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Puntland Non-State Actors'Association
Dallada Daneeyayaasha aan Dawliga Ahayn ee Puntland

Somalia's 2016 Electoral Process

Preliminary report of the Domestic Election Observer Mission

March 2017

Somalia's 2016 electoral process

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Acknowledgements

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Contents

Acronyms

AU	African Union
AMISOM	African Union Mission in Somalia
CSOs	Civil Society Organisations
DEOG	Domestic Election Observation Group
FGS	Federal Government of Somalia
FIEIT	Federal Indirect Electoral Implementation Team
FMS	Federal Member States
IEDRM	Independent Election Dispute Resolution Mechanism
IEDRT	Independent Electoral Dispute Resolution Team
LTO	Long Term Observers
NCF	National Consultative Forum
NIEC	National Independent Electoral Commission
NISA	National Intelligence Security Agency
NLF	National Leadership Forum
PEC	Parliamentary Election Committee
PFC	Provisional Federal Constitution
PUNSAA	Puntland Non State Actors Association
PEMC	Presidential Election Monitoring Committee
PPEC	Presidential Parliamentary Election Committee
STO	Short Term Observers
SIEIT	State Indirect Electoral Implementation Teams
UNSOM	United Nations Mission on Somalia
SOSCENSA	Somalia South Central Non State Actors

Election timetable

		October	November	December	January	February
Somaliland	LH election			6, 10, 12, 14, 19, 22, 24		
	UH election				8, 16	7
Puntland	LH election		5, 6, 13, 14, 23	11, 12		
	UH election	20				
Galmudug	LH election		10, 13, 16, 17, 19, 22, 29	1, 5, 9, 10		
	UH election		3, 26			
Southwest	LH election		10, 16, 19, 21, 22, 23, 25, 27	1, 4, 5, 7		
	UH election		3, 8, 26			
Jubaland	LH election		8, 10, 12, 13, 17, 23, 24, 26			
	UH election		3, 11, 12, 24			
HirShabelle	LH election		16, 17, 22, 23, 26, 27, 28, 29			
	UH election		1, 4, 6, 10			
Banadir/Mog	LH election		30	4	17	
	UH election (does not have an UH)					

Executive summary

THE FOLLOWING REPORT of the Domestic Election Observation Mission (DEOM) led jointly by Puntland Non State Actors Association (PUNSAA) and Somalia South Central Non State Actors (SOSCENSA) provides a preliminary assessment of the 2016 electoral process. Having deployed both long-term and short-term observers before, during, and post-election, the DEOM has been able to objectively assess the 2016 electoral process on the basis of 2,349 observer reports. A final report is anticipated to be published in mid-2017.

However, in its preliminary assessment, the DEOM concludes that the 2016 indirect electoral process was **largely completed in a peaceful manner but marred by a number of irregularities and incidents that resulted in the overall process falling short of the DEOG's Standards for Free and Fair 2016 Indirect Elections**.[1]

However, while concluding that the electoral process fell short of expectations, the DEOM recognises the challenging circumstances in which this exercise was delivered. The DEOM hopes that lessons learnt from this process can be used to inform Somalia's future democratisation endeavours in years to come.

Key findings

Political context of the 2016 electoral process

- Overall, the pre-election environment, politically, was broadly conducive for an electoral process, despite initial disagreement from some political actors regarding the combined application of the 4.5 power sharing formula[2] and 30 per cent women quota in the distribution of the elective seats, and some isolated incidents of intimidation and violence.

- The pre-election environment leading to the Upper House (UH) election was generally peaceful. Despite concerns about security threats and violence in some Federal Member States (FMS),[3] unrelated to the 2016 indirect electoral process, the UH elections went on peacefully with the exception of some isolated incidences of violence reported in at least two FMS.

- Likewise, despite reports that the pre-election environment during the House of People (HOP) elections was conducive, the period was characterised by heightened tensions about security, particularly in Al Shabaab controlled areas, the use of the indirect electoral model based on the 4.5 power sharing formula, the type and composition of

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1 See Appendix 1.
2 HOP seats were apportioned according to the 4.5 power sharing formula by which the four dominant clans – Darod, Dir, Hawiye, and Rahanweyn – received an equal number of seats, while .5 received half of what one of those major clans received.
3 Jubaland and Galmudug.

the institutions to be mandated to implement the indirect electoral process, and the frequent changes to the electoral calendar.

Constitutional and 2016 Indirect Electoral Framework

■ Despite provisions in the framework of Vision 2016 and the Provisional Federal Constitution (PFC) for fundamental political rights for all Somalis, leading to the exercise of choice of leaders through direct universal suffrage ('one man, one vote' elections), Somalia was unable to conduct universal elections.

■ None of the prerequisites for implementing universal elections – such as peace and security, political stability, function institutions, political party system, and finalisation of the constitutional review process – had been successfully completed.

■ Instead, an alternative electoral framework for the HOP elections – the indirect elections process – was negotiated through the National Leadership Forum (NLF).

■ The NLF negotiated, at length, a model for indirect elections, finally releasing an electoral calendar in June 2016, which quickly fell behind schedule when the FIEIT announced that the 2016 indirect electoral process would be delayed by more than one month.

■ The delays brought about a constitutional crisis. The PFC[4] states that the president's and the federal parliament's tenure expires at the end of four years from the day of their swearing in to office. To address this, the then-parliament amended the constitution in June 2016 to remain in office until the new president and parliament were sworn in.

■ Subsequently, the 2016 indirect elections were conducted partially within the constitutional framework and directives provided by the NLF.

Electoral system

■ The 2016 electoral process is best defined as a political process with electoral features determined by the NLF agreement on the indirect elections model. HOP seats were allocated based on a clan allocation formula and the individual seats were contested within the same clan.

■ For the HOP elections, 135 elders were selected to represent the majority of clans in Somalia. The elders chose the 14,025 electoral delegates, who were further divided into electoral colleges of 51 members each for each HOP elective seat. The delegates then elected the 275 members of the HOP through the secret ballot.

■ The UH elections were conducted in accordance with the provisions of the PFC. The constitution stipulates that states will have an equal number of members to the UH and the total number cannot exceed 54 seats.

■ During the election to the UH, there was a number of attempts by the NLF to change the total number of seats in order to accommodate particular groups. None of these were successful and following pressure by the international community it was agreed that no changes to the number of seats would be made prior to the presidential election. However, the final allocations of seats were not equal across each FMS.

■ Members to the UH were elected by the FMS' parliament by secret ballot.

■ After the swearing in and inauguration of both houses of the federal parliament, members voted for the new President of Somalia on 8 February 2017 by secret ballot.

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4 PFC, August 2012, Article: 91. The President of the Federal Republic of Somalia shall hold office for a term of four (4) years, starting from the day he takes the oath of the President of the Federal Republic of Somalia, in accordance with Article 96 of the Constitution.

Electoral management

■ The NLF established three electoral bodies with the mandate to oversee and implement the 2016 indirect electoral process. These were:

☐ The Federal Indirect Election Implement Team (FIEIT): FIEIT was responsible for the oversight and the overall planning of the 2016 electoral process and for ensuring its uniformity. FIEIT was composed of 22 members and based in Mogadishu.

☐ The State Indirect Election Implementing Teams (SIEIT): The NLF oversaw the establishment of the SIEIT by each of the FMS, including those for Somaliland and Banadir. Each SIEIT had 11 members and implemented the elections in their respective FMS under the supervision of FIEIT.

