

## The National Security Council Meeting in Mogadishu: The Sisyphean Search for Political Agreement in Somalia



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### Key Policy Messages

1. The perpetual cycle of disagreement between the Federal Government of Somalia (FGS) and its Federal Member States (FMS) has kept the nation in relentless political and security predicaments.
2. The National Security Council (NSC) meeting, scheduled to take place on 19 – 23 April 2019 in Mogadishu, avails the leaders of the FGS and FMS an opportunity to make genuine political overtures and declaration to restore relations. The leaders must negotiate in good faith and adopt conciliatory approach to break the spiral of distrust between them.
3. The leaders of the FGS and FMS should be cognisant of the fact that the proposed (but not realised) national conference in Garowe in March 2019 was ideally suited to resolve the disputes between the two sides and bring about agreements on the most urgent challenges: completion of the federal structure, sharing of power and resources, the completion of the constitutional review process, the national security plan and the 21-2020 direct elections. This NSC meeting must be used to resolve the disputes and set out technical and legal frameworks for agreements on these fundamental issues.
4. The disagreements between the FGS and FMS bring to the fore the differing perspectives on the concept, structure, objectives and functions of Somali federalism and the need to bring the leaders on the same page to promote consultation, intergovernmental collaboration and equitable and inclusive decision making.
5. There is a need to establish a High-Level Committee to supervise the implementation, application and evaluation of any agreement reached in this meeting. Specialised committees must also be established to deal with specific subject matters such as the National Security Architecture and 21-2020 elections.
6. Any agreement reached in this meeting and the related committees should be legalised in a primary legislation in the Federal parliament to make them not only legally binding dispute settlement on the two parties but as a reference interpretive mechanism for resolving any future disagreement.
7. The role of the legislative instruments (Lower and Upper Houses of Parliament) in the negotiations between the FGS and FMS and the implementation of agreements must be clearly defined.
8. SIDRA urges Somalia's international partners and major donors - using the UN good offices, effective institutions and diplomatic engagement - to help facilitate and observe this NSC meeting as well as other upcoming high-level conferences and support their outcomes.
9. Somalia's international partners should be part of any oversight mechanism to ensure the parties to fulfil the rights and obligations arising from agreements and remaining fully engaged in the efforts to implement the agreements and monitor progress.
10. Somalia's international partners must support the two parties to come up with viable and equitable framework to distribute international financial aid and development projects to different regions.

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### Origin of Tensions

The origin of the recurring breakdown of relations between the two levels of government is mainly attributable to the lingering bitterness and distrust among Somali society.

## Introduction

The history of the relationship between Somali Federal government and the Federal Member States is not a glossy one. The Federal Member States (FMS) suspended cooperation with the Federal Government of Somalia (FGS) a few times in the last four years. The origins of the recurring breakdown of relations between the two levels of government is mainly attributable to the lingering bitterness and distrust among Somali society. This enduring distrust is a characteristic manifestation of the effects of decades of atrocious civil war and social unrest, and the failure to achieve reconciliation, restorative justice and closure in the aftermath of that violent period.

At present this distrust materialises in the form of disagreements over sharing of power, revenue and resources between the FGS and FMS which is exacerbated by the incomplete political and governance structures in Somalia and the lack of agreed constitutional and legal frameworks to resolve these differences in a judicial review and adjudication.

The climate of suspicion and antipathy between the leaders of the two camps as the result of what is seen as an unjustified interference of the Federal government in the Member States' internal affairs adds another dimension to this impasse. It is an open secret that the Federal government has pushed for the removal from office some of the leaders of Federal Member States whom they feel are obstacles to their authority. This bifurcation of politics has pushed the leaders of the Federal Member States to form a collective identity, uniting them in an alliance named "the Council for the Cooperation of Federal Member States", and to mount connective challenges to the Federal government.

For some time, the two camps have resisted calls to patch up a compromise. They have set conditions on any resumption of talks, restoration of relations and cooperation between the two sides. Consequently, political opportunities out of this standoff have repeatedly been squandered.

