibly part of the democratization process of Puntland and in the three districts where ELGE will be held, Puntland Women have registered at a higher rate (50.5%) than men (49.5%). Women approximately constitute at least 50% of the population but have been consistently underrepresented in political systems. However, systemic challenges, financial limitations, and societal stereotypes against female participation politics continue to hamper their engagement and representation in politics including assuming leadership roles in political associations and getting elected into elective posts.

Despite the emergence of sub-national identities in Somalia and the controversies that come with the federalization process, many Somali internally displaced people (IDPs) living in Puntland regions are included in the registration drive. For instance, around 1500 people registered in Qardo IDP camp.<sup>23</sup> According to Article five of the Puntland Voter Registration Act, any Somali citizen who has lived in Puntland for at least ten years has the right to register as a voter. This is a major and progressive step taken towards participatory and inclusive democratization.

<sup>23</sup> Interview with TPEC Official via phone, July 2021



*Beeldaaje Ali Farah, a renowned traditional elder, poses with his voter registration card in Ufayn, Bari Region (photo courtesy)*

## Opportunities of the Puntland Democratization Process

There are numerous opportunities for grassroots democratization in Puntland at the moment. They are related to the following factors (among others):

- The timely political commitment from the Puntland government led by President Said Abdullahi Deni. The government established TPEC in good time, setting a precedent and signaling good faith on the part of the government. Efforts by previous administrations were partly crippled by the delayed establishment of the election management commission.
- The efficiency of the work of the TPEC is a vital opportunity that is contributing immensely to the strides taken so far. TPEC has displayed good levels of preparedness, both logistically and technically. They have also shown unity of purpose.
- There is a sense of optimism among the political elite, the younger generation of Puntland, and the wider public. There is a general feeling that if the current democratization efforts are successful, it will symbolise the rebirth of Puntland. However, if these hopes are not fulfilled, the democratic aspirations of the people of Puntland could be shattered, risking future apathy or disillusionment with the long overdue democratization process.<sup>24</sup>

<sup>24</sup> Interview with PDRC, Garowe, May 2021.

- TPEC enjoys cordial working collaborations with all the stakeholders in the democratization process. It receives material and financial support from the Puntland government and the international partners. The team has so far not met challenges that have impeded them from delivering their mandate.<sup>25</sup> The awareness and social cohesion of Puntland's population is another opportunity. The current democratization activities were born out of a bottom-up initiative. Puntland as an administration was established by locally-led and largely locally-financed initiatives. Almost six timely elections (presidential elections and parliamentary selections) have been held in Puntland, albeit without universal suffrage. These were followed by a smooth and peaceful transfer of power.<sup>26</sup> The willingness of the Puntland people and how determined the majority of them are towards directly electing their representatives is another big opportunity.<sup>27</sup>
- On the other hand, people are tired of the clan-based system that puts the traditional elders at the centre of influence and disadvantages the majority of youth and women. Traditional elders on their part are burdened by guilt and complaints from the communities they represent.<sup>28</sup> This fatigue has been brought about by the traditional clan-power sharing system, which has been in place for more than twenty years. Popular dissatisfaction with the current clan-based system gives the democratization process good space to thrive and generates general goodwill from the Puntland people towards the Local Government Elections.
- Youth, who are the largest demographic group in Puntland and make up around 75% of the population, are very positive about the process. All the political associations have engaged young people in the registration drive in the three districts where Early Local Government Elections are set to be held. A good number of the youth have also made their way into the different levels of leadership in the recently registered political associations. The political associations are also targeting youth in a bid to ensure they achieve grassroots mobilisation and a big turnout.<sup>29</sup> The general awareness of the public is also promising. The Ministry of Youth and Sports, for instance, held events for the youth to raise their awareness around the ongoing democratization process. Youth umbrella organizations in the different regions have been established by the Ministry of Youth and played an important role in the mobilisation of youth and other members of the community to register in large numbers.<sup>30</sup>
- The Local Government Elections process has started on a transparent trajectory. All the stakeholders have been on the same footing and have been kept in the loop on key activities and deliberations of TPEC. Successful registration of political associations and voter registration could facilitate successful universal suffrage.<sup>31</sup>
- Puntland has used a clan-based system since it was established. Traditional elders have had a great say in the governance circles since they are the ones

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25 Interview with Ex-TPEC Official, Garowe, May 2021.

