



Somalia 2016 Elections

Contesting the Boundaries of Democracy

Key Policy Messages

1. Most of the respondents feel that it is not possible to adopt a “one-person one-vote” election procedure in 2016. They suggest that an alternative approach should take place. However, a significant proportion of respondents are against extending the term of the current government.
2. Most of the interviewees expressed dissatisfaction with the old system of clan based representation where only traditional leaders are involved in selecting members of parliament. Somali people desire a different approach that broadens the extent of citizen participation and ensures their views and opinions are better represented and recognized.
3. The study reveals different opinions on the appropriate election model for 2016. It is therefore prudent that a consensus is reached in which differences will be adequately accommodated and effectively taken into account through reciprocal political domain.
4. The study responses indicate that the Somali people are tired of recurring disputes among leaders of the Federal Government and that they desire a long term mechanism that will put to an end leadership disputes within the Federal Government.

1. Background

At the end of 2013, the Federal Government of Somalia (FGS) committed to “Vision 2016”, an audacious plan to execute all the points of reference in the Provisional Constitution of Somalia and the New Deal's Somali Compact. These two crucial documents directed the FGS to undertake various legal and institutional functions within a specific time frame. These guidelines facilitated the formulation of Vision 2016, which authorized the government to groom the nation for direct elections in 2016. Vision 2016 capitalizes on election as an inexorable means of initiating a fresh, post-conflict civic order in Somalia where citizens are mandated to select their representatives and hence bestow legality in the new political order.

However, the light of this vision was dimmed in July 2015 when the Federal government leaders informed the nation that it will not be possible to hold direct “one-person one-vote” elections in 2016. Consequently, the government, in consultation with other local and regional constitutions, has designed an action plan and legal framework for 2016 election. On 29th and 30th July 2015, the high level Partnership Forum held in Mogadishu endorsed this action plan, based on guiding principles, which elaborates the plan to develop an outline for a National Consultative Process to determine the most appropriate model for 2016 election. In September 2015, in Mogadishu, the Federal Government, Federal Member States, Civil Society and International Community witnessed the formation of a National Consultative Forum on Electoral Processes (NCFEP).

NCFEP was commissioned to engage the civil society and lobby for recommendations on best models for 2016 electoral process.

Within this context, this Policy Brief is based on the results of a study addressing; (a) People's perception towards “Vision 2016”, (b) The alternatives menu of options available to the original direct election “one-man one -vote” plan, and (c) The possibility of holding elections in 2016.

Results show that people are divided regarding the best election recourse the nation should adopt in 2016 and the perquisite foundations, cultures and approach for mitigating political infighting / warfare. There is remarkable uncertainty among the Somalis on what will be the best option to help push the country forward beyond 2016.

A genuine consensus is crucial if a legitimate, all-inclusive alternative is to be found to foster reconciliation and ensure the restoration of a common good. Without a consensus, many Somalis will remain deeply skeptical about the outcome of any emergent government over which the interests of citizens and divergent groups are not well administered in a way that creates solidarity and political reciprocity. It is evident that Somalis will achieve durable political structures when these are built on established 'home-grown' consensus. The selected framework must therefore build on administrative structures that the Somali people have already developed and proved to be adequate foundations for building a stable Somali state.



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Attribute to: Somali Institute for Development & Research Analysis 2015.

NCFEP

National Consultative Forum on Electoral Processes (NCFEP) formed in September 2015 in Mogadishu in the presence of Federal Government, Federal Member States, Civil Society and International Community

290

Number of respondents engaged in five cities - Mogadishu, Kismaayo, Garowe, Baidoa and Galkayo