In his inauguration speech on 26 January 2019, President of Puntland State, Mr. Said Abdullahi Deni, proclaimed to break the simmering political standoff that deterred working relationship between the FGS and FMS. He called for sense of responsibility, diplomacy and statesmanship to resolve the existing contradictions and tensions to a conducive working relationship for the good of the development of a coherent federal system in Somalia. Mr Said announced this ambitious reconciliatory undertaking in the presence of Mr Mohamed Abdullahi Farmaajo, the President of the Federal government and the five State Presidents, who all accepted his invitation to a national conference in Garowe in March 2019. The proposed conference, although it has not

materialised, was seen as a unique opportunity to break the present stalemate.

On 5 April 2019 the President of the Federal government, Mr Mohamed Abdullahi Farmaajo, has called for a meeting of the National Security Council, inviting the presidents of the Federal Member States to Mogadishu on 23 – 19 April 2019. Notwithstanding the suggestions that this NSC meeting is convened at the behest of Somalia's international partners ahead of a crucial meeting to review Somalia Transition Plan for Security late April 2019, there is a concern that it may have been organised to shelf the Garowe conference.

Despite the anticipation that the NSC meeting will bring together the presidents of the FGS and FMS in Mogadishu one year after the last NSC meeting in Baidoba in March 2018, the prospect of a new beginning and a significant breakthrough in the negotiations to develop permanent solutions to these incessant disputes will depend on the good faith, willingness and determination of these political leaders to compromise and reach a political agreement.

### Deni's Proclamation

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### Farmaajo's Call for Talks

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## A practical negotiation and agreement model for the NSC meeting

The National Security Council meetings, despite the “security” name tag, are organised to bring together the President of the Federal government and the Presidents of the Federal Member States to discuss and reach agreements on issues of national importance as diverse as security, constitutional review process, finance, resources, judiciary and elections.

While a comprehensive accord should be aimed as the target outcome of this NSC meeting, the complexities and controversial nature of some of the disputes between the FGS and FMS should never be underestimated. The security, economic and political stakes are high, the Somali political leaders must deploy appropriate negotiation skills, political savvy and decision making based on the realpolitik in the country rather than emotional and patriotic posturing.

It may not be possible to discuss and reach agreements on all the tussles between the Federal Government and Federal Member States in this meeting but to ensure the success of the meeting and steer it away from turning into a talking shop, all parties must be realistic about what could be achieved in such a short time. That realistic attitude can give impetus to the parties to get down to brass tacks of politics and power sharing and evaluate practical options to solve the five most critical issues among others; federalism, power and resource sharing, the national security architecture, the completion of the provisional constitution and preparations for 21-2020 elections.

SIDRA proposes the following structured negotiation and implementation model:

*SIDRA proposed model for the upcoming NSC negotiations in Mogadishu*

### The Stakes At Hand

The security, economic and political stakes are high, the Somali political leaders must deploy appropriate negotiation skills, political savvy and decision making based on the realpolitik in the country rather than emotional and patriotic posturing.



### Role of Constitutionalism

Empowering constitutional based institutions particularly the Lower and Upper Houses of the Federal Parliament and building strong independent and effective judiciary system are key for state-building, consolidation of federalism and resolving disputes between the Federal government and Federal Member States.

This NSC meeting should outline a broad framework for consultation, cooperation and avenues for further talks on contentious cross cutting governance challenges specifically intergovernmental relations and cooperation, fiscal federalism, the modalities of federal level projects implementation, federal and state judiciary systems, para-diplomatic and international agreement-making powers of Federal Member States. Empowering constitutional based institutions particularly the Lower and Upper Houses of the Federal Parliament and building strong independent and effective judiciary system are key for state-building, consolidation of federalism and resolving disputes between the Federal government and Federal Member States. Recent history of agreements between the FGS and FMS has taught us that it will be unavailing to leave the implementation of any agreement reached in this meeting to the good faith of the

two parties. The success of this meeting will depend on a) the legalisation of the agreement through a primary legislation in the Federal parliament b) the establishment of inclusive committees to oversee the implementation of the agreement protocols and c) the development and application of fair and transparent planning, allocation, enforcement and evaluation systems. Finally, there is an urgent need for innovative form of political organisation in the country to preserve Somalia's sovereignty, unity and territorial integrity.