☐ The Independent Election Dispute Resolution Team (IEDRT): IEDRT was mandated to address election-related disputes/complaints. It comprised twenty-five members who were later deployed in teams of three for each FMS. Complaints/disputes for Somaliland were addressed by the IEDRT based in Mogadishu.

■ Given the limited timeframe available, these electoral bodies faced many challenges in fulfilling their mandates. Numerous reports were made of tensions between FIEIT, SIEIT, and IEDRT and confusions over their exact roles and responsibilities. Furthermore, complaints were also made in some instances that these institutions were not neutral and were subject to political interference.

Candidates' registration

■ With the exception of Southwest, the original UH candidates lists did not adhere to the 30 per cent quota and were rejected by FIEIT. On resubmission, this was corrected. Jubaland was the only state not to meet the women quota requirement.

■ At the beginning of the UH election, concerns were raised regarding a number of candidates whose background in the Somali conflict prohibited them from taking such a position.

■ All candidates for the UH election for Somaliland were openly opposed to Somaliland's independence.

Campaigns and campaign financing

■ While there was no official campaigning period for any of the elections, observers noted the presence of campaigns for all positions throughout the electoral period, including election days, generating a high level of public debate regarding the elections and those standing for election.

■ In some instances, a few observers reported the use of public buildings for campaign meetings and the use of public vehicles by candidates.

Participation of women and the 30 per cent women quota

■ The requirement to achieve 30 per cent women's representation was controversial and therefore challenging to implement and enforce. However, in the pre-election period, the FIEIT did ensure that the candidates' lists and of the lists submitted for electoral delegates at least 16 out of 51 were allocated to women.

■ Also, observers reported that women were freely able to present themselves as electoral delegates, polling officials, or candidates. In addition, the pre-election period was reported to be conducive for the participation of minority clans.

Public outreach and voter education

- Public outreach and voter education was observed throughout the pre-election period and was delivered by CSOs, the media, community leaders, and traditional elders.

- Key targets were electoral delegates, candidates, and women. The focus of the public outreach/voter education was on the 2016 electoral process, the promotion of the 30 per cent women's quota, and the procedures for House of the People (HOP) elections. In addition, public outreach specifically targeted minority clans throughout the pre-election period.

Role of CSOs (including the media)

- Apart from voter education activities, local CSOs were accredited to observe the HOP election days' events and activities.

- The media environment was reported to be conducive for elections. However, there were isolated cases of press intimidation, such as the arrest of the editor of *Xog-ogaal* newspaper in Mogadishu on 15 October 2016.

- PUNSAA and SOSCENSA's long term observers (LTO) faced challenges in observing the pre-election period and were also denied access to the election venue for the presidential elections. The challenges included: delays in the accreditation of observers by the FIEIT; restrictions from FIEIT to the number of observers per organisation; and accreditation limited to the observing the election days' events.

Election day findings

- Election period activities and events were generally peaceful and broadly conducive for the implementation of the voting, counting, and announcement of results processes. However, with multiple elections taking place simultaneously in different FMS, this was a challenge for all electoral stakeholders. The lack of official election timelines for the elections resulted in confusion throughout the election period, particularly for the UH and HOP elections, particularly in regards to when and where an election was taking place. The DEOG notes that this might have been the contributing factor to the confusions observed during the opening of polling stations.

- Numerous critical incidents were reported throughout the HOP elections in all electoral venues, with the exception of Banadir. Most seriously, this included the killing of a delegate and the assault of a candidate. Numerous allegations of delegate lists being altered were made. In addition, some delegates were prevented from voting and some candidates prohibited from standing.

- Observers noted that most polling officials conducted the election events in a professional manner amidst administrative challenges, such as late arrivals of election materials and the incorrect distribution of electoral delegate lists. There were only a few cases where polling officials did not follow the procedures.

- A significant number of delegates required assistance to vote. Observers reported that out of 14,025 electoral delegates, approximately 1,157 electoral delegates were assisted to vote.

- The polling processes, which included voting, counting, and the announcement of election results, were generally transparent and observed by candidates, observers, and candidates' agents. There were few cases where observers reported witnessing either a candidate or their agent being evicted or denied access to polling stations or electoral delegates' lists being replaced or altered.

- PUNSAA and SOSCENSA observers were denied access to the venue for the presidential election.

Post-election day development and findings

Election results and announcements

■ The post-electoral context leading to the announcement of the elections results was generally peaceful. The FIEIT officially announced:

□ UH elections results for 54 seats, among them 13 taken by women

□ HOP election results for 275 seats, including 67 women taken by women

■ The presidential election results were announced immediately after the conclusion of the election on 8 February 2017 by the speaker to the HOP. Mohamed Abdullahi 'Farmaajo' Mohamed, a one-time prime minister of Somalia, was declared the winner after winning 184 votes against his two close opponents – the incumbent President of Somalia Hassan Sheikh Mohamud and Sharif Shiekh Ahmed, who received 97 and 45 votes respectively in the second run-off of the presidential election.

Complaints/disputes and appeals

■ The Independent Election Dispute Resolution Team (IEDRT) was established late in the preparations for the electoral process, on 6 October, and quickly became over-whelmed, receiving 1,219 complaints between 10 and 26 October 2016.

■ The pre-election period was characterised by numerous disputes regarding the allocation of parliamentary seats to certain clans/sub-clans in the HOP, the selection of the electoral delegates, the nomination of the candidates, and the interpretation of electoral rules and procedures.

■ Frequent disputes between the mandates of SIEIT and IEDRT were also reported.

Conclusion

In its preliminary assessment of the data, the DEOG makes the following conclusions:

■ The DEOG commends electoral stakeholders, the FMS' executives and parliaments, and political leaders for their commitment to ensuring the holding and conclusion of the 2016 indirect electoral process in the face of notable insecurity, social, political, and technical challenges.

■ However, in view of its observations and findings, the DEOG concludes that the 2016 indirect electoral process **was largely completed in a peaceful manner but marred by a number of irregularities and incidents that resulted in the overall process falling short of the DEOG's Standards for Free and Fair 2016 Indirect Elections**.[5]

■ Given the limited timeframe available, the electoral administration during the pre-election period was generally effective in regards to the briefing of clan elders and SIEIT, the selection of electoral delegates, SIEIT, and their briefings. **However, the DEOG was concerned with the bias exhibited by the three electoral bodies and the NLF during the nomination and registration of electoral delegates and candidates; the conduct of the elections and announcement of results; and the handling of complaints and disputes**.

■ The electoral disputes resolution mechanism **was not effective and was unable to respond all the complaints** lodged during the HOP elections.

■ The requirement to achieve 30 per cent women's representation was controversial and challenging to implement and enforce. However, observers noted that in the pre-election period, the Federal Indirect Electoral Implementation Team (FIEIT) did ensure that the candidates' lists and of the lists submitted for electoral delegates at least 16 out of 51 were allocated to women. **Women were elected to 26 per cent of seats in the HOP and 24 per cent of seats in the UH.**

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5 See Appendix 1

■ The DEOG also acknowledges the role played by the local security forces (with support from AMISOM) for ensuring that the electoral environment remained relatively conducive and peaceful.[6]

■ DEOG notes that CSOs played a crucial role in delivering civic and voter education campaigns to electoral delegates and elders and promoting the 30 per cent women's quota through mainstream media and public gatherings.

Recommendations

To the executive and legislative branches of the Federal Government

■ The finalisation of the provisional constitution is a clear priority for democratisation in Somalia. This needs to be endorsed by the public through a public referendum.

■ Strengthen and decentralise the National Independent Electoral Commission so that it is able to effectively manage future federal elections.

