



SOMALILAND ELECTIONS AND THE CHALLENGE OF INCLUSIVE REPRESENTATIONS



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CDG

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1. Introduction

1.1 The political power sharing context

In Somaliland, politics, as it is practiced, is deeply embedded in local history and culture. The social and political structure is composed of clans, sub-clans, lineage, and blood groups (Ahmed and Green, 1999). In that context, the 1993 Boorome clan conference, produced a hybrid clan-based political system or power-sharing to foster more inclusive clan representation. This clan-based political system allowed clan elders to nominate the members of the Parliament and ensured that all clans regardless of their size are represented, with the primary purpose of a more inclusive system of clan representations. And as such the Boroma conference led to the discretely fair share allocation of parliamentary seats as follows;

Table 1: Issaq and Non-Issaq 1960-2021

Clan	1960	1997	2005	2021
Issaq	21 (64%)	52 (63%)	57 (70%)	61 (74%)
Non-Issaq	12 (36 %)	30 (37%)	25 (30%)	21 (26%)
Total representation	33 (100%)	82 (100%)	82 (100%)	82 (100%)

Representation of Non-Issaq clans by 1990s gradually reduced as Issaq clan representation rose

1.2 Somaliland Elections and the Challenges of Inclusive Representation

Following the public approval of the provisional constitution on May 31st, 2001, various pieces of legislation were passed by the Parliament that paved the way for elections. The advent of elections in Somaliland marked the country's transition from clan-based power-sharing to multiparty politics and the arrival of a competitive electoral system. The clan-based political system has helped to underpin the prevailing peace and relative political stability, there is a concern that the introduction of multiparty politics is undermining the inclusive clan representation that the previous system fostered, and in the long run, it may pose serious threats to prospects for democracy and stability.

The shift from a clan-based system to electoral democracy gave women in Somaliland the right to vote and stand for elections. There was hope that the recognition of the political rights of women to vote would improve women's participation and representation in Somaliland politics relative to the clan-based nomination which was considered discriminatory to women. However, the elections proved that formal recognition of the political rights of women was not sufficient and there was no improvement in their representation in the elected bodies.

1.3 Changes in Clan Representations

The introduction of the multiparty electoral system has introduced the concepts of “winners” and “losers”, where the major clans won more seats at the expense of the peripheral, minorities, and marginalized clans and groups. Within the Isaq clan representations, the major clans increased their share of parliamentary seats by winning the seats of minor Isaq sub-clans.

Over the year the balance in representation has shifted from powerful representation and power sharing to the winner takes it all, this has drifted the voice of peripheral and minority clans and sub clans representation and inclusion in decision making. This disproportionate seats sharing by clans show some clans having barely any seat in either Guurti or the House of representative. Unlike the 1960s and 1990s.

Figure 1: Shift in clan representation by region and dominant clans between 1997 and 2021



1.3.1 Peripheral Clan Representation

For the *Harti* clan, a clause in the previous election law that reserved seats for these areas was removed. The removal of this clause has further reduced the Harti representation in the new Parliament, from 10 seats to 6 seats. The Dhulbahante were able to maintain the seats they held before, whereas, the Wersengali failed to secure a single seat. Though the Esse, their problem is different from that of Harti, they too, fail to win more than one seat.

1.3.2 Women and minority clans’ Representation

The prevailing influence of the clan system has limited the number of women candidates running in these elections and has contributed to the failure of women candidates in the polls, though the majority of the electorates were women. Similarly, due to their social status, constrained Minority clans’ opportunities to win representation in the elected bodies, despite they have sufficient numbers to win two or more representations in the country.

1.3.3 Issaq and Non-Issaq 1960-2021

The peripheral clans, consider the current political arrangement as tilting towards majoritarian rule/super majority without the protection of minority rights in House of Representatives. For example, the Parliament major and critical legislation, such as electoral laws can be enacted by majoritarian *Issaq* MPs, without the consent and support of the peripheral sub-clans. There is no internal institutional mechanism or procedures to limit the legislative power protect minority rights, to have consensus on critical legislations.

2. Objectives of the Discussion

The overall objectives of the discussions were to discuss the Somaliland and the challenges of inclusive representations.