26 Interview with PDRC, Garowe, May 2021.

27 Interview with TPEC Official via phone, June 2021.

28 Ibid

29 Interview with Youth leader, Garowe, May 2021.

30 Interview with Senior official from Ministry of Youth and Sports, Garowe, May 2021.

31 Interview with Senior Puntland Politician, Garowe, May 2021.

who select members of Puntland's 66-member parliament. Traditional elders are now on board and working with TPEC towards the realization of a direct vote. Civic education in remote villages was sometimes even led by respected elders.

- Finally, TPEC is using an advanced biometric voter registration system. It incorporates both face and eye recognition features and its reliability is high. The system has already identified cases of double registration, which the commission will resolve using the existing legal mechanisms.<sup>32</sup>

## Challenges of the Puntland Democratization Process

Besides the available opportunities for the democratization process in Puntland, there are also various challenges that the ongoing electoral process faces. These include, but are not limited to:

- The COVID-19 pandemic which has had a big impact on the timelines set by TPEC. It has also affected expectation of funding from the international community.<sup>33</sup>
- Understandably, the Puntland government cannot wholly finance the democratization process and the support from international partners does not currently meet previous expectations.
- Demarcations of the boundaries of the districts are not complete although the government is currently working on that. This might delay the process for the remaining districts whose demarcations are not clear and settled.<sup>34</sup>
- Awareness exercises began late, having been tentatively scheduled for between November 2019 and January 2020, but disrupted by COVID-19 (which was first detected in Puntland in March 2020). Political instability in Somalia and bad relations between the Federal Government of Somalia (FGS) and Federal Member States (FMSs) have as well interrupted the planning and early preparations for awareness-raising activities.<sup>35</sup>
- A lack of adequate and stringent justice mechanisms more (particularly relating to the independence and neutrality of authorities) have been cited by the political associations as a foreseeable challenge. The Constitutional Court is yet to be established.<sup>36</sup>
- A multi-party system of elections and direct local government elections is a new system for Puntland, and Somalia in general. It will take time for people to understand and fully adjust to universal suffrage. There are considerably low levels of awareness when it comes to the registration process, political associations and their importance, roles and responsibilities of Local Government Councils.<sup>37</sup>

<sup>32</sup> Interview with TPEC Chairperson via phone, June 2021.

<sup>33</sup> Ibid

<sup>34</sup> Ibid

<sup>35</sup> Interview with MAP, Garowe, May 2021.

<sup>36</sup> Interview with Political Associations, Garowe, May 2021.

<sup>37</sup> Ibid

- A general census has not been conducted. A census would aid in the demarcation and delineation of existing and potentially new districts, as well as the allocation of seats.<sup>38</sup> This raises the question of how representation can reflect population density when a census has not been conducted.
- Somalia's national elections are likely to overshadow or at least affect the timelines for the Puntland Local Government Elections.
- Some of the political associations are raising concerns about the leverage enjoyed by Kaah Political Association, which they believe is linked to the Puntland government. This scenario might pose a bigger challenge depending on the outcome of the forthcoming Local Government Election and whether or not equal space is given to all the political associations.
- Finally, democratization aims at building governance structures that are not only inclusive but also based on competition and political ideologies devoid of clan mentalities. A big challenge now and going forward is compatibility and how to balance between clan interests, political associations, and elections.

