A VOTE FOR CHANGE:
Somaliland's Two Decades Old Electoral Democracy

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1. Executive Summary

Somaliland's electoral history is rather unique in a troubled part of the world where democratic norms and values are not respected. The combined elections at the end of May 2021 are crucial for the country's political stability and democratic credentials for five main reasons:

1. **Delaying the parliamentary elections**: The House of Representatives elections were delayed 9 times since 2010. Both local and House of Representatives elections are important. Somaliland will be holding local elections the third time, but this is the second time the country will hold a one-person-one-vote House of Representative elections which makes them particularly unique. This paper will explore the factors that led to the elections taking place this year.

2. **New voter access to other regions:** For the first-time elections will be held in Sool region (Las-Anod, Xudan and Talex) and eastern Sanaag (Badhan, Laas-Qoray and Dhahar). In Sool, the voter-registration turn-out was substantial compared to previous years. In addition to that, over the past several elections, the number of voters in Sool has been increasing significantly. Therefore, the paper will look into the major contributing factor to the changing attitudes in the Sool region.

3. **Role of traditional institutions and informal players in the selection of candidates:** Although Somaliland appears successful in its democratic credentials, the dominance of traditional institutions and informal players in the selection of candidates is still prevalent in the electoral system. The informal players, such as businesses, traditional elders and religious figures took over the role of the political parties in vetting the candidates. Therefore, the paper will explore and discuss the role informal players play in the electoral process of Somaliland.

4. **The role of western donors in Somaliland elections:** Since 2017, financial contributions from the donors have decreased. There are three main reasons for it: the delayed elections in Somaliland, an increased interest in holding one-person-one-vote elections in the Federal Government in Somalia (FGS) and the financial impact of COVID 19. The international community heavily invested in the previous elections (2005, 2010,2012, 2017), but has now committed less money on the upcoming combined local and parliamentary elections.

5. **The nonexistent role women play in a highly polarized, clan-based society:** The absence of women in the political sphere has created exclusionary politics in Somaliland.

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The women's quota (pushed by the international community with the support of the local organizations and a majority of Somalilanders) has been unsuccessful due to lack of a well-thought strategy sustained by a locally-supported approach that gives women quota as a way of creating inclusive politics.

6. **Improvements, and setbacks:** There are several achievements in ensuring electoral integrity and the implementation of electoral laws, such as the role of the National Higher Education Commission (NHEC), which did not exist in the past. The NHEC vetted the qualifications (educational and professional) of the candidates. However, there were still problems in which the security forces arrested and accused some of the candidates of violating electoral laws, even though NHEC and NEC approved their candidacy. Few candidates were criminally-charged for fraud and falsifying their qualifications, but the opposition parties claimed that the majority of arrests from their side were politically-motivated.

2. Introduction

May 2021 marks an important milestone in modern Somaliland history. It will now be 30 years since the country established its de facto statehood and reached its unilateral dissolution from Somalia. In just the past three decades, an impressive amount of work has been achieved. In this short time and with limited support from traditional and non-traditional donors, the country has managed to demobilize clan militias, form a new unified government, facilitate a free market economy, manage radical ultra-conservative political Islam, hold a national referendum for its constitution and transition from being a clan-based electoral system to a multi-party system. There is indeed much to celebrate and much to reflect on this election year. It will now be twenty years since the Somaliland Referendum established the first one-person-one-vote in the country since the late 1960s. This historic event coincides with the upcoming parliamentary and local elections (the 7th elections). This year, Somaliland is not only celebrating past accomplishments but also paying close attention to the future. The current elections are highly important as they are directly tied to the future of the electoral process of the country.

Since 2002, Somaliland has held six popular elections: two locals, one parliamentary, and three presidential elections. All of which were deemed credible, free, fair and peaceful (APD, 2015). The current parliamentary and local elections, which are to be held on the 31st of May are of significant importance in reaffirming Somaliland's locally-driven electoral democracy. Somaliland is currently the only country in the Horn of Africa expected to hold another successful election. This, in a region that has unfortunately been plagued with despots and problematic rulers who are known

to rig elections to their benefit. Given the importance the upcoming elections hold in the history and the future of Somaliland, this research will seek to explore several issue areas that currently affect the electoral system of the country and play a role in the upcoming May elections.

This report will pay close attention to the following areas: First, the delayed parliamentary elections. Second, new voter access to the regions of Sool (Las-Anod, Xudan and Talex) and eastern Sanaag (Badhan, Laas-Qoray and Dhahar). Third, the dominant role of informal institutions and informal players in the selection of candidates. Fourth, the declining role of western donors in funding the 2021 Somaliland elections. Fifth, the nonexistent role women play in a highly polarized, clan-based society. In light of this, this report proposes a new way of dealing with the women quota system. Despite delays, the technical complexity of the electoral process, and the high cost of elections, this report conveys that Somaliland's electoral democracy with its traditional characteristics is still resilient and sustainable for now.

3. Background

In 1991, Somaliland restored sovereignty after a three-decade-long civilian and armed struggle that put an end to one of Africa's 20th century most brutal dictatorships- the Siad Barre regime (Drysdale, 1994). The former British Somaliland protectorate which merged with the former UN Trust Territory of Somalia in 1960 established the Somali Republic. Ever since the reinstatement of Somaliland, state-building has been a rather indigenous, inclusive, bottom-up, and locally-owned process that is exceptional in the Horn of Africa and the wider African continent (APD, 2015).

In 1993, Borame (the capital of Awdal region) hosted the most significant National Reconciliation Conference. It was here that delegates adopted the country's first National Charter-a framework agreement endorsed by key stakeholders which gave rise to Somaliland's three-decade-long political stability, social cohesion, and de facto statehood (Lewis, 2008). In 1997, Somaliland hosted another crucial reconciliation conference in Hargeisa, which brought an end to the civil war and built upon the successes of the Borame conference (APD, 2010). In the later years of the 20th century, the Somaliland government introduced more inclusive policies to strengthen the country's unity in the form of 'clan-based power-sharing arrangements.' In doing so, the Somaliland government created new political and social institutions. From these arrangements emerged a decentralized governance system with three branches (executive, legislative, and judicial) that would check and balance each other, political associations that would compete to become national political parties and hold local, parliamentary, and presidential elections. These also

established peaceful transfer of power from one administration to another and an independent press-though they have been subject to unlawful arrest and intimidation-meets intimation and arrest from the government- that would critically take part in safeguarding the freedom of the press, but most importantly, hold the government accountable.