2.1 Specific Objectives of the Discussion

The specific objectives of the Discussion were as follows: -

Objective	Key questions
To discuss the Somaliland and the challenges of inclusive representations.	<ul style="list-style-type: none">○ How does the electoral process contribute to the domination of major clan representation?○ What is the short and long-term political implication of changes in clan representation due to the elections?○ Measures or steps for electoral model and party system for more inclusive representations?
To discuss the Changes in Clan Representations.	<ul style="list-style-type: none">○ What was the rationale for clan powering arrangement?○ What were the benefits of this political arrangement?○ What was the negative aspect of this arrangement?○ Do the benefits out weight the negative costs?
To discuss the Peripheral Clan Representation	<ul style="list-style-type: none">○ Is Harti and Essa's representation important to Somaliland?○ And what does it mean to Somaliland?○ What are the feasible steps or measures to improve their representation in the national elected bodies?

<p>To discuss Women and Haybsoor Representation</p>	<ul style="list-style-type: none"> ○ <i>How important is women's representation in Somaliland's elected bodies?</i> ○ <i>What are the main challenges to women and Haybsoor representation?</i> ○ <i>Steps and measures to improve women and Haybsoor?</i>
<p>To discuss Isaaq and Non-Isaaq representation since 1960 to 2021</p>	<ul style="list-style-type: none"> ○ <i>Do the non-Isaaq clan MP's concerns legitimate?</i> ○ <i>What are the political implications of these concerns?</i> ○ <i>Possible institutional measures and steps to address these concerns?</i>

2.2 Discussion panel

The round table discussions were held in two phases namely the discussion; Intellectuals, CSOs, Women organizations and law makers.

1. The round table discussion



The round table was held on 05 July-2022 attended by the women CSOs representatives, Scholars, academicians and technical staff of CDG and Academy for Peace.

The key focus for the round table discussion was Somaliland political representation and election challenges associated with clans and women since restoration of Somaliland de facto state and introduction of election democracy based on multiparty political system. The major challenges and issues around the growing dominance of Isaaq clan in the political and executive positions and structures of government were

discussed.

Historical background information (statistics) of Somaliland parliamentary representation as designed by the Somaliland charter and the Boroma Agreement was presented for discussion as a precursor to the presentation grievances of the non-Isaaq and peripheral clans in Somaliland.

2. Discussion panel

The discussion panel was composed held on (date) at Mansoor Hotel in Hargeisa which included members of parliaments for representing different constituencies (regions) of Somaliland. These included the following;

1. MP, Ahmed Hasan Ali Casoowe
2. MP, Mukhtar Hasan Maydhane
3. Mrs. Sucaad Ibrahim Abdi
4. Former MP, Abdikadir H. Ismail Jirde

Hon. Mukhtar Hassan Maydhane is the HOR member representing Awdal Region. He has a long experience in development work and government having worked with the ministry of commerce and INGOs in Somaliland.

Mrs. Sucaad Ibrahim Abdi was one of the 2021 election candidates for Maroodjeex region. She is a member of WADANI political party and contested against men. She is a prominent civil rights activist.

Hon. Ahmed Hasan Ali Casoowe, is a Member of Parliament and former minister of Somaliland Ministry of Justice in 2002 and Health minister 2002-2010. He is an academician and also an educationist. He is HoR for Sool region.

Hon. Abdikadir H. Ismail Jirde is a senior legislator whose experience spans from 1993. He was member of the 2nd parliament in 2005 and now the third parliament. He was deputy speaker of parliament and now member of the parliament representing Maroodijeex region.

3. Key Points and analyses of current status of participation Discussion

3.1. Clan representation

The participants agreed that the law should not be made by a person or a group; it should be debated freely, so debating and consensus on the rules and procedures is important. - What is the process of choosing a chief for clans? It is the clan that is splitting up by the sub clans - main points of decision how to encourage open decisions of civil societies. The change of clan representatives is the argument for social diversity that we need to discover the causes of change and gaps of clan representatives.

They suggest to have a good system of Somaliland elections, adequate funding of cooperation and organizations working on good Governance and legal experts. The system of election in 2005 clans initiated post-election complaints against the manner in which the election system was conducted. Because it disregarded the diversity criteria of state voting,

double voting and massive malpractice never happened. Therefore, even minor clans sent parliamentary representative like Dhulbahante, Warsengeli and Faqashini.