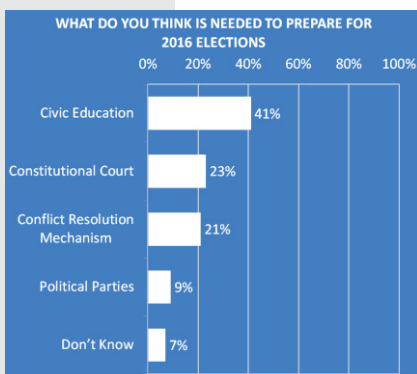
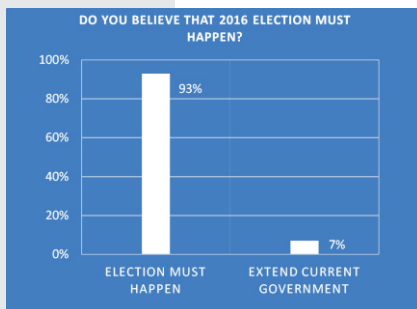
2. Methodology

We undertook a comprehensive study engaging 290 people (government officials, civil society, students, traditional elders, women and youth) in five major cities (Mogadishu, Kismaayo, Garowe, Baidoa, and Galkayo) of Somalia. 37% of the participants were female while 63% were male. The percentage of participants with a high school diploma was 53% while those with college and university degree was 19%.

Sector wise, 43% of the participants were drawn from the Private Sector and NGOs, 17% were civil servants and 13% were students. SIDRA facilitated a focus group discussion in each of the five cities where 6 key questions addressing the aim issues were discussed.

The study encountered two challenges; (1) Hiiraan and Shebele regions were not accessible due to security and logistic difficulties, and (2) A few people had the opinion that the Federal Government and the International Community have agreed on a readymade 2016 election system and therefore questioned the purpose and relevance of the study.

3. Findings



3.1 - People's Perception on "Vision 2016"

Based on the study, 91% of the population is resigned to the fact that it will not be possible to hold 2016 elections following the "one-person one-vote" principle. However, 93% of those we interviewed feel that election must happen in 2016, through indirect elections, while 7% favored an extension of the incumbent government's mandate, to enabling it to complete unfinished tasks.

Of those who endorse indirect election, 41% advocate for civic education campaign prior to voting, 23% would like a constitutional court to be created to deal with constitutional conflicts, 21% would like an interim conflict resolution mechanism be put in place, 9% would like credible national political parties be established before the elections while the remaining 7% did not have an option on this matter.

3.2 - Options for 2016 Elections

Although the "Facilitation Guide" developed by the FGS does not capture all models and options to be adapted in 2016, it presents four different approaches to the creation of an electoral college, which in turn elect the Federal Parliament. National Electoral College could be established at four different levels; National, Federal Member State, District or Clan as follows:

- **Nation Electoral College:** A national electoral college is formed to elect all 275 MPs. This system should accommodate introduction of nationwide political parties with electoral system of proportional representation.
- **Federal Member State Electoral College:** Electoral colleges are formed in existing and emerging Federal Member State and they elect MPs representing their State.
- **District Electoral College:** Electoral colleges are formed in each of the 92 districts (1991 administrative divisions) and they elect MPs to represent their district (3 MPs per district with total of 276 MPs).
- **Clan Electoral College:** Electoral colleges are formed on clan basis (similar to the 2012 selection of MPs by 135 traditional clan elders) but with a wider basis for clan representation and they elect MPs to represent their clans.

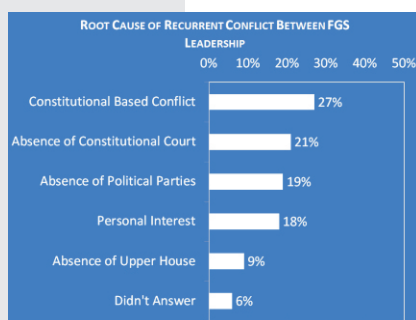
Based on these four models, we sought people's opinion regarding the most preferred option. Results of the survey indicate that 79% of participants opposed the system used in 2012 where only clan elders handpicked MPs. Instead, the participants had other views, albeit conflicting, on the best method for selecting members of the Lower House as follows:

- **Garowe:** 94% of Garowe participants opposed adoption of the old 2012 system. 89% supported election of the Lower House at district level electoral college while 10% favored Federal Member State Electoral College.
- **Kismayo:** 86% of Kismayo participants opposed the old system. 85% supported election of MPs based on the district level Electoral College while 10% supported federal member state Electoral Colleges. 5% supported clan-based Electoral College.
- **Mogadishu:** 85% of Mogadishu participants oppose a return to the 2012 system. 69% supported a clan based Electoral College while 29% preferred adoption of a nation-wide Electoral College.
- **Galkayo (Galmudug):** 53% of Galkayo participants support a mandate extension for the current government while 47% want an election system different from the one used in 2012. Of those favoring elections, 51% support a nation-wide Electoral College while 49% support a clan based Electoral College.
- **Baidoa:** 93% of Baidoa participants supported a clan based Electoral College while 5% prefer Federal member state Electoral College.

79%

Number of study respondents that oppose the system used in 2012 where only clan elders handpicked MPs

3.3 - Root Causes of Political Squabbles



We sought to understand to causes of frequent political infighting among the FGS top leadership. 27% of respondents attributed the problem to constitutional weakness where powers are not clearly defined,

21% attributed the problem to absence of a constitutional court to handle grievances, 19% attributed the problem to non-existence of active political parties while 18% attributed the problem to leaders' personal interests. Additionally, the absence of the Upper House of parliament was cited by 9% of the respondents as the root cause of perennial conflicts among leaders. The remaining 6% did not answer this question.

3.4 - Solutions for Political Infighting

The Somali people are aggravated by the recurring disputes among leaders of the Federal Government. They recommend that a long term mechanism be adopted to stop future conflicts.

48% of those who were surveyed said the best solution is to create a multiparty system and a government that is based on majority rule system. 24% said political squabbles could be avoided by finalizing the Provisional Constitution to outline a clear separation of powers between the leaders. Further, 13% said a constitutional court was required to arbitrate whenever constitutional conflicts arise.

4. Conclusion

The full-scale Somalia elections planned for August 2016 will be impossible to take place in the current circumstance and a greater degree of realism must guide the country's expectations in the short and medium-term. However, a lack of consensus is evident among the Somali people on which option the country should adopt in 2016 from among the available alternatives. In October 2015, a national consultative forum was inaugurated, which paved the way for regional-level consultations that are expected to facilitate discussion on the best possible election options in the absence of a vote process based on a one-person-one vote approach. Nonetheless, voices of discontent still abound in many parts of the country even before the talks begin.

Majority of respondents acknowledged that direct elections would not be viable and they supported indirect elections while opposing time extension for the current government. Most of the interviewees are dissatisfied with the old system of clan based representation where only traditional elders selected members of parliament. This indicates that Somali people are ready to try a different contemporary approach that guarantees involvement of more people for enhanced and better representation.

Ideological diversity regarding constitutional matters was cited as the major cause of political wrangles. Many are in consensus that the establishment of a constitutional court would be crucial in handling conflicts in the future. Some however believe that the formation of strong and active political parties would strengthen politics of inclusion and consultation, which has been the main reason for discontent and criticism among different parties. Personal interests and elite capture were also cited as cause of conflicts and the citizens called for the establishment of an Upper House of parliament to ensure checks and balances for the Lower House.

5. Lessons Learnt and Policy Recommendations

The objective of this study was to support the electoral processes in Somalia by identifying different perceptions of the people of Somalia in all member states. Analysis of data collected from five key cities has identified key obstacles and drivers to democratic elections. This section presents lessons learnt and makes policy recommendations for successful 2016 elections. The policy recommendations are made in light of the representativeness of democratic elections across the Federal Government of Somalia and its federal member states in transition.

5.1 - Lessons Learnt

- The majority of Somalis perceive that the only viable election system that can bring stability and prosperity is a democratic "one man, one vote" election system.
- Given the prevailing circumstances, the majority are of the opinion that it is not possible or even practical in the given time frame. Nevertheless, they prefer a more inclusive polling system that is very different from the one used in 2012.
- So far, the Somali people have little experience of electoral processes.

Elections Options?