It is important to note that much of Somaliland's democratization process was spearheaded by informal players- clan elders, intellectuals, the private sector, and aspiring political leaders. Hence, Somaliland's democracy was instituted while drafting the country's constitution in 2001. The International Republican Institute (IRI), a Washington DC-based organization, sent a delegation to Somaliland to observe the first popular referendum vote. IRI released a report which praised the Egal government for conducting a rather successful referendum with no violence and fraud in a country that had not witnessed an election in over four decades. Additionally, the report stated the following: "Based on these observations, the Institute concludes that, on the whole, the constitutional referendum held on May 31, 2001, was conducted fairly, freely, and openly, and largely adhered to the election procedures set down by the Somaliland parliament and in accordance with internationally accepted standards." (IRI, 2001). The Constitution was ratified with around 97 percent of public approval in 2001 (Somaliland Laws, 2005).

The Somaliland government held three main objectives for finalizing the country's Constitution. First, to legalize Somaliland's re-assertion of independence through popular voting. Second, to lay the foundations for the Somaliland political and governance system. Third, to open-up a political space for opposition parties for the country to enjoy the freedoms of a democratic society through the formation of political parties. The Constitution ratification gave rise to the first local council elections held in 2002. These were Somaliland's first multiparty elections since the late 1960s. During the months prior to the election date, the first political association emerged. Six associations led by various political heavyweights from different sectors of the society competed to participate in those elections. The Constitution dictates that only the three political associations, those with the most votes qualify for being the country's national parties. This was done to avoid past mistakes, such as, in the 1960s when hundreds of clan-based political parties competed for the last major election in the former Somali Republic (APD, 2015).

4. Methodology

This report used both quantitative and qualitative data. On the quantitative side, the report collected data from APD reports, NEC, and other relevant departments within the Somaliland government. On the qualitative side, the Key Informant Interviews (KIIs) method and Focus Group Discussions (FGDs) were employed. The main purpose of utilizing KIIs and the FGDs

was to collect primary source information from a wide range of individuals, such as businesspeople, women, traditional elders, election experts, parliamentarians, and academics. Those individuals shared their deep experience and understanding of the Somaliland electoral process.

Additionally, APD researchers collected data in Hargeisa where all of the relevant authority on the Somaliland election process from mid-February to late March. During the data collection, APD researchers conducted 10 semi-structured interviews and 4 FGDs. The 10 people interviewed were members of the outgoing parliament (House of Representative and the Guurti), traditional elders, academics, women candidates, businesspeople, and election experts. On the FGDs side, the first FGD was for academics. The second one explored the issues of quota and women's political participation. The third one was for people from different sectors within the community to know their aspirations and perspective on the upcoming elections. The last one was for the business community to know their interests from a historical perspective on Somaliland's state-building to the elections scheduled to take place later in May 2021.

5. Politics of Extension: Formal Rules of the Game

Since Somaliland underwent its democratization process in the early 2000s, several obstacles have surfaced in the past two decades. Scholars who study Somaliland politics and many other experts argue that Article 83 (5)[1] and Article 42 (3)[2] are the two biggest challenges to Somaliland's democracy. These articles give the sole authority to the Somaliland House of Elders or Guurti to make term extensions for the President, the Vice President and the House of Representatives. This has in turn become problematic as will be explained further.

According to archival data from the Academy for Peace and Development (APD), the House of Elders, which holds the constitutional right to extend the terms of other executives, and the presidency made nearly 28 extensions for the parliament, local councils, and the executive (APD, 2015). For instance, the House of Representative's term has been extended 9 times, the Guurti's term has also been extended 9 times automatically because Article 19 states that the Guurti's term expires one year after that of the House of Representatives. Moreover, there have been 7

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[1] Article 83(5) states, "If on the expiry of the term of office of the President and the Vice-President, it is not possible, because of security considerations, to hold the election of the President and the Vice-President, the House of Elders shall extend their term of office whilst taking into consideration the period in which the problems can be overcome and the election can be held."

[2] Additionally, Article 42 (3) states, "If the election of the House of Representatives cannot be conducted because of dire circumstances, the outgoing House shall continue in office until the end of these circumstances and a new House is elected. Dire circumstances are: a wide war, internal instability, serious natural disasters, such as earthquakes, epidemic diseases, (and) serious famines; and shall be determined and resolved by the House of Elders on the proposal of the Council of Government."

presidential extensions, and local councils have been extended 3 times. These extensions have been detrimental to the country's democratic credibility. The language in the articles dictates that such term extensions can be made under 'dire circumstances.' Nevertheless, there were times when there was no 'wide war, ' or 'serious famine' or 'earthquakes,' but the Houses of parliament still extended their terms for political reasons. Most of those constitutional power extensions were influenced by self-motivated political interests and informal players. The majority of those extensions of the mandate of the Executive and the House were not technically-driven, but rather politically-motivated. These term extensions have severely impacted the holding of elections in the country causing unwanted delays. However, as has been previously mentioned, Somaliland will be holding elections this year.

A significant part of this report aims to explore what factors changed which led to holding the second one-person-one-vote parliamentary elections since 2005 and the local government elections since 2012. These combined parliamentary and local council elections went through several critical stages that led to them taking place in May 2021. First, after the 2017 Presidential elections, which international observers from over 60 countries deemed free and fair (International Election Observation Mission, 2018). However, the Waddani Party-the main opposition party-questioned the outcome of the elections (Hassan, 2017). Even though Waddani eventually accepted the result of the elections, they nonetheless published a position paper following the election calling for the dissolution of the National Election Commission (NEC). The party stated that they no longer trust the electoral management body to hold free and fair elections. In response to this, the government refused to ask the NEC to step down because they were serving their legal mandate and the elections have been deemed free and fair elections by local and international observers. This quagmire went on for two years and posed a threat to the very existence of the country's sustained electoral democracy. As a consequence of this intra-party dispute over NEC, elections were postponed.

On the 27th of July, 2019, the three political parties reached an agreement with respect to the composition of the NEC. This agreement was welcomed by all sectors of Somaliland society. The Waddani party argued for a member expansion of the NEC, from 7 to 9, the ruling Kulmiye party agreed to that, but consented it was up for the parliament to decide. In late August of that year, the leadership of the parliament blocked the motion for the agreement to be debated. According to the parliament's legal advisor, this agreement was unlawful as it violated the country's electoral laws. For that reason, the Waddani party withdrew from the 27th of July agreement accusing the ruling party of not fulfilling their promise (Somaliland, 2019).