## Reaching Agreement on the Fundamental Issues

### A) Somali Federalism – Trying to Put Humpty Dumpty together again

Professor Said S. Samatar (1993) rhetorically asked, “What can be done to put Humpty-Dumpty back together again?” in his Africa Report Paper “Politics of Poetry”. Somali academics explored options for reconciliation and conflict resolutions in what Professor Samatar referred to as the “mechanisms of social control ..., the role of the elders, the artistic force of poetry and music and the Somali social contract of Heer”.<sup>(1)</sup> The most realistic approach to bring the country together again is still a question that poses formidable challenge to the Somali elites.

The debate over the future system of government for Somalia has started soon after the collapse of the Somali central government in 1991. The discussions began in 1991 with proposals of regional administrative decentralisation and the formation of transitional national assembly (TNA) comprising of representatives from the 18 pre-civil war regions of Somalia. The principle of regional decentralization morphed into the concept of creating semi-autonomous States, which was first experimented with the formation of Puntland State of Somalia in 1998 as a federal unit in a future united Somalia. The first Transitional Federal Government of Somalia (TFG), the precursor of the current Federal government, was formed in Kenya in October 2004 in the principles of federalism in Somalia.

There has been little evidence-based research on Somali federalism and its impact on Somalia's peace-building, state-building and political stability. One of the architects of Puntland State of Somalia, the late Mohamed Abshir Waldo, rationalised the adoption of the Federal structure that “this system of zonal self-governing (Federalism) was the best approach that Somali

communities could, under the circumstances, heal and overcome the fear, hatred and distrust of the bloody civil war”. He added that, “it offered a middle solution between an autocratic, centralized system of governance and outright secession”.<sup>(2)</sup>

Research survey conducted in 2016 -2015 showed that the majority of the respondents viewed federalism, though not the panacea for all Somalia's socio-political and governance ills, as an alternative suitable form of governance to that of centralised form of government.<sup>(3)</sup>

While most Somali people are weary of a return to any semblance of the old dictatorial regime and city-state, the stark dichotomy between the political leaders who favour strong centralized system of government and those who promote the federal model plays out in the tug of war between the FGS and FMS.

It might be fair to argue that Somali people have not had the opportunity to explore other forms of democratic governance since federalism was optimistically pursued in the last 15 years as the best approach and the only acceptable form of government for Somalia to bring about peace and national unity.

There are times when the federal government officials in Mogadishu are accused of harbouring the old autocratic, hierarchal and centralist views of governance and being vehemently determined to create a nominal federal structure dominated by overbearing personalised central government with exorbitant powers where the executive controls everything including the legislature and the judiciary.

The elites in the FMS cannot escape blame as their actions and intentions are equally viewed

### Regional Decentralisation

The principle of regional decentralization morphed into the concept of creating semi-autonomous States, which was first experimented with the formation of Puntland State of Somalia in 1998 as a federal unit in a future united Somalia.

### Why the Federal Structure

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### Mutual Understanding

This understanding could lead to acceptance by the Federal government that, while exercising its powers within its sphere, it cannot deprive the Federal Member States from claiming a stake in any of its powers and functions.

with suspicion. They are often criticised of their defiance against the Federal government and their apparent disregard for Federal government policies and authority. Their unapologetic unilateral para-diplomatic activities are usually labelled as treacherous actions that can weaken the national unity and carve the country up into small fiefdoms.

