

DISCUSSION
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SOMALIA'S 2021 ELECTIONS: SOMALILAND PERSPECTIVE

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What is happening? In 2020/2021, Somalia's Federal elections were supposed to take place in Muqdisho ending four years of Farmaajo's leadership, however, at the time of writing this report, the federal selection-based elections have been delayed due to political disagreements among the key political players. With the boundless diplomatic support (including enormous financial and technical assistance) being given to the Federal Government of Somalia (FGS), the FGS has tried to use the international support to weaken Somaliland's hard-worn stability and locally-sustained electoral democracy. In doing so, the internationally-supported FGS in Muqdisho uses its diplomatic influence to sojourn Somaliland's quest for international recognition.

Why is it important? The international community particularly Turkey and Qatar unilaterally supporting Somalia's political reconciliation and reconstruction without addressing Somaliland's core issues (quest of international recognition) create an imbalance of power and resource between Somaliland and Somalia, leading to an unimaginable future for both sides (Somaliland and Somalia) for the decades to come.

What should be done?

Somaliland and Somalia should find a way to end the stand-off between the two sides and

plan an internationally-driven road-map that puts an end to this political impasse that has prevented both parties to develop economically and live-in harmony.

1. Introduction

In August 2012, Somalia leaders agreed to a "Road Map" (Garowe Principles) that had shaped Somalia's post-transitional political institutions' structures. As a result of the adaptation of the Garowe Principles, a new Federal Provisional Constitution was adopted followed by the election of the federal institutions (Bank, 2012). On 10 September 2012, Somalia's clan-based federal parliament elected a new president, Hassan Sheikh Mohamoud (HSM), ending decades of perpetual transition (2000-2011) since the total disintegration of the Somali state in 1991 (BBC, 2012). Despite the absence of de facto territorial control, with the support of the international community, the new president succeeded to gain international formal diplomatic recognition, becoming the first internationally recognized Somalia government since the end of the brutal dictatorial regime of Siyad Barre that had ruled Somalia since 1991 (Bryden, 2013).

Supported by the international community, HSM's government succeeded to form new federal member states of Somalia (Galmudug, Hiirshabelle, South-West, Jubaland)

configuring a new political settlement that would end decades of intra-Somali civil war. In his four-year tenure, HSM succeeded to form the first four Federal Member States (FMS) of Somalia's federal system, putting an end to decades of centralized rule. The political evolution of Somalia was highly driven by external actors and Somali political stakeholders played limited roles. To many Somalis, the process was seen as a foreign project that had not been negotiated by the key political elites of Somalia (interview, 2021).

In 2016, the FGS framed a political vision that would lead Somalia's clan-based power and resource distribution framework into a representative democracy. Widely referred to as "Somalia's Vision for 2016" was adopted by the Federal Parliament in 2013 to lay down a framework that would ensure the completion of the transitional tasks under the federal system that Somalia had adopted. The 2016 Vision intended to; a) conduct a constitutional review and implementation; b) complete the federal system, and c) hold one-person-one-vote in 2016 elections (Matt Bryden and Tres Thomas, 2015).

In the 2016 elections, the 2016 Vision failed to facilitate a one-person-one-vote election in Somalia due to a complex set of problems including but not limited to insecurity posed

by Al-Shabab's myriad complex operations in Somalia. Acknowledged by Somalia's partners, the one-person-one-vote was impossible to deliver in Somalia due to the presence of country-wide insecurity, irreconcilable political interests among Somalia's political elites, and ill-preparation of the technical delivery of fair and credible elections (UNSC, 2015). HSM's government of failure on the one-person-one-vote model in Somalia backtracked the previously clan-based model. With the immense financial and technical support of Somalia's partners, Somalia failed to deliver the long-awaited popular elections in 2016.

On 8 February 2017, a new president was elected, Mohamed Abdullahi Farmajo, defeating the incumbent HSM. In his election campaign program, Farmajo promised to defeat Al-Shabab, combat against corruption, build up a new modernized military, implement economic reform programs, and finally hold one-person-one-vote in 2020 (HIPS, 2019). In 2020, with the election approaching, Farmajo's 2017 promises turned into a fiasco. On the contrary, Al-Shabab remains undefeated and Somalia's political settlement seems debilitated (Hiraal, 2019).

Under his leadership, Farmajo whacked to countermand Somalia's political settlement

attempting to weaken federalism and revive centralism. In his tenure, the relationship between the FGS and the FMS have reached the lowest levels, and the elections timed to take place in six months' time, Farmajo pushed his failed agenda "one-person-one-vote" model making the electoral process a complex and complicated political quagmire. With the pressure and influence of the international community, Farmaajo's administration was convinced to reach a negotiated settlement with the FMS and to facilitate a peaceful and credible election without delays and extensions (UNSC, 2020). In the lead-up to the final agreement reached between FGS and FMS in Mogadishu, three more FGS-FMS consultative meetings had been held in Dhuusamareeb, Galmudug's capital city (IGAD, 2020). With all the resources provided by the international community, Somalia's fragile, top-down state-building process has failed to deliver a one-person-one-vote model. Both Farmajo and HSM have failed to implement a popular election in Somalia due to the presence of Al-Shabab and the fragility of the political settlement of Somalia. As result, the 2016 electoral model (constituency caucus) will be re-used in the 2020-2021 elections with small changes being made to the number of the delegates.