Another major issue that complicated the agreement's implementation was the nomination of Mr. Abdirashid Mohamoud Ali (now the Chairman of NEC) whom the Waddani accused of serving a ministerial post in the previous Kulmiye government and Ms. Kaltun Hassan Abdi who was a member of the outgoing NEC. Hence, Waddani withheld its member until the issue at hand was fixed (Somaliland, 2019). A subsequent proposal led to the agreement being locally-owned, APD-driven (with the support of prominent Somalilanders) and facilitated by the European Union, the UK, Sweden, and Denmark. This was signed into an agreement by the political parties on February 27th, 2020. This agreement declared that the outgoing NEC could stay as a technical unit, and that the new NEC would lead the election process (Hassan, 2020).

On July 12th 2020, the two opposition parties and the President (who is also the Chairperson of the ruling party) reached an agreement to finally hold the elections. This agreement replaced the previous agreement signed on February 27th, 2020 (Somaliland Standard, 2020). These locally-driven, internationally-facilitated agreements were influenced by President Muse Bihi's political interest to hold elections on time, international pressure from Somaliland's democratization partners, the opposition parties' willingness to support the organization of the elections in 2021 after two years of stalled relations with the President. It is important to note that the final agreement was driven by the three parties and the President without the influence of international partners.

According to the Human Rights Center in Hargeisa, and the government's own Somaliland National Human Rights Commission (SNHRC), there were about a dozen arrests of candidates from the political parties, including the ruling party. These arrests were condemned across the board, including NEC which issued a separate statement calling for the release of candidates as they have immunity from detention per Somaliland electoral law article 26(2) (NEC, 2021). The most prominent was a Waddani candidate from Sool, Qasim Adam Saleeban, who was accused of having links to Somalia, even though he was approved by both the NHEC and NEC (SNHRC, 2021). There were also two female House of Representatives candidates from the opposition parties who went into hiding. The opposition parties accused the government of misusing security institutions and stated the arrests of their candidates were politically-motivated. The Somaliland government justified some of the arrests, particularly cases in which some of the candidates falsified their degrees in order to get approved by the NHEC. At the time of writing the report, all of the high-profile candidates from the ruling and opposition parties have been released (Somaliland Chronicle, 2021).

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6. The Eastern Factor: Creating More Inclusive Politics

Context

The Sool region's political participation in the Somaliland electoral system has always been low compared to other regions. In 2001, the voter turnout for the Somaliland referendum was 34 percent lower compared to other regions (IRI, 2001). As shown in Table 1 below, the Sool region's distribution of votes compared to the total votes cast was around 2 percent in the 2002 district elections, there was no increase in the 2003 presidential elections nationwide, and in 1 percent increase in the parliamentary elections 2005 (APD, 2005). Nonetheless, there was an increase of 228 percent in the number of votes cast in Sool from the 2002 local elections compared to the 2005 parliamentary elections. A way of explaining this surge could be the votes from the Isaaq-Haber-Jeclo communities in the Sool region, particularly in the Ainabo district, which benefited the most at the expense of the Dhulbahante-the dominant clan of the Sool region- absence community in the Sool region (APD, 2005).

Table 1: **Regional Distribution of Votes in Somaliland's elections (2002-2017).**

Region	District 2002	Presidential 2003	Parliamentary Elections 2005	Presidential 2010	Local Council Elections 2012	Presidential Elections 2017
Maroodi-Jeex	186,383	208,864	253,229	238,651	314,663	249,229
Awdal	100,495	65,934	133,026	81,399	114, 459	102,571
Saaxil	27,234	30,537	52,479	29,211	57,251	60,817
Togdheer	66,598	115,064	121,751	111,653	160,460	147,440
Sool	**6,261**	**9,702**	**20,557**	**20,878**	**49,383**	**63,689**
Sanaag	53,096	57,938	89,286	58,515	114, 642	80,334
Total	**440,067**	**488,039**	**670,328**	**538,247**	**810,858**	**704,089**

Source: *APD reports in 2005, 2010, & 2012 and NEC*

According to a fact-finding mission on July 17th, 2005 led by four members of the opposition parties and one member of the NEC, evaluated the reasons why elections could not take place in districts of Yagoori in the Sool region which was a microcosm for the whole region. The committee concluded that elections could take place only in four Dhulbahante inhabited towns, such as Guumays, Yagoori, Tuulo-Samakaab, and Adhicadeeye, which were largely under the control of the Somaliland Armed Forces. The committee also listed several reasons to explain why

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the parliamentary elections could not take place in other parts of the region. These reasons included the absence of Somaliland administration in the region, particularly in Las Anod which is not only the main city, the provincial capital of Sool, anti-Somaliland sentiment in the region was running high, a large number of the local communities were armed, the presence of Puntland state's forces in the area and for security reasons.

As portrayed in Table 2 below, in the clan representation of Somaliland, the share of the Isaaq increased from 52 percent in 1998 parliamentary seats to 57 percent in 2005. Whereas, the share of the non-Isaaq community's representation declined 7 percent in those same years. There are several reasons for this. First, the 1998 elections were indirect elections with greater bargaining between the traditional elders over the best way to keep the clan balanced in the parliament. However, the 2005 elections were direct elections where hundreds of thousands of people voted to elect their representatives for the Somaliland parliament. Second, the absence of the Harti clan in the eastern parts of Sanaag and Sool who did not come out in large numbers to vote in the elections limited their seats in the House. In any case, as illustrated in Table 1, there was a 205 percent increase in Sool between 2010 to 2017 for those who voted in the presidential elections. Generally, Sool is the only region in Somaliland which made significant gains and increased its share of the country's voter turnout over the past two decades. This increase is due to the Somaliland government expanding its authority in the Las Anod district and surrounding towns and several other reasons that will be explained below.

Table 2: Seat Distribution between Isaaq and Non-Isaaq communities, 1960, 1998, 2005

Clans	1960	1998	2005
Isaaq	21 (64%)	52 (63%)	57 (70%)
Non-Isaaq	12 (36%)	30 (30%)	25 (30%)
Total	33 (100%)	82 (100%)	82 (100%)

Source: *APD, 2005*

What has changed now?