Whilst both sides display lack of deep understanding of the concept and objectives of Somali federalism, analysts posit that the political leaders in FMS are more inclined to fall in line with federal governance musings, as evidenced in their calls for inclusive politics, consultations, power sharing and co-decision-making.<sup>(4)</sup> This supports the premise of those who advocate for basic understanding of and assent in good faith to the concept of federal governance as a prerequisite for securing collaboration between the FGS and FMS, a partnership that could realise concrete implementation of federalism and federal institutions.

This understanding could lead to acceptance by the Federal government that, while exercising its powers within its sphere, it cannot deprive the Federal Member States from claiming a stake in any of its powers and functions. It will unravel the inaccurate narratives about the divisiveness of Somali federalism and show that, given the highly decentralized socio-political and traditional structure of Somali society, democratic federalism can heal the wounds of the civil war, bring the communities closer together and preserve Somalia's national unity and territorial integrity.

FGS and FMS need to agree on a descriptive text of the objectives of Somali federalism instead of seeking perpetual rigid definition and type of Somali federalism. Such descriptive text should capture the concept of Somali federalism vis-à-vis the objectives of regional self-rule, national unity, co-protection of sovereignty rights and democratic processes to elect public officials.

SIDRA cautions against attempts to define Somali federalism in a strictly institutional separation of powers, responsibilities and functions of the FGS and FMS or constitutional provisions guaranteeing or limiting the authority of one level of government which could be counterintuitive and will undermine the objectives of cooperation, co-ownership and co-decision making of Somali federalism.

This policy brief does not purport to show that, in order to resolve the current impasse over the implementation of federalism in Somalia, political leaders in Mogadishu have to make a dramatic political volte-face to embrace federalism nor does it back a departure away from the search for strong central government. It is not the aim of this policy brief to exalt any

one form of democratic governance over others, but to underscore the need for understanding of federalism as two levels of government of equal status, both having responsibilities and functions underpinned by constitutionally enshrined principles of consultation, consensus building and co-decision making. (5)

Somali federalism is encouragingly at a favourable juncture, albeit its implementation has lost its lustre and political momentum in the last two years. Much of the hard work of forming the constituent units (Federal Member States) of the federal structure have been completed in previous governments.

The leaders in the NSC meeting must reaffirm their commitment to Somali federalism and accept to cooperate on effective reforms to government agencies and services both in the Federal government and FMS (policing, prison services, social services, judicial system) to make them fit for purpose and compatible with the federal system. Agreement on the remaining issues, including the status of the capital city Mogadishu, could secure irreversibly the future of the federal arrangement.

### B) Whose authority, responsibility or function is it anyway? The Constitution

Jason Mosley (2015) has observed the inconsistent use of "federalism" and "constitutionality" in Somalia political stage which allowed "the competing political elites to make technical and morally framed cases in favour of their agendas".<sup>(6)</sup> Ambiguities in the present provisional constitution has led to claims and counter-claims of responsibilities and functions between the two levels of government. The whole panoply of the various interpretations of the provisional constitution, particularly the disagreements over the meanings of article 1,2,3) 53) and 54, is causing confusion, conflict and accusations of violation of sovereignty rights. Many a time it is difficult to discern whose sovereignty interests, the Federal government or the Federal Member States, were trumped.

The role of effective and independent judiciary and the Upper House of parliament in constitutional jurisprudence is missing. The judiciary acting as a neutral instrument could interpret the constitution and adjudicate the disputes between the Federal government and Federal Member States.

The parties in the NSC meeting must agree on a timeframe for the completion of the provisional constitution review process and reach agreements on areas that require political settlement. The parties must establish consensual administrative and legal frameworks to formulate, debate and enact state and federal laws in the future.

### Strategic Objectives

FGS and FMS need to agree on a descriptive text of the objectives of Somali federalism instead of seeking perpetual rigid definition and type of Somali federalism.

### State of Federalism

Somali federalism is encouragingly at a favourable juncture, albeit its implementation has lost its lustre and political momentum in the last two years.

**Division of Responsibilities**

Any agreement on division of responsibilities and functions must also outline any sharing of powers in planning and strategic policy making, budgeting, implementation and service delivery, monitoring and evaluation.