2. Somaliland and Somalia's Federal Elections: Why it Matters?

Historically, Somaliland came into existence under Proclamation (No: 42074) issued on 24th June 1960 after Her Majesty Government (HMG) ceased all treaties in force in the former Somaliland British Protectorate and declared the independence of the State of Somaliland (Somalilandlaw, 2017). Woefully, Somaliland's sovereign rights were unimaginably casted-off into an unknown political union with Italian-colonized Somalia. After a three-decade-long union between Somaliland and Somalia, Somaliland, on 18th May 1991, had unilaterally reclaimed its sovereign rights in a grand conference attended by all political stakeholders of Somaliland (APD, 2008)

The state formation of Somaliland has been considered as a Somaliland-driven, bottom-up, traditionally-fashioned, and elite-negotiated process whereby peace and stability took the center stage of the state and peacebuilding process (APD, 2010). Unlike Somalia's clan-based federal electoral framework, Somaliland has successfully delivered more than six popular elections being considered free, fair, and peaceful (APD, 2010).

With these popular elections held in Somaliland since 2002, the FGS has been

disinclined to respect the popular will of the people of Somaliland and has since tried to imperil the democratic process of Somaliland by designating Somaliland as part of Somalia. Under the federal electoral framework, Somaliland is encompassed as one of the FMS, despite that Somaliland had never been part of Somalia's state formation process since the end of the union in 1991. However, Somaliland's non-recognition status seems to compromise its long-held position as an independent state from the federal political process of Somalia. Both FGS and its international partners view Somaliland as an integral part of Somalia, ignoring the three-decade-long of Somaliland's existence as a separate country from the rest of Somalia. The external legitimation of Somalia's state-building process without an agreed political settlement with Somaliland seems to endanger the progress being made in Somaliland for the last three decades. Furthermore, its external state-building securitization helps its institutions to grow and withers Somaliland's hard-worn, home-grown democracy.

There is a strong case that can be made for Somaliland to closely, but informally watch Somalia's indirect, constituency-based electoral process in 2020-2021. There are several important factors that influence this

argument. First, with both the international community and Somalia's FGS viewing Somaliland as part of Somalia, Somaliland like other powerful external players of Somalia's political process, has to change its old-policies-that Somalia's elections are irrelevant- and engage with the realities on the ground by not compromising its independence and freedom. Second, since the dissolution of the union in 1991, Somaliland's foreign policy towards Somalia was ad-hoc and inconsistent with no long-term strategic thinking on how best to approach the unilateral, but the internationally-supported state-building process in Somalia. Third, a small number of the members of parliament of the FGS are originally from Somaliland who without the consent of the Government of Somaliland (GoS) believe that they represent Somaliland people. This claim, despite its illogical inconsistency, has been externally legitimized by the international community, recognizing Somalia without first ending the Somaliland-Somalia impasse (Government, 2020).

3. Somaliland's three-decade-long escapism

In 1991, after Siyad Barre was ousted from power, Somaliland succeeded to fashion a new political settlement among its divergent

political elites, introducing a new democratic de facto state. Conversely, Somalia failed to re-establish order and as result, plunged into utter chaos. During the last three decades, internationally-sponsored Somalia peace and reconciliation talks were held in different countries in the Horn of Africa region and beyond (Interpeace, 2008). The outcome of these externally-driven, non-Somalia-owned peace processes was its awful failure to find a long-lasting and workable political settlement of the regionalized political conflicts in Somalia. Invited by regional players and international actors, Somaliland had overtly declined to be part of Somalia's peace and state-building process and as result, boycotted all the internationally-facilitated talks of Somalia's political elites. Since 1991, after Somaliland unilaterally dissolved the 1st July 1960 union, its successive governments have not participated in Somalia's peace process, making Somaliland a different political reality that cannot be ignored.

The logical argument of Somaliland is based on its political history. Somaliland views Somalia as a distinct political entity that had emerged from a different colonial state formation process. Because of this historical state formation legacies between Somaliland and Somalia, Somaliland held the view that Somalia's electoral process is a separate

political exercise that had nothing to do with Somaliland's political evolution process. However, both FGS and its international partners seem to ignore the political realities on the ground that for the last three-decades Somaliland has been a separate country that has nothing to do with FGS's electoral process. With the support of its international partners, the FGS's claim-that Somaliland is part of Somalia-, generates a disequilibrium between Somaliland and Somalia, leading to an unstable political future (Affairs, 2020).