As previously stated, the parliamentary elections of 2005 did not take place in Las Anod, the regional capital of Sool, because it was under Puntland rule. It is worth noting that the center of political power for the Dhulbahante is Las-Anod and it was for Somaliland's electoral credibility to include the communities living there in the electoral system. This is why the Somaliland government adopted what they call *Isxambaar* (indirect elections). In this system, the elections could not take place in Las Anod for political reasons, therefore, the government had to come up with a political formula that gave political representation to the Sool region through indirect

elections. Historically, Sool had 12 MPs, 6 seats were not up for grabs and were allocated exclusively to Dhulbahante representatives, and the remaining 6 seats were up for competition. The latter 6 seats were easily won by 5 Isaaq-Habar-Jeclo candidates and 1 Isaaq-Habar Yobis candidate since those in Ainabo (predominantly Habar Jeclo district) voted in the elections.

According to the latest data released by NEC in 2021, 103, 832 people registered to vote in the upcoming combined elections. There was a large increase in voter-registration turn-out in Las Anod, and other districts in the Sool region, particularly Taleex and Xudun (Somaliland National Electoral Commission, 2021). There are several reasons that can account for this:

1. **Territorial expansion:** Somaliland controls all major electoral districts (Las-Anod, Xudan, Talex) of the Sool territory, not only militarily, but at all levels of governance. Buuhoodle, in the Togdheer region, is the second most important city for the Dhulbahante community after Las-Anod, and our researchers learned that there was no voter registration inside the city, but it took place in neighboring districts such as Qorilugud.

2. **Disillusionment with the Federal Government of Somalia and Puntland State**: Some of the Dhulbahante loyalists to the Puntland State of Somalia and the Federal Government of Somalia (FGS) are dissatisfied with the current state of affairs. The FGS does not support 'Khaatumo' statehood as one of Somalia's federal member-states. For example, the Sool region does not get fair power-sharing with the rest of Puntland. The developmental support from Puntland controlled districts is minimal to nonexistent at times, not to mention that the salary from the Puntland side is always late. Over the past ten years, there were dozens of developmental projects from the Somaliland central government, which has made the locals reconsider their attitudes to Somaliland. This disillusionment can thus account for some of the increase in voter-registration turn-out.

3. **Sool MPs and the Somaliland armed forces:** Members of Parliament from the Sool region and the Somaliland military were a major contributing factor to the changing attitudes. The Dhulbahante MPs and other political figures from the Dhulbahante community never gave up on convincing the constituents to support Somaliland. During the voter registration, there was increased activity in the region where political leaders campaigned for the locals to come out in large numbers to participate, so that their voices could be heard. Additionally, the Somaliland military was very disciplined and there were no reported human rights violations in the region. In fact, the Somaliland Armed Forces have proven more an asset than a liability. In that, whenever a military base is a set-up in a village, there is an increased business activity in that village, creating new markets and

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profits for the locals. This is followed by other social services, such as schools, MCHs, and government offices. Sool MPs' constant lobbying and the Somaliland military have also contributed to the change of mind.

4. **An increase in inter-subclan competition:** Just like the rest of Somaliland, there is intense inter-clan competition for the local government and the parliamentary seats. In the past, the Jamaac Siyad sub-clan of Dhulbahante dominated all of the important seats in the local government, the other sub-clans-the Ugaadhyahan- felt marginalized and left behind reorganized to recapture some of those important seats.

5. **The Dhulbahante diaspora factor:** This has been the biggest challenge to Somaliland's expansion in the east, in which they advocated for a strong central government in Mogadishu and the creation of Khaatumo State. Both of which have failed thus far. However, there has been a 'diaspora fatigue' in which regardless of their calls to boycott the voter registration, a large number of locals came out to register so that they are not left behind in Somaliland's power and resource sharing.

6. **Increased Dhulbahante investment in Somaliland**: Over the past 10 years, there has been increased investment from the Dhulbahante diaspora. They are opening businesses in cities across Somaliland. For example, Hass Petroleum, a Dhulbanate-owned corporation, is one of the largest and most profitable fuel-importing businesses in Somaliland, employing hundreds across the country's major towns.

7. The Elephant in the Room: Informal Institutions

The role of traditional structures has been a crucial component in Somaliland's peace and state-building. The most relevant traditional institution (formal) in the Somaliland constitution is the Guurti or the House of Elders. The Guurti traces its origins back to the early 1980s. The Somali National Movement (SNM) established the first Guurti in the early 1980s and institutionalized them into their organization's structure. The tasks of the Guurti during the war against the dictatorial regime of Siyad Barre were to mobilize the masses behind the cause of liberating the country, handle 'resource mobilization' such as collecting food, shelter, arms, and ammunitions for those at the front, assist in conflict management among the SNM leadership and bring new recruits to join the armed wing of the SNM (Farah, 2011).

The Guurti and the other traditional structures organized over 30 reconciliation conferences in Somaliland between 1990 and 1997 (APD, 2008). The two most important conferences were the one held in Burco in 1991 for the restoration of Somaliland's independence and the one in Borama

in 1993 for the creation of the country's first national charter. Even though, the Guurti and other informal traditional institutions always reported back to and shared recommendations to the powerful SNM Central Committee, there were several events of major significance they led, such as: hosting reconciliation conferences and bringing together the clans who fought against the Siyad Barre regime and those who were supportive of the system (the Isaaq and Non-Isaaq clans), Somaliland's restoration of independence in 1991, allowing a two-year transitional period for the SNM and including non-Isaaq communities into the government structure, laying the foundation for the Sanaag peace process, which was separate from the country as it was more complex. The combined effort of the Guurti and other informal traditional players made Somaliland's political stabilization a bottom-up, traditionally-driven, SNM-faciliated process that put an end to decades of violence and conflict and laid down a new inclusive political settlement. (APD, 2008).

Given their constructive roles played during the early state formation process (1991-2000), the traditional structures have become an influential source of power, resource and legitimacy to the newly adopted multi-party system. Nonetheless, since 2001, when Somaliland transitioned from the clan-system to multi-party democracy, the informal traditional institutions did not go away (as was hoped during the early days of the democratization process) and found a way to influence the country's democratic transition in a more profound way that at times threatens the very existence of that democratic system.