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SIDRA proposes the adoption of the following logical model of cooperation until the provisional constitution is finalised and a new arrangement of allocation of power and resource is agreed.

	FGS	FGS and FMS	FMS
<b>International relations</b>	Foreign policy formulation and leadership, international representation, bilateral relations and promoting Somalia's interests overseas.	Attracting global business, inward investment and foreign trade agreements. Devising sound and responsible foreign policy engagements	Para-diplomacy in international cooperation, investment and trade agreements in line with the FGS's national foreign policy.
<b>Financial sector regulation, monetary policy and economic growth and development</b>	Leadership role, policy formulation and money creation.	Consultation, policy formulation, financial sector regulation and economic development planning	Implementation and reporting of national financial and economic strategic policies
<b>National Security and Defence</b>	Leadership responsibility for the national defence. Civilian control and oversight of Somali National Army, Navy and Air Force.	Sectoral security organisation and development of impartial, disciplined, strong and effective Somali National Army.	Leadership responsibility for internal security; Police, Marine Police and Darwish para-military forces.
<b>Immigration and Border Control</b>	<ul style="list-style-type: none"> <li>Leadership role and responsibility for border security and control of ports of entry (Land, Airports and Ports)</li> <li>Working with the FGS and taking an active role on border security and control of ports of entry (Land, Airports and Ports)</li> </ul>		

**Rule of Law**

Another important disagreement arises from new laws passed at the Federal level or the interjection of Federal laws into Federal Member States laws. Greater care must be given to ensure that the constitution is not seen as a foreign construct imposed upon Somali people.

Another important disagreement arises from new laws passed at the Federal level or the interjection of Federal laws into Federal Member States laws. The Federal government must consider the impact of the laws and regulations passed at Federal level on the States. This argument does not necessarily push for these laws to originate from the States but indicates the need to undertake sufficient outreach and consultations with member States before such laws are debated and passed at the Federal level.

powers from the Federal Member States will be counterproductive and will deepen the feeling of disaffection and dejection in the Federal Member States with the Federal government. Such move can frustrate the spirit of Somali federalism and undermine its democratic objectives.

**C) Sharing power, revenues and resources**

Reaching durable agreement on power, revenue and resource sharing has so far proved elusive for Somali elites in the regional and central governments. Power sharing in the central government has been provisionally settled in the maligned clan based 4.5 representational system. This system, however flawed, has made the formation of the Federal government possible and ensured relative political order and continuity. Its progenitors adopted it as a temporary nostrum, which was inevitably slated to give way to democratic representation and one-man one-vote elections.

The FGS and FMS must consider socio-political realities in Somalia today and work hard to acquire a constitution that reflects all aspects of our collective history, cultural and religious beliefs and forms the basis for practical durable political justice in Somalia. Greater care must be given to ensure that the constitution is not seen as a foreign construct imposed upon Somali people.

On the other hand, power sharing between the FGS and FMS remains unresolved. The provisional constitution contains a number of contradictory terms about the separation of power and responsibilities between the FGS and FMS. Since any agreement on the jurisdictional allocation of power and decision making between FGS and FMS is intertwined with the completion of Somali federal structure and the constitutional review, both parties should find amicable modus vivendi

The FGS and FMS must not succumb to the illusions of a definitive constitution that will delineate the power and responsibilities of the two levels of government in black and white. Somali political leaders must focus on constitution building process that can produce a document which contains, in its core, principles of fundamental human rights, rule of law, national unity, political identity and stability, nation-building and development.

Any attempt by the Federal government to use the ongoing constitution review process to claw back

**Resources Allocation**

Reaching durable agreement on power, revenue and resource sharing has so far proved elusive for Somali elites in the regional and central governments. There is a need to reach an agreement which creates an equitable model to share international financial aid for Somalia.