Some complaints about the system of the election, but most Somaliland people accepted the result of the election so that representatives are region level but they are based on clan's representatives according to the social beliefs. Some areas are affected by security issue like Sanaag east side, the clan have no representative, so the election system affected clan parliamentary representative and appropriate clan representative. The Boroma agreement on the tribal division system was a solution but it had no legitimacy, the selection came from the members representing the clan and the region.

The clan inclusive power is important for Somaliland, example the Sanaag eastern side clans do not have an inclusive power share and this has that caused administrative controls issues with Puntland in administrative districts. Somaliland's constitution is a clan-based system, and citizenship is a clan-based system, the distribution of inclusive clans based on power political decision. By building a tribal and national system, now we want a legal nation but elections are of two opposites, so the legal system must be reviewed.

The electoral process at the regional level should be reviewed and made at the district level so that people can come out strong and representative of the wishes of all people. A professional system of implementation of the rules will lead to a better system of public satisfaction, including change of clan representations in parliament from clan oriented and location based voting to give opportunity for all clan representatives rise to elective positions.

3.2. Women representation:



During the May 31st 2021 elections, while the election came off smoothly, the outcomes were not as representative of the electorate as might have been hoped. One very disappointing result was the exclusion of women from parliament. Previously, the lower house had only one female member; now, there is none. There were thirteen female candidates of the 246 running for 82 seats, and some lost by a narrow margin in a highly female competitive races against men. The outcome was only marginally more

inclusive in the local council elections, where fifteen female candidates ran and three won seats out of 220 in races.

There had been some efforts to produce a more representative outcome. Before the polls, the three political parties agreed that each would present at least six female candidates for parliament (one for each region), but Kulmiye and Waddani both fell short of this mark. President Bihi also waived registration fees for women and minorities in an attempt to level

the playing field. Though important, these steps clearly proved insufficient to enhance women's political representation.

The representation of some clans also suffered as a result of dismal turnout in the east, where popular acceptance of rule by Somaliland authorities remains extremely uneven. The eastern parts of the Sool and Sanaag regions, as well as the district of Buhoodle in Togdheer, are primarily inhabited by the Dhulbahante and Warsengeli sub-clans of the Darod clan. They have been subject to a long-running territorial contest between Somaliland and Puntland (a Somali member state). The Warsengeli sub-clan appeared particularly indifferent to the vote. Few votes were cast in eastern Sanaag, where the Warsengeli reside, resulting in the loss of four parliamentary seats previously held by Warsengeli representatives.

The low turnout could be interpreted as the sub-clan's rejection of government efforts to include them in Somaliland's politics. Still, official fears that local militias might use violence or interference to thwart the vote were not borne out, for the most part, and Puntland said little about the proceedings, despite having demanded a halt to voter registration in Sanaag earlier in the electoral cycle.

The news was in some respects less discouraging in the eastern parts of the equally contested Sool region, from where the Dhulbahante hail. Turnout among the Dhulbahante was higher than among the Warsengeli, but their overall representation still dropped from seven to six seats, a setback for Somaliland's attempts to fully incorporate Sool under its political umbrella. During the 2005 parliamentary elections, authorities allocated half of seats earmarked for Sool to the Dhulbahante because voting did not take place in major towns like Las Anod, which was then controlled by Puntland. There were no guaranteed allocations this time. While Somaliland has steadily expanded its administrative presence in Sool, Dhulbahante representation in the lower house has paradoxically decreased.

Representatives from the dominant Isaaq sub-clans gained popularity where the Darod sub-clans lost, causing some potential friction. The Haber Yonis and Haber Jelco of the Isaaq gained four and three seats, respectively. Overall, Isaaq representation in the House of Representatives increased from 57 to 61 seats, or nearly three quarters of the institution. Non-Isaaq clans in the west and east frequently complain about the distribution of seats by region in the House of Representatives, arguing that it under-represents them compared to their size.

Many non-Isaaq members even walked out of parliament in protest in the lead-up to the 31 May vote. But authorities ignored demands to reallocate the regional distribution, applying the 2005 election formula instead. The results may thus harden widely held perceptions in Somalia and elsewhere that Somaliland is little more than an Isaaq-dominated clan entity.