There was a new vetting process in this year's elections. According to a revision of Somaliland electoral laws, Xeer Lr. 19/2020, Somaliland districts are divided into a A districts (such as, Hargeisa, Borame, Buroa, etc) and B districts (such as, Oodwayne and Salaxley) have different requirements on the educational and professional levels of who can run for local council elections. Those who are running in A districts, the council candidate must have both a high school diploma and a college degree with 5 years of professional experience. The candidates in the B districts only need a high school diploma and 3 years of professional experience. For the first time in the country's history, the National Higher Education Commission, an independent governmental agency, was brought into the picture to check if the local and parliamentary candidates fulfilled the basic educational requirements. There were cases in which candidates who did not fulfill the requirements were removed from the list submitted to NEC. This is a great step for the country's democratization process. (Somaliland Laws, 2020). However, the informal institutions still overwhelmed the system and dominated the role of these independent governmental institutions and political parties.

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There are several reasons why the informal traditional institutions are still dominant in the country's multiparty system. These reasons are of particular importance for the upcoming combined parliamentary and local elections. The following have been identified:

1. **Informal traditional structures as an integral part of the country's state-formation:** The political settlement of 1993 (a social contract engineered by informal traditional structures) gave an unchecked power to informal and formal traditional players whether it is the Guurti (formal institutions) or other informal players.

2. **Clan-based political parties:** There is an absence of ideology-driven politics in the country's political parties. At the time of writing this report, there was not a single political party that presented its manifesto for the local and parliamentary elections. The parties rely on specific clans as their base where they draw most of their support. Many in the clans will usually support the leadership of the party if they belong to the same clan. Another particular challenge is the financial relationship between traditional structures and political parties (informal and formal institutions). Clans-based supporters are the biggest financier and financial backbone of the political parties. Since political parties do not get their funding from their members, they usually get their funding from their clans, the clan dominance is further exerted in politics. Additionally, voter behavior is determined by informal institutions because of the lack of party-driven ideology and the dominance of the informal institutions on the party-based politics

3. **Slow-transition from clan-based to multiparty political system:** During the country's transition from clan-based indirect elections to a more open one-person-one-vote multi-party system, the rules of the game remained unchanged. Informal institutions and players still dominate party politics. The failure is evident in the upcoming local and parliamentary elections where they have been directly involved in selecting members from their own sub-clans and submitting them to the political parties for their consideration. The selection and vetting process was being done by informal players and political parties had less interference in the selection process.

8. The Gender Quota Dilemma

Somaliland women have always been at the front lines during moments of crisis. They did during the country's struggle against the Barre regime and the subsequent peace conferences that followed. Although women did extraordinary work behind the scenes, they nonetheless faced several challenges including the total exclusion from the country's decision-making processes. For

example, on the 18th of May 1991, the signatories of the country's independence were all male, because, in the end, they all represented their clans at the conference (APD, 2004). Women thrive in the business sector but face major challenges from the male-dominated reactionary political class of the country. Several organizations have been working on how to increase women's representation within the political scene, but there still have not been any real successes on that front.

The executive branch of the government has tried to intervene over the years to resolve this issue. In 2005, there was no quota system in place and six women ran for elections, and only one from Borama got a seat. In 2010, the quota system was declared unconstitutional and faced a greater challenge. Subsequently, in 2012, more women participated in the local elections, and 10 women won seats nationwide. In 2021, the quota system is voluntary. All of the political parties have agreed to run one woman candidate in the six major regions, with the hope of having a total of 18 women joining the parliament. As shown in Tables 1 and 2 below, the data released by NEC shows there are 28 female candidates for the local council and parliamentary seats who have passed all of the requirements. However, the number of female candidates is still significantly small. This is due to several other challenges women face.

Table 3: **Women Candidates List for Parliamentary Seats**

Regions	UCID	KULMIYE	WADDANI
Sahil	2	2	1
Maroodijeex	1	0	1
Sanaag	1	1	0
Sool	1	1	0
Togdheer	0	0	1
Awdal	1	0	0
Total	6	4	3

Source: *NEC, 2021*

Table 4: **Women Candidates List for Local Council Seats**

Regions	UCID	KULMIYE	WADDANI
Sahil	0	0	0

Maroodijeex	0	1	1
Sanaag	2	1	1
Sool	0	3	2
Togdheer	1	0	0
Awdal	1	1	1
Total	4	6	5

Source: *NEC, 2021*

Through this research, APD researchers learned that women still face several obstacles which are preventing them from joining the local and parliamentary elections. These challenges identified are the following:

1. **Traditional structure and special interest:** The traditional structure is one of the major challenges affecting women. As mentioned earlier, the traditional elders are part and parcel of the selection process of the candidates. They usually give favorable views to male candidates as opposed to female candidates with the simple argument that they cannot guarantee a woman candidate will represent their family or clan's interest as their loyalties might lie somewhere else. In Somaliland, informal institutions and players are key dominant players of politics and women are seen as outsiders of this male-dominated transaction-based politics. The formal traditional institutions, such as the Guurti, is another institution that opposes women citing cultural and religious reasons.

2. **Minority quota system:** According to several people interviewed for this report, the minority quota system emerged as another challenge. The proponents of women's rights in Somaliland argue that the biggest challenge that surfaced was when their rights were tied to that of minorities in Somaliland. They believe that women have their own struggles and their issues must be separated from the clan minorities because, in the end, a male candidate from a minority clan can still win if he succeeded in organizing his sub-clan base.

3. **The religious community:** There is a growing number of Imams and Sheikhs in Somaliland who argue that there are separate rights for women and men. There is overwhelming support for the view that states women should stay at home, and men should not only be breadwinners, but they should lead society. The more power ultra-conservative religious leaders gain, the more challenges will arise for women. There is a fear that if members of the religious community are sent to parliament, they will suspend the quota debate once and for all.

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4. **Access to Finance**: Many women simply do not have the private capital to mobilize a large number of people. Women candidates usually cannot get the same amount of money if they try to fundraise for their campaigns as opposed to male candidates. Two reasons are preventing women from accessing private capital. First, the private sector is a male and religious-dominated class. Second, clan-facilitated fundraising is managed by traditional structures, and women are not represented in those informal institutions. This was a recurring problem for the women candidates who were interviewed for this paper. One female candidate who was interviewed for this report stated that "if she had money, she could even get imam's who could support her candidacy."[3] However, this view of it all comes down to access to finance and has been challenged by others who argue that traditional structures trumps above all. Some businesswomen tried to mobilize their sub-clan base, but they still did not get the support of their sub-clans.