■ Develop a clear and comprehensive roadmap for democratisation in Somalia. This should be based on extensive and meaningful consultations involving Federal Government of Somalia, FMS, civil society, and communities.

■ Strengthen judicial institutions at the state and federal levels so that they may more effectively resolve disputes that may emerge in any future electoral process.

■ Establish a constitutional court to regulate disputes regarding the interpretations of the constitutional provisions.

■ Draft and enact all necessary electoral legislation to ensure a fair, free, and transparent process in the future.

■ Engage in civic engagement on the Political Party Law to increase public awareness regarding Somalia's transition towards a political party system.

■ Agree a modality for civic and voter registration that can be utilised for elections at federal and state levels.

■ Ensure that state and regional boundaries are quickly demarcated ahead of any civic and voter registration process.

■ Develop a clear roadmap with an agreed timeframe, electoral model, and financing modality for upcoming electoral process at state level.

To civil society

■ Undertake nationwide civic and voter education to increase public awareness once a future roadmap for democratisation in Somalia is in place.

■ Engage citizens and communities meaningfully in the ongoing review of the provisional constitution.

■ Advocate for the timely implementation of the agreed democratisation road map.

■ Advocate for the freedom of the press as an essential pillar of Somalia's transition to democracy.

■ Strengthen state–society relationships by promoting regular dialogue between civil society and communities with federal and state level authorities and the National Independent Election Commission (NIEC).

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6 AMISOM did not provide any security assistance in Puntland.

To the international community

■ Provide technical and financial support to the NIEC in order that free, fair, and peaceful elections can be held.

■ Provide technical and financial support for the implementation of universal elections including border demarcation, civic and voter registration, civic engagement, and the development of an electoral framework.

■ Engage with Somali authorities to develop a comprehensive democratisation framework that is able to deliver free, fair, and peaceful elections at federal and state levels.

1

2016 Electoral model and observation methodology

Introduction

THIS REPORT PROVIDES A DETAILED ASSESSMENT of the 2016 electoral process[7] in Somalia by the Domestic Election Observation Group (DEOG), jointly coordinated by the Puntland Non State Actors Association (PUNSAA) and Somalia South Central Non State Actors (SOSCENSA). The DEOG is a non-partisan, loose coalition of the two platforms, who have a combined membership of 168 civil society organisations (CSOs) committed to promoting participatory and inclusive governance in Somalia.

The purpose of the PUNSAA and SOSCENSA DEOG was to observe the conduct of the 2016 electoral process and assess whether it complied with the communiques, administrative frameworks, procedures, and guidelines set up by the National Leadership Forum (NLF) and Federal Indirect Electoral Implementation Team (FIEIT). Based on this assessment, the report also makes a more general conclusion regarding the extent to which the 2016 electoral process was peaceful, free, and fair.

This introduction provides an assessment of the political context in Somalia, an overview of the bespoke model used for the electoral process, and the methodology used for the observation. The subsequent chapters provide a detailed analysis of the pre-election, election, and post-election periods. The final chapter summarises the key findings of the observation mission and outlines a number of recommendations for future electoral processes.

Background and political context

Somalia is one of the most notable failed states in the world. Since 2000, Somalia has been administered by a series of transitional governments utilising the 4.5 clan sharing formula.[8] Beginning in 2012, the newly formed Somali federal government took up the core tasks of holding universal suffrage elections, amending and ratifying the Provisional Federal Constitution, and overseeing the formation of Federal Member States (FMS).

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7 This report uses the term '2016 electoral process' for simplicity; however, due to delays the election was not concluded until 8 February 2017.
8 Abdi Kasim, Transitional National Government (2000–2008), Abdullahi Yusuf, Transitional Federal Government (2004–2012), and Sheikh Sharif Ahmed, Transitional Federal Government (2008–2012).

Progress towards achieving these tasks was uneven. First, widely publicised plans to hold universal suffrage elections were dropped in early 28 July 2015.[9] Second, while some redrafting of the Provisional Federal Constitution (PFC) took place, the process eventually halted due to a lack of political consensus. To date, public consultations on the proposed changes have been extremely limited, and plans to ratify the proposed final Federal Constitution through a referendum were quietly shelved in favour of ratification by parliament. Third, while a system of federal governance and states has been established, the process has been at times highly contested and remains fragile.[10]

The 2016 electoral process was designed to overcome a political impasse following the end of parliamentary and presidential terms in 10 September 2016. Despite extended political wrangling over its design, the process concluded on 8 February 2017 with the election of Mohamed Abdullahi Mohamed as the new President of the Federal Republic of Somalia. This followed elections to the Lower House and Upper House and the election of the Speakers and Deputy Speakers for both houses. Overall, it took nine months to complete the electoral process and provide Somalia with its first bicameral legislature through the formation of an Upper House (UH) and a Lower House, known as the House of the People (HOP).

The 2016 electoral model

The 2016 electoral process saw the electorate expand from 135 elders in 2012 to 14,025 delegates selected from across all the FMS and Somaliland. Each member of the HOP was elected by an electoral college of 51 delegates. The electoral delegates were themselves appointed by the 135 traditional clan elders.

In addition to the HOP, a new UH of 54 members was also elected. Candidates to the UH were first nominated by the FMS' executive and then elected by their respective state parliaments. Overall, 30 per cent of seats for both Houses were reserved for women. In the previous parliament, only 14 per cent of representatives were women.[11] This section outlines key institutions, events, and principles that were used throughout the 2016 electoral process.

The National Leadership Forum

The NLF was inaugurated in Mogadishu in February 2015. The NLF was composed of President Hassan Sheikh Mohamud, Prime Minister Omar Abdirashid Ali Shamarke, Deputy Prime Minister Mohamed Omar Arte, Speaker of the Federal Parliament Mohamed Osman Jawari, and the presidents of the five FMS.

Under the PFC, the mandates of the federal parliament and of the president were due to end on 10 September 2016. As the elections drew closer, a joint declaration made by the federal government and the federal parliament on 28 July 2015 stated that 'one person, one vote' elections would not be possible in Somalia in 2016, as stipulated in the Vision 2016 Framework.[12] None of the prerequisites for holding 'one man, one vote' elections – such as peace and security, political stability, functioning institutions, a multi-party political system, and the finalisation of the constitution review process – were in place. Moreover, the international community was putting pressure on the federal government to hold democratic elections, which they viewed as the panacea for development and state-building. Instead, an alternative model for the electoral process in 2016 was therefore necessary to re-constitute and legitimise the country's political institutions' transitions. The arrangements for indirect elections were entrusted

9   www.villasomalia.gov.so/document/the-somali-national-consultative-forum-on-the-electoral-process-in-2016-2016-facilitation-guide/

10 Over the course of the 2012–2016 parliament, four new FMS were established: Jubaland, Southwest, Galmudug, and HirShabelle. They join Puntland, which was formed in 1998. The status of Banadir, which includes the capital Mogadishu, is yet to be determined.

11 Inter-Parliamentary Union, Women in Parliament in 2012 – The year in perspective, 2012, p 2, www.ipu.org/pdf/publications/WIP2012e.pdf

12 Vision 2016: Principles & Recommendations, September 2013, www.villasomalia.gov.so/wp-content/uploads/2014/11/VISION2016-_Final_COMMUNIQUE1.pdf

to the NLF, which assumed the responsibility of setting the indirect electoral regulations for the 2016 electoral process in Somalia. The NLF was made redundant after the election and swearing in of the Speaker to the HOP.