3.3. Women and Haybsooc minority clans



Photol file: Yousuf Goodaad from Minority clans invited the opening remarks on the debate.

It is important to note that the tribes they believe should remain part of Somaliland if they do not have representatives. We are developing academically and socially and this will lead to a change in clan representation. i believe we will win the right representation in the election.

The change in the representatives of the clan parliament is due to a large number of clan candidates running, and they are losing the votes that the clan represents. Traditional elders are part of clan dynamics, traditional are mixed political issue so that they caused a clan-splitting occurrences election.

4. Critical election Issues and challenges of representation raised

4.1 Critical issues:

The current political landscape and in particular representative election point at emerging issues that deserve attention of all political actors. Emerging election issues reflect that;

The eastern regions of Sool and Sanaag and the resident clans represent dissatisfaction and political marginalization.

Election boycotts: Election boycotts in Buhoodle explains why clans dominant in the region missed out despite Buhoodle being under control of Somaliland. In the one man, one vote election system, and acts of pulling out of election downplays the chances of regions or clans to win from national opportunities and power sharing. The criticism should go to the Sool clans because they did not participate in the election correctly. Thus, *“40% of Dhulbahante live in the Buhoodle region and they did not participate in the election the way we wanted. The Wersengali clan also did not take part in the last election properly,”* **MP, Ahmed Hasan Ali Casoowe** remarked.

Lack of election experience: In the last election, many people participated in the election including constituencies hitherto adamant to electioneering. However, even though we regions participated many stakes a placed tat election time which leads to loss of election

preparation track, mismanagement of the campaign. According to Hon. Ahmed Hassan Ali Casoowe, for this reason regions like Sool region received only 7 seats where they would have had more seats. But we lacked election experience, he lamented. The MP believes when registration starts, many people may register and will participate which will increase representation.

The amorphous constituencies: According to **MP. Mukhtar Hasan Maydhane** Gadabuursi does not satisfy the power sharing and government ranks representation between Somaliland clans. They are too huge to be covered by the candidates or representation of each of the clans and sub clans. Somaliland's election procedure need to be shifted from regional level election to constituency level because this system may facilitate or allow MPs to obtain a fair and levelled ground when it comes to the election campaign and standing for election positions.

Population distribution and representation by numbers: the population statistics of Somaliland should be urgently updated through conducting an accurate census to determine the accurate population demographics critical to election validity and planning. Representation is not only about the parliament, but also lower administrative levels as district council and demographic sections including PLWDs, women, youth and elderly among other. Geographical size and population are vital to fair representation. This can only be equalized by accurate information of which numbers of a given clan exist in which geographical boundary. As such the dynamics for who represents where will be sorted given consideration of personal merit combined with clan politics. The political parties would also position themselves well with due consideration of population figures of respective regions and districts.

In this regard, according to Hon. Ahmed, despite that the 2021 elections occurred in most Sool regions except Buhoodle and east Sanaag. In the Eastern regions, people are not happy with central government power sharing. During the Cigal presidency, non-Isaaq clans had fair power sharing in government branches like the judiciary, executive, and legislative, but everything has changed after different presidents came to power. This is one of the reasons for election fatigue manifesting in the regions.

Service delivery and election participation: The Eastern regions manifest neglect from government in terms of extension of social services. The current Somaliland government and former authorities did not expand their management in the eastern regions, so education. Healthcare, electricity and water are absent in most cities in the Sool and Sanaag regions. This makes it hard to promote good governance and democratic representation, loyalty of the electorate/voter. As the discussant Hon. Ahmed Hassan, Buhoodle has border by Puntland, Somalia and Ethiopia but currently Somaliland control most of Buhoodle Area. However, Eastern regions' (Sool and Sanaag's) specific problem is that Somaliland's government did not extend their system to areas where elections have not been held. And where the government has not delivered services it is hard to appear there during time of electioneering.

Calls for a constitution referendum and constitutional review: It is eminent that representation in the executive and judicial arm falls short of the non-Isaaq clan

representation. “Domination of the executive ranks by the dominant Isaaq tribe is in disrepute of the country’s international image” Hon. **Abdiqadir Jirde observed**. To undo most of the representation hurdles the Somaliland constitution must be reviewed to entrench key issues pointed out affecting fair representation and clan administrative justice that was not catered for by the constitution assembly of 2001.