### Somali Resources

The diverse nature of natural resources - petroleum and minerals, maritime resources, livestock and vegetation – necessitates a new pragmatic approach to untangle the disputes and hammer out separate agreements on different resource streams similar to the maritime resources (Tuna) and on-shore/offshore oil, gas and mineral development agreements.

to cooperate with each other on all spheres of the two levels of government at the present.

The dispute over revenue and resource sharing, which encompasses the money raised by the two levels of government through taxation and other means of revenue collection, exploitation of the country's natural resources and the international financial aid to Somalia, has always centred on the ownership, decision-making process and allocation formulas of these resources. The diverse nature of natural resources - petroleum and minerals, maritime resources, livestock and vegetation – necessitates a new pragmatic approach to untangle the disputes and hammer out separate agreements on different resource streams similar to the maritime resources (Tuna) and on-shore/offshore oil, gas and mineral development agreements. <sup>(7)</sup>

There is a need to reach an agreement which creates an equitable model to share international financial aid for Somalia. International financial assistance include, but is not limited to, cash donations from Arab states and the budgetary support from the EU, Norway, Turkey and World Bank group. It was envisaged that the National Development Plan would be used to prioritise and combine locally planned State Development Goals into a coherent practical document in order to redress the allocation inequality of international financial aid between the different States.

### D) Securing the nation - The National Security Architecture

The leaders of the FGS and FMS reached a political agreement on Somali National Security Architecture which was subsequently endorsed by Somalia's National Security Council in London Conference in May 8) .2017) The pact addressed four key areas of security reforms:

- i) The numbers of Somali security forces, military and police, and the civilian oversight role of the executive over the armed forces.
- ii) The distribution of Somali security forces at the Federal and State level, Somali National Army sectors realignment to reflect the new political dispensation and integration of Somali Security Forces so they represent the vision and aspiration of the new Somalia.
- iii) The command and control of Somali Security Forces ensuring a greater clarity of the roles and responsibility of institutions both at the Federal and State level.
- iv) An outline of fiscal responsibilities for respective Somali Security Forces at the Federal and State level.

The leaders reaffirmed their support for this vital

agreement in Baidoba Conference in March 2018. Much of the work of that agreement was diverted to focus on the size and location of Somali National Army, approaches of integration and delineation of areas of operation (sector realignment).

Security analysts argue that greater emphasis was needed to be placed on defining security and law enforcement objectives and strategies, organisational structure and management, rules of engagement, initiatives to build the public trust in security forces and long-term planning of security force effectiveness. (9) Moreover, security sector reforms are invariably linked with the rebuilding of other rule of law institutions such as the judiciary.

The National Security Architecture agreement has not been implemented so far partly due to the breakdown of relations between the FGS and FMS. It could also be argued that the two sides had differing views and purposes of the agreement. Another problem with this agreement relates to lack of effective implementation mechanism and the imbalance of distribution of power and resources between FGS and FMS. To take this vital agreement forward and obtain effective Somali security forces which can fully take over the security of the country, the following nine points need to be considered in the NSC meeting:

1. Somali political leaders must declare the national security apolitical and conceptualise the restoration of peace, security and rule of law in Somalia not only as the culmination of the re-birth of Somali nationhood but sine qua non of Somali existence.
2. To form National Security Architecture Committee comprising of high-ranking security officials from the FGS and FMS to oversee the implementation of the National Security Architecture. The UN and AMISOM must also establish an advisory committee to work alongside with the National Security Architecture Committee.
3. To establish National Security Architecture Command Centre outside of Mogadishu (preferably in one of the stable Federal Member States) to provide the Committee all possible opportunities to plan, organise and structure the security forces and a “breathing space” from the bureaucratic bottleneck and political interferences of the Federal government.
4. To agree on clear, achievable and timebound plan for the liberation and stabilisation of areas under Alshabaab control. Such plan must also contain long term community security, safety and policing components.
5. To revisit the National Security Architecture and place greater emphasis on attainable strategic security policies, clear command and

### Security Architecture

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### Streamlining Security

To review the National Security Architecture and reform the type, size, design and mandate of security forces in order to streamline their operations and management.