The National Consultative Forum

On 21 September 2015, the NLF established the National Consultative Forum (NCF), a consultative forum on the electoral process for 2016. The NCF[13] was made up of 83 members, comprising representatives from the federal government, FMS, Banadir, CSOs, and international partners, who largely played an observational role. The NCF was designed to be an integral part of the process that supported the Somali authorities to reach agreement on the 2016 electoral model. The first plenary session of the NCF took place in Mogadishu on 19–20 October 2015. Prior to the formation of the NCF, the National Independent Electoral Commission (NIEC) was responsible for conducting the public consultations. However, Puntland disputed NIEC's legitimacy and claimed it was not consulted on the composition of the Commission.

The consultation process overseen by the NCF consisted of a series of regional consultations held between October and November 2015 in which the public were asked about the type of electoral model they preferred. The consultation meetings involved the participation of a wide cross-section of Somali society, including youth, women, traditional elders, religious leaders, business people, intellectuals, and minority groups, and took place in Kismayo, Baidoa, Adado, and Garowe. An additional consultation meeting for the Somaliland community was held in Mogadishu.

Four different options were presented to the Somali public, all of which would lead to the formation of an electoral college, which in turn would elect the MPs of the federal parliament. The options were: political party representation, FMS representation, district constituency representation, and clan representation using the 4.5 power-sharing formula. Puntland and Jubaland were in favour of district constituency representation, and Galmudug and Southwest were in favour of using the 4.5 formula.

The Mogadishu Declaration of 16 December 2015, adopted at the conclusion of the second plenary of the NCF, established a number key principles and actions to guide the 2016 electoral process. The NCF agreed the following principles:

- Parliamentary representation should be based on a balance between constituency and clan.
- Electoral colleges should be convened and vote in FMS capitals.
- Electoral colleges should contain at least 30 per cent women and 10 per cent youth.
- A new political roadmap should be developed to deliver universal elections in 2020.
- There shall be a minimum fixed number of seats served for women in both houses.

The NLF deliberated on the results of the NCF consultations. On 28 January 2016, the NLF announced that the 2016 electoral process would utilise an indirect electoral model, including increasing the number of political participants from 2012.

The Presidential Decree

The proposed indirect 2016 electoral model was intended to be endorsed by the federal parliament. However, on 21 May 2016, President Hassan Sheikh Mohamud issued a decree that endorsed the 4.5 power sharing electoral model that was set out in the communique of 12 April 2016, in order to prevent further delays as a result of lengthy discussions in parliament.

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13 NCF is composed of the president, prime minister, Speaker, presidents of regional administrations, 25 federal MPs, 10 federal ministers, 20 senior representative members from the legislative or the executive from FMS, 2 representatives from HirShabelle, 2 representatives from Banadir, and 17 CSOs. Proportionate representation of women, Somaliland clans, and minorities will be of particular importance. The international community involvement was led by the United Nations.

Some parliamentarians contested the decree, which they perceived to be a version of the flawed electoral law that was tabled in parliament on 30 April 2016, and widely viewed as unconstitutional. However, Somalia's international partners,[14] including the United Nations (UN), the African Union (AU), the Inter-Governmental Authority on Development, the European Union (EU), and the United States, welcomed the president's intervention. A statement by the United Nations Mission on Somalia (UNSOM) said the decree would enable the technical preparation and implementation of the electoral process without further delay.

Far From Democracy

Somali leaders designed this process with the international community's support. Thousands more have voted in this election than the last one, but still a tiny fraction of the population.

135
Clan Elders

SELECT

14,025
Delegates
51 per Elective Seat

FMS parliaments

ELECT

ELECT

54
Members of the Upper House

275
Members of the Lower House
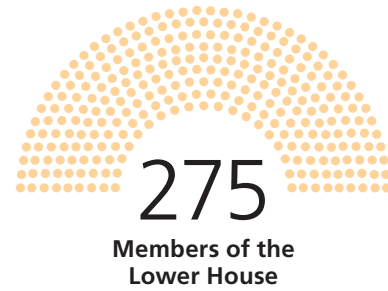
BOTH SELECT

President

....

10.5 million
Population of Somalia who didn't vote

Source: *Wall Street Journal*; World Bank

The indirect electoral management bodies: FIEIT, SIEITs and IEDRT

The NLF released a statement on 12 April 2016, stating that the Federal Indirect Electoral Implementation Team (FIEIT) and the State Indirect Electoral Implementation Teams (SIEIT) would be the mandated electoral management bodies for the 2016 electoral process.

14 See https://unsom.unmissions.org/somalia%E2%80%99s-international-partners-welcome-presidential-decree-modalities-2016-electoral-process.

The FIEIT, as the overarching election management body, was responsible for coordinating the electoral process and ensuring that it was uniformly administered across FMS. The FIEIT established requirements for delegates as well as requirements for candidates running for the HOP elective seats. The FIEIT developed election procedures, accredited domestic and international observers, and conducted public outreach. It established a code of conduct for the media and election observers, prepared the template for printing the ballot papers, and eventually announced the election results. The FIEIT also advocated for the implementation of the 30 per cent quota for women in both houses. The FIEIT was composed of twenty-two members, ten of whom were nominated by the federal government, and two from each of the FMS. The FIEIT regularly reported back to the NLF about its work and requested guidance or clarity as necessary.

The SIEIT were given the mandate to implement all electoral tasks at the state level. Five separate SIEIT were formed to oversee elections in Puntland, Jubaland, Galmudug, HirShabelle, and Southwest. In addition, one SIEIT for Banadir and Somaliland was formed in Mogadishu. The SIEIT implemented the rules and procedures established by the FIEIT. SIEIT were composed of eleven members in total, eight of whom were nominated by the respective state government, and three nominated by the federal government. The SIEIT prepared and implemented the electoral process, including: hiring polling staff; security provision; logistics; setting up election venues (and polling stations); vetting (and checking for compliance) and registering lists of electoral delegates and candidates; voting; vote counting; announcing election results; and resolving disputes at the electoral delegates selection stage.

The Indirect Electoral Dispute Resolution Team (IEDRT) was established by the NLF to adjudicate electoral related disputes/complaints. The IEDRT comprised twenty-five members who were deployed in teams of three to each FMS. These teams were responsible for receiving and adjudicating electoral disputes/complaints in their respective FMS. Only candidates and electoral delegates could lodge a complaint/dispute related to the 2016 electoral process after paying a non-refundable fee of US$1,000.

Candidate registration

The 2016 election process gave candidates the opportunity to register themselves and stand for elections to the HOP. Any Somali citizen belonging to a clan and/or sub-clan that had been allocated a particular seat, who was at least 25 years old and who had a high school certificate or equivalent experience, was eligible to stand as a candidate for the UH or HOP. All elected parliamentarians, male or female, had to be qualified and considered to be of good character to represent their constituents.

All candidates running for the HOP seats were required to submit proof that their candidacy fee had been paid – US$5,000 for men and US$2,500 for women. In addition, in most cases in all the FMS, HOP candidates required the endorsement of their titled elder (from among the 135 elders), although it was not stated in the FIEIT regulations nor in the constitution. Moreover, all candidates running for UH seats were required to pay a candidacy fee of $10,000 for men and $5,000 for women. Some critics indicated that the nomination/registration fees forced many candidates to drop out of the race, whereas other candidates secured campaign funds from Somali leaders who were themselves presidential candidates.

House of the People elections

The rules and regulations for the HOP elections were established by the NLF, and the implementation of the process was overseen by temporary election management bodies. The electoral process of 2016 started with the identification of 135 titled traditional elders, predominantly drawn from the same group that selected parliamentarians

directly in 2012. The elders selected 14,025 electoral delegates, vetted by the SIEIT and approved by FIEIT, who would vote in electoral colleges of 51 delegates in 275 separate elections for each of the elective seats of the HOP. The voting process started on 5 November 2016 in Puntland and ended with the Somaliland community election in Mogadishu on 19 January 2017.