4. Somaliland's circuitous involvement: informal players

Formal players-Somaliland state institutions-are strictly prohibited to intervene, involve in, and engage officially with the FGS state-building processes. To this effect, on 11th August 2003, the parliament of Somaliland issued a binding law that proscribed the official engagement of the Somaliland government on internal state-building processes of Somalia (Somalilandlaw, 2012). Until then, attending and engaging with Somalia's internal political processes was unlawful. However, informal players-business elites, clan leaders, religious figures-have all been informally and inaudibly involved in the electoral process in Somalia; financing candidates, appointing delegates

sent to the FGS, and recommending FGS top-political positions that presumably represent Somaliland.

Of these informal players, business elites and religious figures are the two most visible actors in the FGS's presidential rivalry. There are several factors that incentivize the informal players into the presidential race of Somalia. First, most of Somaliland and Somalia's large companies are owned by business people from both sides, making the Somali business an informal channel to politics. Second, because of its de jure legitimacy, the FGS has soft power over Somaliland companies being registered in Somalia to grant a license, facilitate international financial transactions, and use FGS's diplomatic channels in case of international trade issues (business, 2020).

Despite its non-sensitivity, Somaliland-Somalia business engagements are being considered as non-political, and cross-border business operations in Somaliland and Somalia are interconnected and cross-territorial. Most of the business communities-mainly large companies-have established commercial activities both in Somaliland and Somalia, fashioning new financial and political interests on both sides. The business and politics are intertwined and the rent-seeking economy of Somalia makes

them inseparable. Therefore, Somaliland business companies operating in Somalia must have access to political power by financing candidates and informally managing delegates being selected to nominate members of the parliament of Somalia.

Within the framework of 4.5 (Somalia's clan-based power-sharing formula), there are a small number of seats given to individuals who are originally from Somaliland. These individuals are only included in the FGS's federal structure for one reason-as a justification of Somalia's claim over Somaliland. Both Somaliland and Somalia know that those individuals do not represent Somaliland, yet FGS insists on their inclusion into the federal system justifying its claim over Somaliland. Informal players, however, use these unofficial political representations as a political platform to defend their interests in Somalia and access to power. On the other hand, religious leaders and traditional elders have also been involved in the electoral process of Somalia. Unlike the business elites, Somaliland religious leaders have ideological connections with their counterparts in Somalia. Religious congregations are held both in Somaliland and Somalia without any inconvenience, leading Somaliland into a more informally connected to its perceived enemy-Somalia. Finally, traditional leaders

have been used by business elites to select and nominate candidates for Somalia's top political posts.

5. Ending Decades of Political Cul-de-sac

Despite the lack of de jure recognition, in a conflict-ridden region-the Horn of Africa, Somaliland has been widely acclaimed for its success in peace, stability, and democratic governance. However, its policies towards Somalia have been inconsistent and sometimes contradictory. Driven by contextual and circumstantial events with no consideration given to craft a consistent, far-sighted policy, Somaliland should figure how to end these three-decade-long cul-de-sacs by engaging with; a) global and great powers and b) Somalia political elites in Muqdisho through informal channels. However, with the small number of federal parliamentary seats allocated for Somaliland (46), Somaliland's position to influence the outcome of the FGS presidential elections process is very limited. Therefore, it is clear that Somaliland would not risk being seen as one of the players of the FGS's electoral process because of the principles (Somaliland's sovereignty) that are enshrined in the Somaliland's constitution.

Furthermore, Somaliland has always been pushing an internationally-mediated dialogue with Somalia, a strategy that has not worked for the last eight years since the inception of the talks between Somaliland and Somalia in 2012. Somaliland's strategy of ending Somaliland-Somalia political uncertainty through an internationally-mediated platform seems to have vanished due to the lack of strategic value by global powers in ending these three-decade-long impasses. However, with the changing of global politics and the emergence of a new cold-war, Somaliland is seen by the great powers as an important geostrategic location in the Red Sea and the Gulf of Aden. Now being supported by both global powers and regional players, it is the time to change the status quo and engage with key global players including the United States to push a change of policy towards Somalia.

6. Way-forward

Somaliland's foreign policy towards Somalia has been ad-hoc, minister-driven with no long-term state-centric approach on how to deal with Muqdisho. This approach has to change and a new foreign policy framework has to be crafted to meaningfully engage with the international community and other relevant bodies in the region. Hence, the Somaliland Government should; a) engage the international community for them to be

committed to finding a lasting political settlement between Somaliland and Somalia; b) continue its precondition of finding internationally-mediated talks that include the African Union (AU) and Intergovernmental Authority on Development (IGAD), within the framework of the latest Djibouti talks in June 14th, 2020; c) develop a strategic long-term foreign policy towards the wider international community, Somalia's partners, and Somalia itself, and d) continue talking to and dealing with the international community and should remain independent in its foreign policy pursuits and defending its interests regardless of the Somaliland-Somalia talks.

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