### Democratisation

The debate over Somalia's democratisation process and the 2021 elections should focus on institutionalising democratic change, freedom of expression and thought, social and political rights, and building democratic institutions.

control structures (administrative, logistical, operational and oversight components) and operational mandates with the aims to build sustainable and effective rule of law security forces.

6. To review the National Security Architecture and reform the type, size, design and mandate of security forces in order to streamline their operations and management. This may necessitate the revision of the structural design of the Somali security forces and the dissolution of some of the overlapping FGS and FMS forces to remove duplication, red tape and financial waste. A practical design would place the FMS policing at the heart of the security plan on a par with the liberation and stabilisation strategies.
7. To establish a framework of police cooperation through the Federation of Somali Police Forces to play a leadership role and linkage and to standardise policing across the nation (training, equipment, standards, etc).
8. The recruitment, training and equipping Somali National Army has been chaotic, ill-advised and ineffective. The UN, AMISOM, EU, UK, Turkey and UAE must collaborate to establish a single unified support package for the implementation of the National Security Architecture. This may include standardising and combining their training programmes and coordinating their financial and technical support to Somali National Army through a single mechanism led by the National Security Architecture Committee, the UN and AMISOM.
9. The International community must fulfil their obligations in the London Conference pledges to provide financial and technical assistance to the implementation of the National Security Architecture.

### E) Utopian thinking of Election 2021: One man one vote free and fair elections

Somalia have established a tradition of peaceful civilian transfer of power in every four years. The present Federal government came to power in February 2017 through the indirect clan based 4.5 system of selecting Members of the Federal parliament, with a manifesto to lay the foundation for a democratic system of government and organise one-man one vote free and fair elections in February 2021. The debate over Somalia's democratisation process and the 2021 elections should focus on institutionalising democratic change, freedom of expression and thought, social and political rights, and building democratic institutions.

Two years on, many political observers argue that it is impossible to organise free and fair one-man one-vote elections that can meet internationally accepted standards in February 2021 due to a number of challenges; security, lack of political agreement, undecided electoral model, absence of culture of democracy and ineffective National Electoral Commission.

The FGS and FMS must agree on the way forward for the most basic premise of political justice; representation. The current controversial 4.5 clan-based representation model is seen as primal, inequitable, unjust and divisive which cannot address the issues of political justice and produce effective and representative government that can command the support of the people. Somalia needs an electoral system, which can deliver the following basic democratic conditions:

- Bringing and preserving unity and harmony
- Allowing constituent level representation and free and fair elections
- Preventing pre-election and post-election violence and conflict
- Ensuring efficiency, fairness and transparency

Political analysts argue that constituent-based representation model is a suitable electoral model for Somalia. The FGS and FMS must agree on the type and size of constituents (local areas), whether it might be a district, region or State. Any attempt to consider the whole country as multi-member area (single constituent) may undermine the democratic right of representation of local communities and the link between the constituency and their representatives. It will upset the current clan balance and create further political conflict, chaos, divisions and violence.

The National Electoral Commission is struggling to make headway in the planning for February 2021 elections. Lately, the Commission has come under strong criticism of not completing the politico-legal, institutional, technical and regulatory frameworks for 2021 elections.

The FGS and FMS must make a decision on whether to pursue the ambitious one-man one-vote socio-political milestone in time for end-of-term of the present Federal government in February 2021. When making decisions on 2021 elections, the FGS and FMS should consider these enormous challenges and formulate a comprehensive and dynamic democratic electoral plan.

### Electoral Reforms

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### International Partners

Somalia's International Partners should maintain high-level engagement with the Federal Government of Somalia and Federal Member States, making use of their diplomatic presence and technical expertise to circumvent these disagreements.

### F) The Role of Somalia's International Partners

Somalia's International Partners should maintain high-level engagement with the Federal Government of Somalia and Federal Member States, making use of their diplomatic presence, UN good offices, effective institutions and technical expertise to circumvent these disagreements from dragging on and scuttling the hard-won peace and state building achievements made in the last few years. The UN could do more to advance state building by supporting government institutions and civil society groups to develop their knowledge and understanding on federalism.