Upper House elections

Although the PFC under Article 72 stipulates that the FMS will have an equal number of members to the UH, members of the UH would be representatives for all communities. However, the NLF assigned 54 seats to the UH: eight seats each were allocated for Jubaland, Southwest, Galmudug and HirShabelle; eleven seats each were allocated for Puntland and Somaliland in recognition of their size and political maturity. However, Banadir, which includes Mogadishu, did not receive any specific representation. Each state adopted its own formula for distributing its seats among its communities or regions. FMS' presidents nominated at least two candidates[15] for each seat with the exception of Somaliland, where a group of elders played that role. The 54 members were elected directly by the FMS' parliaments, while Somaliland's UH seats were voted for by electoral delegates.

The elections for the members of the UH were managed by temporary electoral committees established by each FMS' state parliament. Upon candidate nominations for each seat, the state assemblies voted for each seat individually. Special arrangements were made for Somaliland.

The proposed allocation of an unequal number of seats to the regional states created much controversy. While the constitution provided a clear number, throughout the pre-election period there were many attempts to increase it. In September 2016, the NLF proposed that Banadir be given an additional two seats, bringing the UH total to 56. However, political agreement could not be reached on this.

The Speaker, Mohamed Osman Jawari, offered three additional seats to Somaliland but was met with strong protests from the Puntland government,[16] which viewed this as a unilateral decision. The NLF also agreed to reserve three seats out of the 11 UH seats for Somaliland, for the communities that inhabit Sool, Eastern Sanag and Buhoodle; but this was not implemented.

In December 2016 in Mogadishu, NLF leaders proposed adding 18 additional UH seats, increasing the total number to 75. This would have resulted in each FMS obtaining three more seats. However, this proposal was met with considerable political opposition from both parliament and the international community.[17] International partners advocated that the 2016 electoral process should proceed on the basis of 54 seats and any further expansion of the UH should be considered only after the presidential vote.

30 per cent women quota

There were a number of statements from the NCF, NLF, FIEIT, and the international community stressing the importance of the 30 per cent quota for women. The quota would apply to a number of aspects of the election, including delegates and elective seats in both the UH and HOP. The introduction of the quota was not accepted by all stakeholders, particularly some Islamic Scholars,[18] who deemed it to be against Somali and Islamic values.

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15 Of either gender (i.e. there should be one male and one female).
16 Puntland Communique dated 14 November 2016, Jawari's letter concerning the distribution of the Somaliland UH seats.
17 Joint press statement dated 27 December 2016, https://unsom.unmissions.org/international-community-gravely-concerned-over-decisions-national-leadership-forum-electoral-process.
18 See www.garoweonline.com/en/news/somalia/somalia-religious-scholars-slammed-women-quota.

House of the People and Upper House seats distribution

	HOP Seats	UH Seats
Somaliland	46	11
Puntland	37	11
Jubaland	43	8
Southwest	69	8
Galmudug	36	8
HirShaballe	38	8
Banadir	6	0
Total	**275 MPs**	**54 Senators**

Electoral funds

The government asked the international community to fund the entire electoral process; however, donors only agreed to make a contribution to these costs. International partners indicated that they would fund 60 per cent of the total cost while the federal government should meet the rest, utilising fees collected from candidates. The FIEIT complained that the international community did not provide all the funding that it pledged.

Observation methodology

The DEOG was formed in August 2016, following the signing of a Memorandum of Understanding between PUNSAA and SOSCENSA. The DEOG was overseen by an Executive Steering Committee[19] and the two platform secretariats, in Mogadishu (SOSCENSA) and Garowe (PUNSAA).

In total, the DEOG trained and deployed 23 long term observers (LTOs) across Somalia, with the exception of Middle Jubba, which remains under the control of Al Shabaab, during the pre-election period. The LTOs were tasked to observe the UH elections, which were conducted by the respective FMS parliaments, with the exception of Somaliland. The Somaliland UH elections were held in Mogadishu.[20] In addition, the DEOG trained seven short-term team leaders and sixty-four short-term observers (STOs), of whom thirty-nine were accredited by the FIEIT and deployed to observe the HOP elections, which took place in seven election venues at the capital cities.[21]

In the pre-election period, the DEOG assessed whether the broader electoral conditions were conducive to the peaceful conduct of a credible electoral process. During the election period, the DEOG systematically documented the extent to which the process was compliant with FIEIT procedures. In the post-election period, the observers assessed how election outcomes were received, including the effectiveness of the IEDRT in addressing disputes and complaints. The observers were guided by a set of core principles and standards for free and fair elections, which were contextualised in terms of the 2016 electoral model, and each observer signed a code of conduct relating to these. The PUNSAA and SOSCENSA DEOG was supported by a number of short-term specialists, including data entry clerks, a legal analyst, an IT/data analyst, and a political analyst who also served as the report writer.

19 The Executive Steering Committee is composed of nine members drawn from the two Boards of Directors of the two platforms (3 from PUNSAA and 6 from SOSCENSA).

20 Observers assigned to observe Somaliland elections were given special guidance to observe election events taking place in Mogadishu, since elders were selecting delegates based in Mogadishu.

21 Initially, it had been envisaged that all 64 STOs would be deployed; however, only 39 were accredited by FIEIT. FIEIT stated it had concerns about overcrowding in electoral venues. Appeals to FIEIT to increase the number of accredited observers were unsuccessful.

The PUNSAA and SOSCENSA DEOG met frequently with key election stakeholders, including representatives of the FIEIT, the SIEIT, the IEDRT, traditional elders, and candidates for the Lower and Upper Houses and the presidency.

For the data collection and analysis, the PUNSAA and SOSCENSA DEOG used an electronic elections data management system. The system is an open source tool that was tailored to suit the Somalia context to support the gathering and analysis of observer reports. The system is aligned to monitor key election procedures and guidelines set out by the NLF and FIEIT.

For the pre-election and post-election period, observers submitted electronic reports using an application called Open Data Kit, which had been pre-installed onto their mobile phones prior to their deployment. Three types of electronic checklists were pre-installed onto each LTO's mobile phone. These were: the 'Pre-election Reporting Checklist', which was used to document electoral events prior to the election; the 'Incident Reporting Checklist', which was used to document incidents that may impact on the integrity of the electoral process; and the 'Post-election Reporting Checklist', which was used to document events after the election. LTOs sent weekly reports to the PUNSAA Secretariat based in Garowe. In total, 2,349 reports were submitted by observers.

On election days the STOs and LTOs[22] electronically submitted their observation reports using coded SMS. The data centre at the PUNSAA secretariat received an average of five SMSs from each STO at set times on each election day. This included during the opening of polling centres, the set-up of a polling centre, the polling/voting process, the counting of results, and the announcement of results.

The data management system was built with a set of pre-analysis tools to synthesise and process data received based on category/election event, locations, and incidents.

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22   FIEIT imposed a restriction limiting the number of STOs per CSO to three to be deployed at each election venue. This necessitated the DEOG to deploy LTOs to act as STOs in the affected states during the election period except in Puntland, where all observer were accredited.