## Lessons from Puntland Democratization Process

Puntland has enjoyed political stability and reliable security for more than two decades since its establishment in 1998. The state has initiated and taken the lead in several political and governance initiatives, including federalism, that could be later applied in other parts of Somalia. The ongoing democratization process is set to be a meaningful benchmark for the rest of Somalia's Federal Member States and has many lessons to offer.

- The inclusion of IDPs in the registration drive is a key lesson for the other Federal Member States. Since there is much contestation over the subject of citizenship in Somalia and particularly with the adoption of federalism as a model of governance, it is promising that Puntland decided not to leave behind Somali IDPs living in Puntland. Most of these people come from other parts of Somalia and do not hail from the major clans in Puntland. This was an unusual but commendable step that is worth emulating at a time when sub-national identities are on the rise and taking a toll in Somalia's political discourse. Enfranchising people who have settled from outside a region could reduce the perception that Federal Member States are dominated by particular clans, and encourage multi (and 'minority') clan participation in regional governance.
- Basic funding for democratization is committed by local administrations. Local ownership, which starts with state governments taking the lead, is a strategic approach towards full democratization. Local resources, structures, and communities are vital and should be fully utilised by any administration that seeks democratization.
- Appreciating the positive role of traditional elders even when transitioning to full democracy and direct elections is another key lesson. They should be empowered and included in the democratization efforts as forces for positive change.<sup>39</sup>

<sup>38</sup> Interview with Puntland Politician, Garowe, May 2021.

<sup>39</sup> Interview with Traditional elder, Garowe, May 2021.

- Bottom-up registration of people in Somalia should be the way forward. For universal suffrage to be held in Somalia in the near future, registration of persons should be initiated at the Federal Member States level particularly in areas that are accessible.<sup>40</sup>

## Policy Considerations

Puntland's people, particularly women and the youth, see the current process as a great opportunity that could usher in an era of true representation and accountability. For a successful process, stakeholders in the Puntland democratization process should consider the following recommendations:

## Puntland Government

- Puntland government should maintain the political commitment it has registered since the current electoral process began. A successful electoral process where Puntland's people directly elect their representatives would be a significant credit to the current administration. There is a great opportunity to deliver this. The Puntland government led by President Said Abdullahi Deni should maintain the political commitment that has so far provided a conducive environment for TPEC to conduct its work.
- The Puntland government should also be ready to make genuine political outreach and seek to solve any political issues that might stand in the way of the democratization process.
- The government should fast-track the establishment of the Constitutional Court to enhance trust and confidence in the resolution of disputes that may arise during and after the elections. There may be disputes whose resolution would go beyond the capacity and jurisdiction of the current Puntland courts. Therefore, there is an urgent need for the establishment of an independent constitutional court.
- The Puntland government should commit to the financial pledges it has initially made. It is commendable that it has made some financial support to TPEC already but the arrears should be settled. The Puntland government should also allocate some financial support to political associations to foster political competition.
- There are coinciding elections in the region and political temperatures tend to be hot. The Puntland government should avoid unnecessary confrontations in the "disputed areas" around the borders the state shares with Somaliland. TPEC should also take into consideration accessibility around these areas and adopt a do-no-harm policy in which elections are held only in places whose security and relative political stability is reliable. The Ministry of *Interior* Federal Affairs and Democratization should expedite the management of district

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<sup>40</sup> Interview with Puntland Politician, Garowe, May 2021.

demarcation activities in Puntland and issue regulations for demarcating districts in Puntland in collaboration with the civil society and traditional elders, and avoid anything that could provoke violence and conflict.

- After the mandate of TPEC, elapses and Local Government Elections are held, the government should immediately establish the electoral commission that will deliver parliamentary elections. Unnecessary delays in the democratization process might kill the goodwill, reverse the positive upwards trajectory and jeopardize the democratic gains made.