5. **Networking:** The linear structure of the clan-based power dynamics makes it so women are not usually connected to their clans. If one is running for elections, then one needs to network with people, and the responsibilities at the household level, marriage connections, and other difficulties, which are rooted in culture, prevent women from rallying support to their causes.

6. **Transactional politics:** politics in Somaliland is categorized as transaction-based politics whereby key players-business, traditional, and political elites-manage and shape Somaliland's political marketplace. Women are not, therefore, part of the elite-driven political settlement of Somaliland.

9. The Role of Donors in Somaliland's Electoral Process

The international support in the Somaliland democratization process went through different stages throughout the years. In 2001, during the Somaliland constitutional referendum, the Somaliland diaspora community, particularly, the Somaliland Forum and the Egal government invited the IRI as the first-ever observatory mission in Somaliland's history. The IRI delegation consisted of 10 observers, 8 from the US, 1 from the UK, and 1 from Switzerland. The delegation visited 57 polling stations in five regions across Somaliland. There were 600 polling stations nation-wide, and the number of polling stations they visited given their small number and limited time was rather impressive (IRI, 2001). Since then, the role of the international community has been visible in the

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[3] Personal interview with a female candidate in Hargeisa, Somaliland.

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country's electoral process, however, since 2012, it has been declining for reasons that will be explained in the subsequent paragraphs (APD, 2021).

According to a report by APD, international support has always been an important player in Somaliland's electoral process whether it is providing technical and financial support to the NEC or assisting with inter-party dialogue in case of an electoral impasse. Despite Somaliland's home-grown, locally-designed, culturally-rooted democratization process, the international community's role has been a significant contribution to the country's transition from a clan-based system to fully-fledged democratic governance. In the past two decades, APD has played a crucial role in collaborating and encouraging international partners to actively engage in Somaliland elections, in the areas of information sharing, technical support to the NEC, research, mediation of the political parties and conducting trainings for civil society and political parties to institutionalize Somaliland's democratization process (APD, 2006).

It is important to note that the first international body that engaged with the Somaliland government in the electoral process was the British Embassy in Addis Ababa, Ethiopia. They hired the first consultant to assist the Somaliland parliament in drafting the country's first electoral law since the early 1960s. The British diplomats in Ethiopia became 'frequent visitors' of Hargeisa and played a critical role in mediating between the government and opposition parties, particularly in the 2009 electoral dispute.[4] In addition, Nairobi hosted the Democratization Programme Steering Committee (DPSC), an umbrella that united international donors who were supporting Somaliland's electoral process, such as the EU, DfID (now FCDO), Denmark, Sweden, Norway, Switzerland and the American government through USAID. Through Interpeace, a long-term partner of APD, the DPSC received constant updates on the progress of the elections from the APD. Interpeace's Project Management Team provided technical support such as administrative and general capacity-building to the NEC (APD, 2006).

The financial cost of the country's elections has been increasing since 2001. For example, according to IRI, the first Somaliland Referendum cost was estimated at around 650,000 USD. The majority of the funding was paid by the Egal government. Despite Somaliland's exclusive locally-financed peace and state-building process in the 1990s, international actors have financially, technically and diplomatically supported an electoral democracy in the country. According to Table 3 below, there was an increase in interest and funding from the international community. International commitment to the Somaliland elections rose from 2002 until 2012 because 'it was the only game in town.'(Verjee, Abokor, & et, 2012). The interest in the electoral process of

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[4] This dispute was mainly related to the voter registration system. More information can be found in the APD report published in 2005 on the first Somaliland parliamentary elections.

Somaliland was shaped by Somalia's on-going conflict and transition and by Somaliland's continuing state-building process, as well as, western countries' liberal democratic values.

However, after 2012, international support for the democratization process began to decline mainly because, in 2012, the Federal Government of Somalia (FGS) was recognized internationally. This Somalia government, which was in 'transition' since 2000 garnered significant interest in its democratization and electoral process with the hope of Somalia holding one-person-one-vote since 1967. However, at the time of writing the report, the indirect selection of parliament and president did not take place in Mogadishu, let alone one-person-one-vote for which international donors pledged millions of dollars and the delayed elections in Somaliland led to some of the international partners' support for Somalia's elections. Unlike their predecessors, as Table 3 illustrates, as the government's revenue collection increases, the successive Somaliland governments (Silanyo and Muse's administration) were contributing their share of funding (65-70%) for Somaliland's electoral budget. Since 2017, the Somaliland government has stepped-up paying its share for the country's electoral process. For example, the government budget for elections has increased nearly 43 percent since 2002. This does not come as a surprise to many because Somaliland has always led many countries in the region in terms of local ownership for local issues.

Given Somaliland's unique status under international law, there are several reasons why the international community's engagement in the elections is needed. First, it is important for the outside world to see the credibility of the electoral process and to witness what is happening on the ground in regards to the elections. International actors have written special reports about their views on the elections, and categorized most of those elections as 'free and fair.' As in any election, there are irregularities and minor voting procedures, but elections have always led to a smooth transition of power. Second, their participation is important in affirming the transparency of the electoral process. That is, most of the traditional partners of the Somaliland elections have shown neutrality to some degree and shared their views on the elections through publications. Third, their technical support is also crucial, especially during the early period of democratization. Fourth, the international presence brings international legitimacy, in that elections are not only important for Somalilanders, but also for the way outsiders view the country's infant democracy. Further, the role of the state in funding the electoral process is needed, but dominance could threaten the independence and legitimacy of NEC in the short term (Focus Group, 2021).

Table 5: **Election Funding in Somaliland (2002-2021, in USD).**

Somaliland Elections (Year)	The Somaliland Government Expenditure (in USD)	The International Partners/Donors Expenditure (in USD)	Total (in USD)
Local Council Elections in 2002	346,982	750,000	1,096,982
Parliamentary Elections in 2005	500,000	1,672,705	2,172,705
Presidential Elections in 2010	1,145,000	3,070,113	4,215,113
Local Council Elections in 2012	2,200,000	8,826,480	11,026,480
Presidential Elections in 2017	17,000,000[5]	9,100,000	26,100,000
Parliamentary and Local Council Elections in 2021	**15,241,379**	**6,558,620.68**	**21,800,00**

Sources: *Rift Valley Report, APD, NEC, Donors & Somaliland Government*

As shown in Table 3, there are three observations APD researchers have made. First, running a one-person-one-vote electoral system has become expensive for the country. This is because the technology of voter registration gets more expensive when you have a growing population. There were no proper voter registration systems in place until the presidential elections of 2010. In 2017, Somaliland once again made global headlines for being the first-country in the world that uses the Iris biometric voter registration system. Second, as the Somaliland state became stronger, and revenue collection increased, the successive Somaliland governments were chipping in their share of the election funding, particularly the current and the previous administrations. Third, even though the role of the donors has been consequential in the electoral system, particularly in providing technical support. However, since 2017, funding from traditional donors has declined due to the reasons explained above.