2

Pre-election period

Political environment

SINCE 2000, Somalia has gone through a number of transitional governments based on the 4.5 clan power sharing formula. In preparation for the 2016 electoral process, there was much discussion between the federal parliament and the FMS about whether this should continue to be used, but no new agreement could be reached. On 21 May 2016, a presidential decree was made enforcing the use of the 4.5 formula for the 2016 electoral process. Prior to this, Puntland had threatened to boycott the 2016 elections; however, following extensive mediation efforts, Puntland eventually agreed[23] to proceed on the guarantee that future federal elections would abandon the power sharing formula and adopt a 'one person, one vote' model instead. Despite initial widespread opposition to the use of the 4.5 system, observers did not report significant hostility to the electoral process in general.

The political environment in the pre-election period was broadly conducive for electoral events to take place. However, there were attacks perpetuated mainly by Al Shabaab, such as the bombing of the Blue Sky restaurant in Mogadishu on 1 October 2016. The restaurant, where at least three people were reportedly killed,[24] was located near the Jilicow detention centre and was frequented by members of the security forces. In addition, insurgents attacked and took control Gof-Gadud, a village 30km away from Baidabo on 30 October 2016.[25] Observers also reported cases of alleged intimidation towards the 135 traditional elders, some candidates and electoral delegates, the SIEIT, and the IEDRT. These cases were documented in a 1 November 2016 press release, issued by the FIEIT after its monitoring mission in Jubaland and Southwest.

Figure 1: Was the political environment conducive for the conduct of elections?
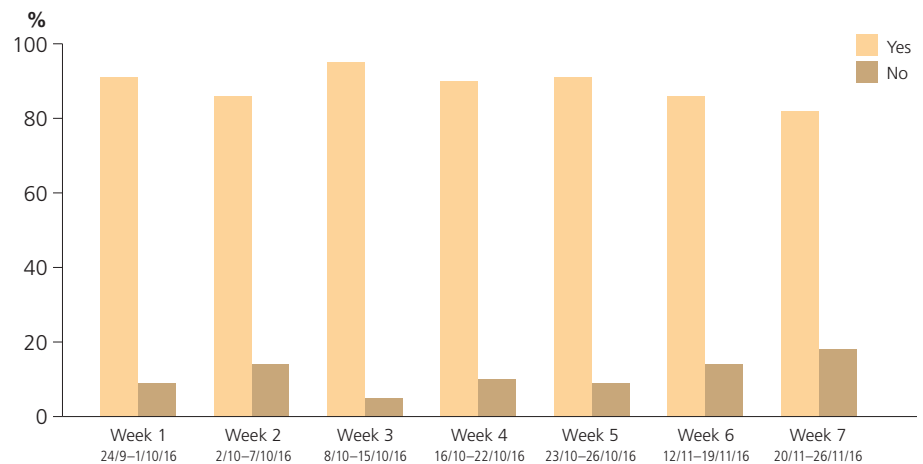
23 An agreement was made between the Federal Government of Somalia and the Puntland State of Somalia, 3 April 2016.
24 Available at www.hiiraan.com/news4/2016/Oct/117956/islamist_group_bombs_somali_restaurant_at_least_3_dead.aspx.
25 Available at https://horseedmedia.net/2016/10/30/ururka-al-shabaab-oo-la-wareegay-deegaanka-goofgaduud-ee-gobolka-baay.

The overarching architecture for the 2016 electoral process included the establishment of the FIEIT at the national level and SIEIT for each of the FMS (i.e. Puntland, Galmudug, Southwest, and Jubaland) and HirShabelle. A separate SIEIT was also formed in Mogadishu to manage the HOP elections for Banadir and Somaliland, although it never received formal recognition from the Somaliland administration. In addition to the FIEIT and SIEIT, the NLF established the IEDRT, with a membership of 25. The NLF determined the mandates for each of these bodies.[26] The FIEIT had the overall supervising role for the 2016 electoral process, with each SIEIT being responsible for the implementation of the electoral process in its respective FMS. Once constituted, IEDRT members were brokered into groups of three and deployed to the FMS to adjudicate electoral-related complaints and/or disputes at the FMS level.

In late July 2016 FIEIT published a revised electoral calendar; this was revised again several times between August and September 2016. The final election calendar was published on 26 September 2016.

Immediately after the publication of the revised electoral calendar and the establishment of the SIEIT by the NLF, the focus was on providing briefings for the traditional elders, selecting and registering electoral delegates, and meeting with different local and international stakeholders. Briefings for electoral delegates started from the second week of the electoral calendar, while the nomination of candidates began from the third week and continued into the election period.

Public outreach and voter education

Observers reported that public outreach and voter education activities and events were conducted in their respective areas of assignment throughout the pre-election period.

Figure 2: Did you witness or hear about public outreach/voter education in your area of assignment?
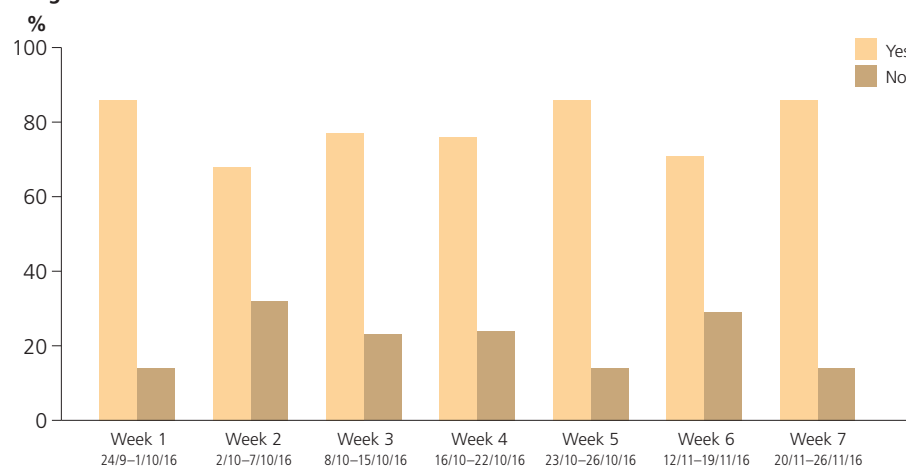
Public outreach was predominantly provided by the media, community leaders, traditional elders, and women's groups. The FIEIT and SIEIT also conducted limited public outreach and voter education activities.

The target audiences were mainly the electoral delegates, candidates, and women, although minority audiences were also targeted throughout the pre-election period. Voter education mainly focused on explaining the 2016 electoral process and promoting the 30 per cent women quota. Later in the pre-election period, procedures for the HOP election became the main focus. The information, education and communication materials most frequently used were posters and stickers, as reported by observers, followed by T-shirts and leaflets.

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26 The structures were mainly responsible for the conduct of the HOP elections, and did not play a key role in the Speaker's, the four Deputy Speakers', and presidential elections.

Figure 3: Who are public outreach/voter education providers?
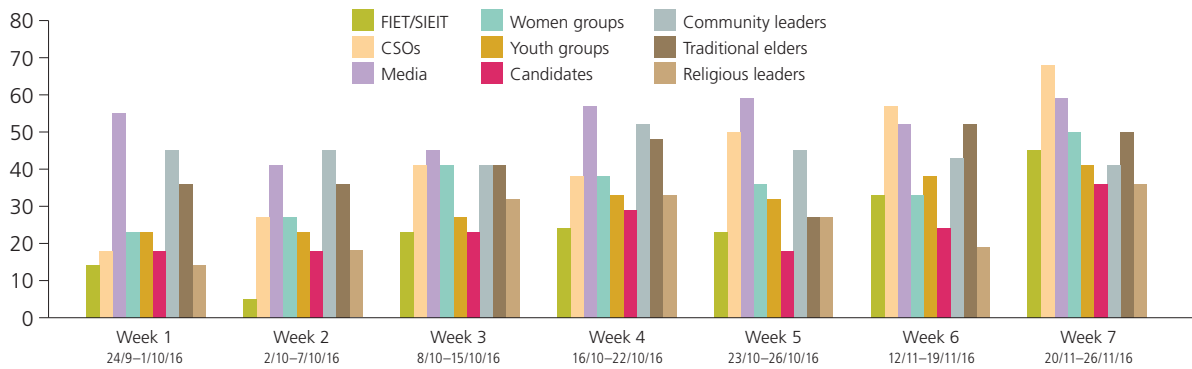
Candidate campaigning

Observers reported campaign activities by aspiring candidates in all state capitals, even before their registration as candidates. Nationals and individuals from the diaspora campaigned for the two houses of parliament and the presidency. Hotels were full, conference halls were busy, and political debates trickled down to public tea shops. Television channels and other media, especially radio and social media, regularly presented candidate profiles and political manifestos.