4.2 Challenges:

Superiority of the Isaaq clan: the dominance of Isaaq clan in the arms government and more so in the parliament Awdal MPs are unable to pass legislation because the Isaaq clan controls 70% of the House of Representatives, making it difficult to pass legislation granting non-Isaaq clan members rights to order new laws.

Frustration of implementation of check and balance in the arms of government.

Phobia for constitutional review and amendment. There is a growing procrastination over the constitution review and seriously making constitutional amendments to address the gaps emerging with changes in the political social and economic demands of the current dispensation. According to MP **Mukhtar Hasan Maydhane**, “we are in a constitutional crisis in two ways. The first the recurrent complaints of non-Isaaq clans. The second is gaps in ensuring check and balance between government branches, including legislative, judiciary, and executive.”

Inaccurate population data.

Mindset issues and stereotypes against women. The society of Somaliland continues to lose the advantages of inclusion of women and politics of diversity benefits such as national cohesion. Our society believes that they don’t need women’s contributions. The Isaaq clan did not give women their rights when it came to the election. She argued that women’s representation does not make sense within Somaliland society. Despite the Somaliland’s constitution emphasizing that citizens are equal. So, I can't say that there is no other place to look for because the constitution says that the majority leads and the minority follows. This meets people with suspicion.

The structure of the major 3 political parties: The current three political party system is an obstacle indirectly to representation; therefore, it requires increasing the number of political parties. However the constitution and political organizations laws would have to be reviewed in such cases. The political parties have not embraced women in the party structures. The political parties are predominantly clan based especially lead by major class which are basically descendants of Isaaq. This tilts the socio-political balance and power sharing. Somaliland's constitution needs a referendum in order to amend the three political parties' act. Thus, if we are afraid the number of political parties will rise, we have to pass a new law which controls the number of political parties

5. Action Plan

The following action points were recommended: -

- *There should be appointment of a high-level committee to examine the reasons behind the failure of women to achieve representation in parliament and provide recommendations for the way forward. One proposal would be to reintroduce the idea of a quota for parliament. Although members of parliament have rejected this approach in the past, the 31 May results together with expressions of disappointment from Somaliland's international partners might help to change minds. Political parties could also do more to promote female candidates in their ranks, for example by encouraging party leaders to campaign more vigorously on their behalf.*
- *Another immediate priority is the political inclusion of non-Isaaq clans. Somaliland's president can ensure continued representation for these groups in Hargeisa by making future appointments in his cabinet and in other high-level positions with under-represented communities in mind. In addition, the coming Guurti cycle can serve as an avenue for boosting non-Isaaq membership in parliament. As selection to the body will be subject to negotiations among Somaliland's clans. Political leaders are were called upon to push for greater inclusion of under-represented communities, including those that suffered losses in the House of Representatives vote.*
- *Authorities should not repeat the strong-arm tactics that they used against opposition candidates at times during the 2021 campaign. The detention and harassment of these candidates during the campaign were widely viewed as a worrying display of political intolerance and encountered strong domestic opposition.*
- *Had they not been curbed; they might have compromised the integrity of the election and been a source of instability. Somaliland's watchdog institutions, including the electoral commission and judiciary, as well as civil society organizations and international partners, need to closely monitor the run-up to the coming votes and be prepared to mobilize together to pressure the government to desist from any form of electoral interference. Maintaining a level playing field is critical if Somaliland is to continue the positive development of its democratic culture.*
- *Although the May 2022 vote's success was the result of consensus building among elites, and especially the political engagement of Somaliland's three parties. It took time to achieve these goals after the bitter fallout of the 2017 presidential election, but in the end the result was smooth proceedings, including a successful House of Representatives speaker vote in a tense environment. In the same vein, Somaliland's government should consult with all parties to determine mutually acceptable rules of the game for forthcoming votes, in order to avoid delays or last-minute disputes. Authorities should also engage persistently with the new parliament to develop wider agreement on the*

conduct of elections, given the institution's key role in crafting legislation to govern the conduct of future polls.

6. Pictures