The UN and IGAD - in their roles to maintain peace and security, protect human rights and promote democracy and rule of law – must facilitate

negotiations between the FGS and FMS to reach agreements on the most fundamental issues.

UNSOM, whilst exercising its mandate and working within the sphere of respect for sovereignty rights of the Federal government, must support the establishment of accountability frameworks to hold Somali political leaders to account for their commitments to peace and security, protection of human rights and pledges for free and fair democratic elections. The UN and international community have to be more assertive to use all the tools in their disposal such as imposing sanctions against individuals who are threats to peace and security and those who fail to respect their obligations arising from agreements (treaties) between FGS and FMS for peace and state building.

### Conclusion

The breakdown of relations between the Federal Government of Somalia and Federal Member States has crippled the peace and state building initiatives in the country for the last few years.

The National Security Council meeting in Mogadishu presents a unique opportunity to the parties to break this political logjam and reach agreements on the most crucial issues.

There are many areas that the two sides can cooperate with each other at the moment. The national security plan to liberate and stabilise the country can be reviewed and agreement reached to build strong and effective Somali Security Forces. Sharing of power, revenues and resources has become Somalia's Achilles heel. Two model agreements reached in 2018 (maritime resources and oil and gas development) prove the concept that the FGS and FMS can reach agreements to share revenues and resources, provided that implementation and evaluations processes are put in place.

The 21-2020 election is fast approaching and there is a genuine concern that the nation may default back to the odious 4.5 clan based representational system. Agreement must be reached to either pursue the ambitious endeavour of direct one-man one-vote elections or explore alternative improved indirect elections.

Somali federalism needs to be strengthened politically and constitutionally. There is an urgent need for innovative form of political organisation in the country that can resolve domestic disputes and unite the FGS and FMS behind a united coherent foreign policy strategy.

In order to build the trust among Somali people, the Federal government should reach out and extend federal development projects to the communities in the Federal Member States.

in the last few years. The UN could do more to advance state building by supporting government institutions and civil society groups to develop their knowledge and understanding on federalism.

The UN and IGAD - in their roles to maintain peace and security, protect human rights and promote democracy and rule of law – must facilitate negotiations between the FGS and FMS to reach agreements on the most fundamental issues.

UNSOM, whilst exercising its mandate and working within the sphere of respect for sovereignty rights of the Federal government, must support the establishment of accountability frameworks to hold Somali political leaders to account for their commitments to peace and security, protection of human rights and pledges for free and fair democratic elections. The UN and international community have to be more assertive to use all the tools in their disposal such as imposing sanctions against individuals who are threats to peace and security and those who fail to respect their obligations arising from agreements (treaties) between FGS and FMS for peace and state building.

### Areas of Cooperation

There are many areas that the two sides can cooperate with each other at the moment. The national security plan to liberate and stabilise the country can be reviewed and agreement reached to build strong and effective Somali Security Forces.

### Strengthening Federalism

The National Electoral Commission is struggling to make headway in the planning for February 2021 elections. Lately, the Commission has come under strong criticism of not completing the politico-legal, institutional, technical and regulatory frameworks for 2021 elections.

#### About SIDRA

SIDRA is a registered independent, non-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 well being 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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#### Contacts



[www.sidrainstitute.org](http://www.sidrainstitute.org)



[info@sidrainstitute.org](mailto:info@sidrainstitute.org)



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#### SIDRA

Somali Institute for Development Research and Analysis (SIDRA) provides quality research and development services to the public and private entities in Somalia. SIDRA offers technical innovative solutions through knowledge-based policy researches, policy briefings and projects.

Our mission is to generate new knowledge that contributes to addressing the obstacles to the development of Somalia. Our studies, Policy Briefs and Projects mainly focus on Gender and Women's Empowerment, Good Governance and Socio-economic Development of Somalia.

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