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[5] According to data provided by NEC to APD researchers, the Somaliland government contributed 4 million USD to voter registration, 8 million USD to election day, and extra 5 million on election relation security.

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Table 6: **Election Funding in Somaliland for 2021 (in USD)[6]**

Funding Source	The amount committed for the 2021 parliamentary and local elections	Percentage of the total amount (estimated)
The Somaliland Government	15,241,379.31	70%
Traditional Donors (The UK, EU, Sweden)	4,604,597.70	21%
Non-Traditional Donors (Taiwan)	1,954,022.98	9%
Total Amount	**21,799,999.99**	**100%**

Sources: NEC, Donors, Somaliland Government,

During the data collection phase of this research, APD researchers learned much about contentions between the Somaliland government and traditional donors who paid what amount to the Somaliland elections. The Somaliland government has repeated on several occasions that the state is providing the largest financial share to the election, as much as 78 percent. In response to this back and forth, the international community released a press statement discussing their continued role in the electoral process. In the statement, they shared, "We commend the Somaliland government for its commitment to ensuring elections are delivered on time, and to providing the majority of the funding for these elections. The international community has provided financial support to the NEC for the voter registration phase (from EU, Sweden and UK), and we look forward to providing further financial and non-financial support for the remaining stages of the election process" (British Embassy, 2021). On a different note, Taiwan as a 'non-traditional donor' directly provided funding using country systems to support the 2021 local and parliamentary elections.

10. Alternative Scenarios: Leadership Dispute at the House of the Representatives

As mentioned earlier, this election is crucial for Somaliland for several reasons. Besides which party gets the majority of mayorships in major cities, there will be intense competition for the top leadership positions of the House to shape the country's next legislative priorities. Moreover, given

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[6] APD researchers got this data from the Somaliland government, NEC, and donors. These are not the exact numbers, it is an estimate. Also, one should keep in mind that everything is converted to United States Dollars for consistency. In addition, the Somaliland government will be spending a lot more money on security, which means its share in the total final funding will be greater than the 70 percent funding provided on Table 6.

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the nomination and vetting process of the candidates, the dominant traditional structures on voters' behaviors during the elections, and the clan-based electoral rules of the game, no party will have a simple majority (42) of the members of the parliament dominating the leadership of the House. These informal rules of the game along with influence from informal institutions make it so political parties will have to form a new alliance based on their political interests. In 2005, a similar case took place where no single party had gained more than 51% of the seats of the parliament (APD, 2005).[7] In this scenario, the two oppositions formed an alliance to defeat the ruling party by dominating the key leadership positions of the House. Therefore, the leadership of the House will be determined by the fact that no party will win more than 42 of the seats of the House and by the formation of alliances among the three parties or clan-based voting model.

Scenario 1: Kulmiye takes all

The Kulmiye Party has been a strong opposition party since it came to power in 2010. Under the 'Kulmiye takes all' scenario, Kulmiye party-the ruling party-uses both tactical and financial incentives to accomplish three tasks by: a) forming a clan-based coalition and challenging the informal rules of the game-a party-based alliance to dominate the leadership of the House; b) preventing the formation of party-based alliance particularly Waddani and UCID alliance; c) trying to gain 40% of the seats and persuade through clan-based tactical engagement with members of the parliament from the other parties to support Kulmiye's ticket for the domination of the leadership of the House.

There are two main enabling factors in regards to the possibility of Kulmiye taking all of the leadership seats of the House and these factors are the following: a) the ruling party-through the control of rents-have dominance over the informal institutions, therefore using informal players to help support clan-based leadership domination strategic tactics; b) Kulmiye party will also engage with the other members of the House from the oppositions parties by providing political incentives to get their support; c)the party-through the accumulation of power and resource-have tremendous influence over the private sector. Therefore, given the government's influence on the private sector, the business elites will support the Kulmiye's interest to dominate the leadership of the House; c). Oppositions' financial weakness to manage political marketplace and retain their MPs.

However, there are two main risk factors. These risk factors are the following: a) because of the current government's distance strategy of the traditional structures and informal players, the clan-

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[7] UDUB-the former ruling party during Rayaale government gained 40% of the seats of the House, whereby the two oppositions-KULMIYE and UCID-had received 34% and 21% respectively. With no party having the needed votes to dominate the leadership of the House, the two oppositions formed an alliance against the ruling party thus dominating the entire leadership of the House-the speakers and the two deputies.

based tactical strategy of the ruling party might not work; b) oppositions' might not also be susceptible to Kulmiye's strategic engagement of deterring possible alliance between the two opposition parties. The plausibility of this scenario is quite high. It is important to note that this scenario is possible provided that a) Kulmiye cracks possible alliance between UCID and Waddani, b) invests in a clan-based model of alliance formation and c) finances political elites.

Scenario 2: Opposition parties take all

The opposition parties have a real shot at taking the top leadership seats of the house. Under the scenario of 'Opposition parties take all,' UCID and Waddani-unite to hobble Kulmiye's aggressive search of domination of the leadership of the House by deploying a counter-tactical technique to defeat Kulmiye's absolute power concentration by doing the following: a) UCID and Waddani agree to build a coalition-which they have already done- against Kulmiye to take over the leadership of the House; b) an agreement of the leadership power-sharing is reached giving UCID the two deputies and Waddani the Speaker; c) both parties deploy counterbalance strategy to prevent Kulmiye's tactical strategy of cracking oppositions' unity and alliance; d) raise financial capital to finance their campaigning during the selection of the leadership of the House.