Figure 4: What were the campaigns about?
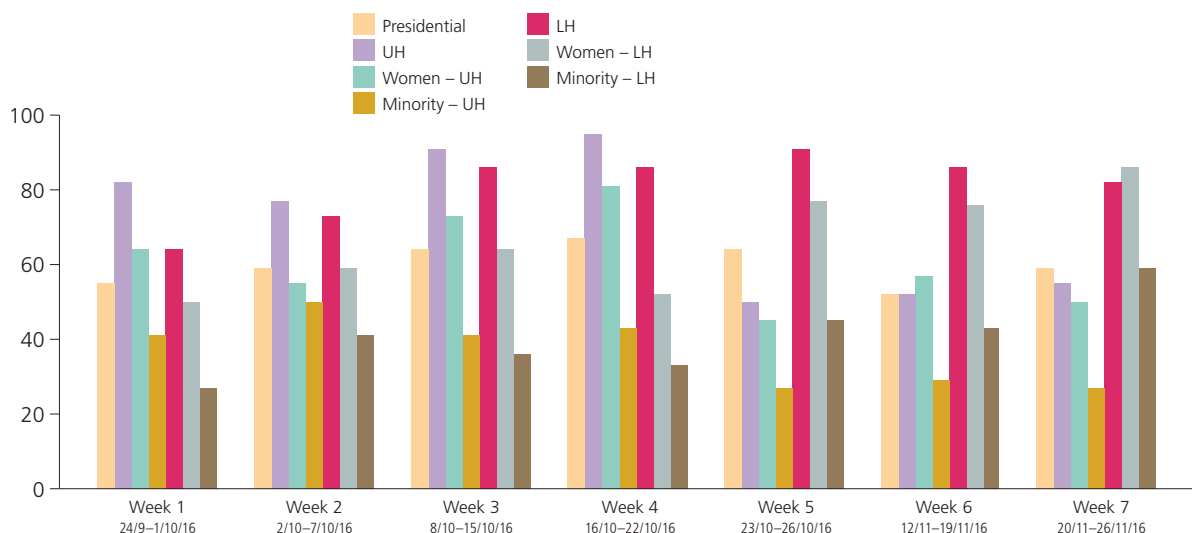
In addition, observers from Mogadishu reported seeing campaign billboards and car bumper stickers used by candidates. Observers reported the presence of campaign posters for UH candidates in the early days of the pre-election period, while towards the latter weeks, campaign posters for UH candidates began to emerge (although less so in other state capitals). In the first four weeks of the pre-election period, the campaigns were mainly conducted by candidates vying for UH seats, while campaigns by candidates for the HOP increased significantly as the election period drew closer. Women candidates' campaigns for the Upper and Lower House progressed steadily throughout the pre-election period.

Use of public resources

The majority of observers did not report excessive use of public resources by candidates for elective offices during the pre-electoral period. However, a few reported cases where candidates used public venues and state vehicles for campaigning purposes.

Figure 5: Did you witness any use of public resources during campaigns?
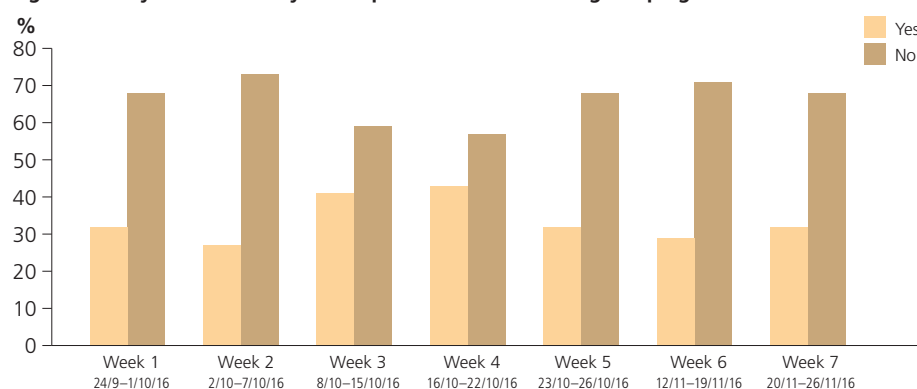
Media environment

Generally, the media environment during the pre-election period was conducive for reporting electoral-related activities and events; reporting was balanced and space existed for free exchanges and debates. There were isolated allegations of harassment towards the media, such as the shutting down of a radio station and the arrest of the editor of *Xog-ogaal* newspaper in Mogadishu on 15 October 2016 by National Intelligence Security Agency (NISA) agents, who confiscated computers, cameras, and the newspaper archive. No explanation for the arrest was made. The editor was later released on 18 October 2016.[27]

Figure 6: Is the media environment conducive?
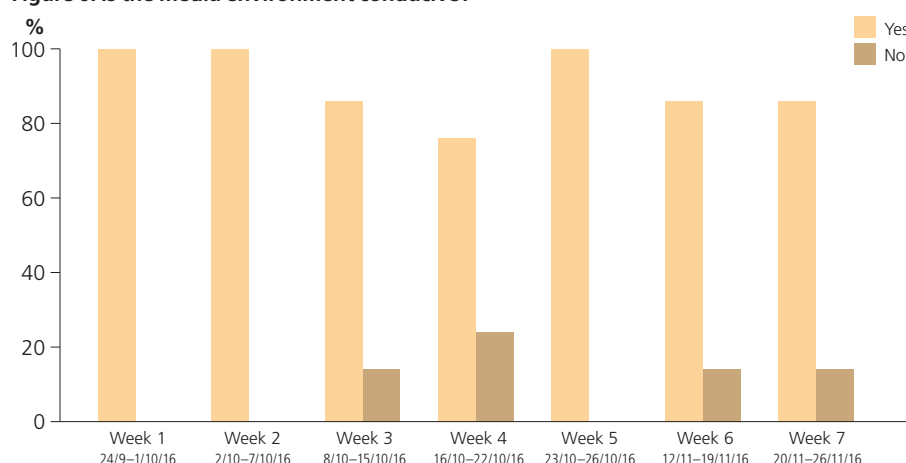
Women's participation

The 2016 electoral process included a commitment to ensure a 30 per cent quota for women's involvement in the electoral process as election officials, electoral delegates, and candidates. This was a contentious issue and was extensively debated by the general public. While the 30 per cent women quota was a significant milestone for Somalia, it faced strong resistance from some sectors of society. This was further complicated by the complex design of the electoral process, which used the 4.5 power sharing formula. For instance, ensuring 30 per cent of electoral delegates were women relied on the support of the clan elders who were responsible for the identification and selection of delegates. However, both the FIEIT and the SIEIT maintained their stand on having at least 16 women on each of the lists of 51 electoral delegates for the HOP election.