Lack of consensus is evident among the Somali people on which option the country should adopt in 2016 from among the available alternatives

About SIDRA

SIDRA is a registered independent, not-for-profit Research and Policy Analysis Think Tank based in Garowe, Puntland, Somalia.

Our Vision

Somalia in which social justice prevails and inclusive economic growth benefits all and improves the wellbeing of all people.

Our Mission

A centre of development and research that generates relevant and original knowledge for dynamic policy environment support, institutional capacity development and alliance.

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5. Lessons Learnt and Policy Recommendations (Cont'd)

5.2 - Policy Recommendations

On the basis of our analysis, the shift from a clan-based system to a multi-party system must be approached with caution with careful consideration of clan dynamics to avoid party structure being based on clans. The study recommends that policymakers consider the following policy options as they draft framework to address 2016 elections.

5.2.1 - Policy Recommendation for Federal Government and Federal Member States - Short Term

1. Adopt a hybrid approach to elect parliament members by Electoral College selected by traditional leaders and federal member states with clear delineation between the two to avoid overlap of responsibilities. There should be a structured process of involving traditional leaders into more democratic election system.
2. Where regional administrations do not exist, the federal government should take the lead in rallying with region(s) and traditional leaders for managing and implement the selection process of electoral college in conformity with procedures agreed.
3. Federal government and the federal member states step up efforts to agree on a realistic road map to complete the process with support from the international community.
4. To ensure ownership of the process by the Somali people, with support from their international partners. The locally owned process should promote the involvement of different segments of the community including youth, women and ethnic minorities at large.
5. Organize national, regional and inter-regional public forums to jointly and publicly establish channels and major forms of communications in support of peaceful 2016 elections.

Medium and Long Term

6. Federal Government and the Federal State members should agree on the Electoral Commission members and develop the capacity of the Electoral Commission and review and adopt the electoral legal framework.
7. A constitutional court should be established.
8. A national census should be conducted and voter registration piloted.
9. The constitutional reform process should be completed and a popular referendum conducted.
10. A comprehensive civic and voter education program that promote civil participation, gender issues and human rights should be organized with the support of civil society.
11. The implementation of the multi-party system foreseen by the provisional constitution and holding of national and local elections before parliament elections should be supported.

5.2.2 - Policy Recommendation for International Community

Based on the lessons learnt, the engagement of the international community in support of the election processes should be done carefully since the support may hinder rather than enhance the progress. Without care, there could be risks of political tension among national political actors and donor support may be treated as substitute for public support. One approach is for the international community to maintain a financial and technical support role. Among others, this study recommends two opportunities for the international community, being the main supporters of electoral reform, to be engaged:

1. Establish a high level donor forum/Support Unit in charge of the democratic election process
2. Stimulate political will by supporting the establishment of leadership through creation of an authoritative inter-agency body dedicated to the election process. The work of the inter-agency body should include: (a) Leadership and coordination of the election process with sufficient decision making power, (b) Development of inter-agency strategies to support the planning and implementation election process decisions, and (c) Provide and sustain capacity building programmes for major institutions involved in the election and increase technical and financial support to pluralistic civil society structures.

References and Notes

1. **Facilitation Guide:** *This document was agreed by the Somali Stakeholders on 19-20 of October in Mogadishu to guide consultations on the 2016 electoral process at the state and regional levels.*
2. **New Deal:** *An action plan for three years, articulates the country's priorities for 2014–2016 – on which all actors involved should focus. It revolves around five Peace and State-building Goals (PSGs) designed to deliver inclusive politics, improved security, greater justice, strong foundations for economic recovery, and long-term systems to generate Somali revenue and services.*
3. **Somalia Moving Forward:** *An Alternative Path for Vision 2016 – By Kamal Gutale. February 2015. <http://africanarguments.org/2015/02/19/somalia-moving-forward-an-alternative-path-for-vision-2016-by-kamal-gutale/>*
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5. **Enhanced Legitimacy:** *Hybrid Option <https://somalianews.files.wordpress.com/2015/06/enhanced-legitimacy1.pdf>*