There are several enabling factors of this scenario, such as: a) both parties unite against the formation of new political associations-a law that has been passed by the out-going parliament; b) UCID prefers to get the two deputies; c) Waddani wants the speaker creating a cooperative win-win situation with UCID; d) Both of these are serving their political interests in the selection of the leadership of the House. However, there are three main risk factors for this scenario, such as: a) the lack of trust between the top leadership of the opposition parties; b) lack of financial capital that counter-balances government aggressive strategy to cripple oppositions' desire to unite and dominate the House to form an opposition-run House; d) contestation of the speaker by UCID.

In regards to the plausibility of the scenario, this is possible but not plausible given the relations between the top leadership of the oppositions. However, if cooperation based on mutual payoff is reached, the two parties provided that Kulmiye's clan-based model is contained will have a majority of parliament thus dominating the leadership of the House.

Scenario 3: Cracking the Opposition

There is a third, unlikely scenario in which Kulmiye and UCID cooperate rather than joint defection. In this scenario, the two parties agree on a new power-sharing formula for taking over the top leadership positions of the House in which Kulmiye takes the speaker, whereby UCID will take the two deputies. If this is the case, the House will not be opposition-dominated, but rather

a more Kulmiye-inclined House where Waddani will be pushed to the side-line making it a minority party in the House.

There are few enabling factors, such as: a) following precedent where the same scenario took place in 2005; b) because UCID's political interests might prefer to take the deputies and Kulmiye is more interested in the speaker, rather than taking all of the leadership positions. There are two main risk factors: a) the current relationship between the ruling party and UCID seems unhealthy and b) UCID, if played very strategically, will be a game-changer.

11. Conclusion & Implications on Policy and Practice

In conclusion, Somaliland has achieved several crucial milestones to celebrate, such as reconciliation, peace-building, constitution, multi-party democracy, etc. However, there are still major challenges to the very existence of the Republic, such as accountable and powerful informal institutions, and the nearly total exclusion of women in the country's elected institutions. This is not only a stain on the country's democratic credentials but threatens the long-term institutionalization of democracy. Therefore, the final section of this report proposes practical, long-term engagement at the policy-level of the democratization process in Somaliland. While the elections tend to be considered event-based, most of the long-term vision for Somaliland's electoral democracy has not been considered. Therefore, this report proposes the following:

1. Scaling down and managing election costs. The cost of elections is dramatically increasing every year. Unlike other countries, Somaliland's election cost per person is $19.7, making it one of the highest election costs in the world. Voter registration, which is the most expensive cycle of the electoral process, has been highly expensive. Funded by both donors and the government of Somaliland, the voter registration high cost can be reduced:

> **a) to develop a full comprehensive civil registry plan**: Civil registration is being regularly implemented by the Ministry of Interior with no coordination with the NEC. Previously signed agreements between the Ministry and NEC have not been implemented. Therefore, a complete and well-organized and implemented civil registration process is needed. This can be helpful in the reduction of the voter registration cost by removing the nationality or birth certification process, which is now linked to the voter registration exercise. In addition, it can be used as a means to generate voter registration, in creating sustainable voter registration data and in transitioning from a politically-charged voter registration process to a more institutional voter registration process. It is important that both donors and the government of Somaliland re-consider reviving the 2011 failed attempt of a

comprehensive, country-wide civil registration. The NEC and the Ministry should lead and manage the process jointly.[8]

b) avoid delays: Somaliland political parties should always avoid delays and support a timely election cycle to lower the cost of elections by attracting more donor funding. If this happens, the burden of the cost of the election on the government can be reduced.

c) introducing urban-based online system: internet usage in Somaliland in urban cities is increasing with most of the young generation using it for different reasons including social interaction. Online system, if it is critically studied and analyzed, would dramatically reduce the cost of voter registration. APD recommends to NEC and donors to explore this option to move from field-based registration to an online registration system in urban cities.

d) election funding scheme: both donors and government should think about a longer-term funding management strategy to avoid the complexity of higher costs during the elections. The introduction of this funding scheme could help to prioritize funds allocated for the elections, but this could only happen with a stable electoral calendar.

e) introducing comprehensive campaign finance laws: Articles 93, 94, and 95 of the Somaliland electoral laws deal with the finances of political parties. Generally, Somaliland electoral laws prohibit candidates from accessing foreign and public money. The only time public assets can be used is if the political parties are getting an equal share of those resources. For example, all of the competing parties must have an equal share in government public broadcasting institutions, such as Hargeisa Radio and the Somaliland National Television. However, the Somaliland electoral laws do not specify the amount of money a candidate or a political party can spend during an election. Therefore, the report proposes comprehensive campaign finance laws that can limit the amount a candidate or party can spend during elections, such a law will particularly help women and minorities.

2. Moving from event-driven, technically-oriented electoral support to a wider engagement of the democratization process. Elections are considered the main objective of Somaliland's democratization process. This narrative hurts and slows down the transition from

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[8] A Civil Registration Master Plan was prepared by Creative Associates in 2011. This document provides a detailed technical plan for the implementation of an integrated civil and voter registration process

a clan-influenced constitutional democracy to establishing enduring and strong democratic institutions with a degree of liberty, accountability, gender equality and freedom. Possible areas of support include: targeted capacity building for the political parties, such as providing trainings on areas of finance, structure, campaign and issue-based politics, public policy dialogue on the relationship between modernity and tradition concerning the development of issue-driven party programs, the inclusion of the private sector (the major drivers of the electoral politics) into the public policy dialogue, support of policy-driven research to help understand challenges and issues and opportunity for better democratic government for Somaliland

3. Supporting inclusive politics. Exclusionary politics in Somaliland are a major problem for the country's enduring political settlement. The absence of political inclusivity particularly women's continued absence of the public institutions is worrisome. This is a setback for Somaliland's democratization process. Changes, therefore, have to be made. Ways forward include: studying key factors and players that are constraining women's active participation in the democratization process in Somaliland. For example, more extensive research is needed in identifying why and how the quota system failed, supporting elected women both at national and local levels by giving trainings, grants to support their constituency, and platforms to address national women issues at the national and local levels, and supporting the quota system by targeting key blockers through a nation-wide campaign. This campaign should not be projectized but a rather locally-initiated and sustained process.

4. **Public policy development support.** Our newly-established APD Institute of Public Policy has prepared the necessary curriculum documentation and training programs needed in order to train the upcoming elected MPs and local councillors on: a) policy formation, development, and implementation; b) legislation drafting and c) resource-based conflict management for eastern regions of Somaliland.

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