## Transitional Puntland Electoral Commission (TPEC)

- TPEC should keep up the momentum and avoid any conflict of interest going forward. This could be achieved by maintaining open and constant communication with all the stakeholders. As it currently does, TPEC should continue providing technical and financial updates to its partners, stakeholders in the process, and the general public.
- Besides the already available internal dispute resolution mechanisms and framework, TPEC should take a step ahead and push for the establishment of the Constitutional Court, which is a vital legal instrument that could upscale the confidence of the stakeholders in the ongoing process.
- Puntland, and Somalia in general, do not have a prior experience on democratization and public voting. Robust awareness campaigns and engagements would be a prerequisite for a successful electoral process going forward. Since democratization is largely alien to the current generation, mapping potential threats and exploring remedies in advance is also crucial.
- TPEC should capitalize on the goodwill and collaboration of the traditional elders since they are an important gateway to communities and have a strong influence over those they represent. Traditional elders ought to be regarded as fundamental stakeholders and their positive input considered.
- TPEC should consider Somalia's federal elections timeline and be flexible in its scheduling. There is no perfect process but TPEC should put all its focus on delivering transparent, procedural, and time-conscious LGE.

## Political Associations

- Political associations should include women and youth in their organizational structures – both executive leadership and general assembly. Leaving out the two largest demographic groups would deter prospects for full democracy.
- Political associations should not rely on the government's support. They need to come up with internal financial plans to fund their activities. An ideal approach could be to mobilize financial contributions from their membership.
- Political associations should offer alternative leadership and constructive criticism, particularly when they are selling their political agenda. They should avoid making incitement and/or igniting civil strife even when they have genuine concerns. On the

premises of the “Do No Harm” policy, alternative peaceful channels should always be explored. Political associations should stay true to the ideals of democracy and conduct their activities within the confines of the Political Associations Law and Puntland laws. Moreover, they should avoid running political associations in a way that benefits only personal interests.

- To boost the confidence of the political associations and clear the air of conflict of interest, Kaah Political Association (which draws the majority of its senior members from the current Puntland government) should draw clear lines of demarcation between the political association and the government. This could be achieved by not using government resources, taking equal political space as the rest of the political associations, and avoiding all issues that could signal favouritism on the part of the government for Kaah Political Association.<sup>41</sup>

## Puntland Civil Society

- Puntland CSOs should speed up and launch a well-coordinated awareness exercise after the registration exercise is completed. There is a public information gap and a lack of clarity on some aspects of the process. Institutions like MAP and PUNSAA should, in conjunction with TPEC, narrow down this information gap by organizing debates, engaging with different sections of the community, and raising awareness to mobilize people to come out in large numbers both during the registration period and the voting day.
- MAP should train and induct Puntland media and journalists on how to report during elections, their rights and responsibilities, and safety measures.

## Puntland Public

- The general public should show the unity of purpose and assert ownership of the democratization process. This ownership will deter any possibility of failure. The general public should also work with TPEC in delivering its mandate.
- The public should avoid anything that could jeopardize peace and stability. The public should also express any concerns and criticisms in a constructive way that could add value to the ongoing process.

## Federal Member States of Somalia

- All Somalis should support the current Puntland democratization process and keep a close eye on it. The positive impact of this process could be to re-awaken the aspirations of the Somali people whose space to exercise their democratic rights has long been limited or non-existent.
- The Federal Member States should take the democratization process of Puntland as a benchmark. They should encourage cross-fertilization and learn best practices from each other.

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<sup>41</sup> Interview with Political Associations, Garowe, May 2021.

## International Partners

- International Partners should continue the goodwill and continue the technical and financial support they have offered to Puntland's democratization support.
- Investment in Puntland's democratization is a good bet and a positive prelude to the wider democratization of Somalia. International partners should double their support for TPEC and its partners in Puntland. This includes, inter alia, committing enough financial support particularly in line with the requirements that TPEC and MOFAID have projected.
- The international community should also support institutions that can push for gradual and long-term transparency and accountability. These institutions include the Courts, Anti-Corruption Commission, Office of Puntland Human Rights Defender, and the CSOs.

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