Although the NLF did not provide a directive on how the 30 per cent women quota representation to the UH should be adhered to, the FIEIT maintained adherence to this commitment during the nomination of candidates. With the exception of South-west, the initial lists of candidates for the UH prepared by the respective FMS executives

27   Reporters Without Borders, 'Somalia: Leading Mogadishu daily's editor arrested', 17 October 2016, https://rsf.org/en/news/somalia-leading-mogadishu-dailys-editor-arrested, accessed 20 November 2016.

did not adhere to the 30 per cent quota. As a result, their initial lists were rejected by the FIEIT. Following this, new lists that adhered to the 30 per cent quota were resubmitted by the affected FMS. As all 275 seats were allocated to specific clans and sub-clans, there was resistance from some clans and sub-clans to allocating elective seats to women.

Public outreach raising awareness and advocating for the implementation of the 30 per cent women quota was observed throughout the pre-election period. Generally, observers reported that women participating in electoral events and activities during the pre-election period did not experience intimidation or harassment. Women were also reported to be able to freely present themselves as electoral delegates or candidates.

Figure 7: How did women participate during the pre-election period?

- Women volunteered to be recruited as Electoral Delegates
- Women presented themselves as Election Delegates
- Public outreach on 30% women quota
- Women candidates campaigned freely
- Women electoral delegates intimidated
- Discrimination on 30% women quota
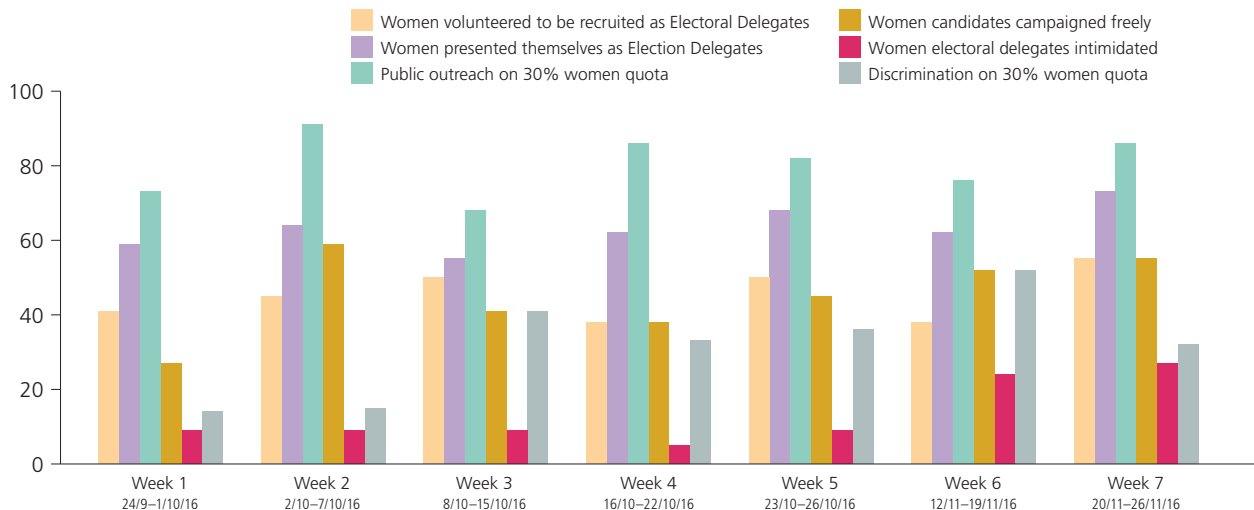
Minority participation

Observers reported that the participation of minorities during the pre-election period was unrestricted and the broader environment was conducive for their involvement in electoral activities and events. Furthermore, public outreach encouraging minority clans participation was reported throughout the period.

Figure 8: Was the environment conducive to Minority participation during the pre-election period?

- Conducive
- Not conducive
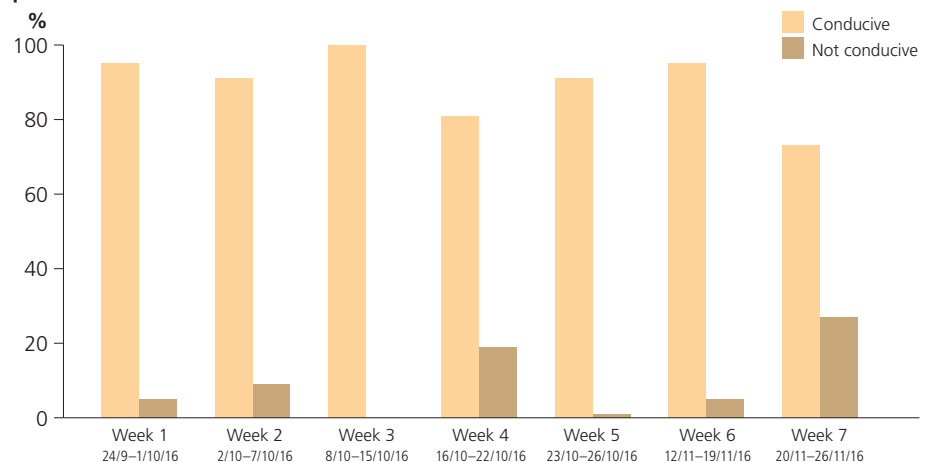
Election disputes/ complaints

The IEDRT was reported to have been established and operationalised in the last week of the pre-election period, close to the HOP elections, on 6 October 2016. It was composed of former ministers, MPs, military generals, and representatives from professional groups. Abdirizak Barre Jama was appointed as the chairperson. The IEDRT had 25 members, who, with the exception of the chair, deputy chair, secretary

and coordinator, were later divided into teams of three members seconded to each FMS. These three members acted as the regional IEDRT committees at the FMS level.

Figure 9: Was the IEDRM mechanism in place?
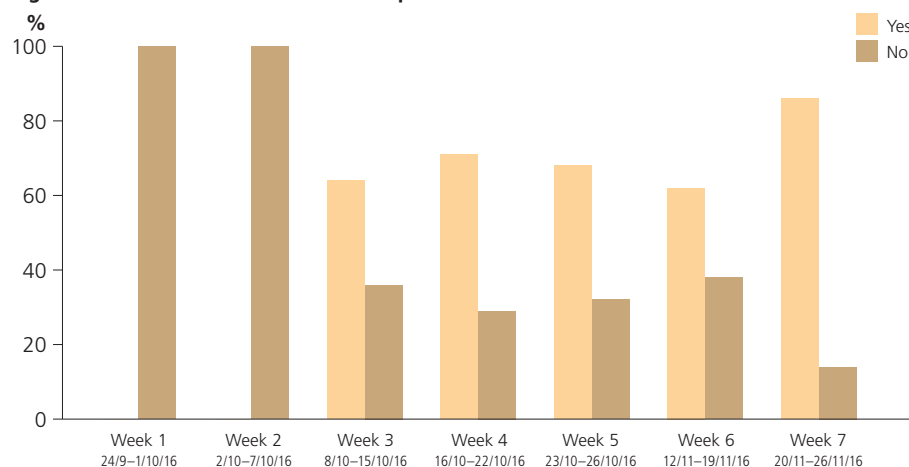
The IEDRT's mandate was to adjudicate and resolve electoral-related complaints and/or disputes. The IEDRT's jurisdiction included examining and investigating the conduct of the SIEIT and election officials, intimidation of electoral delegates or candidates, electoral delegation manipulation, vote buying and allegations of other electoral-related irregularities or malpractices.
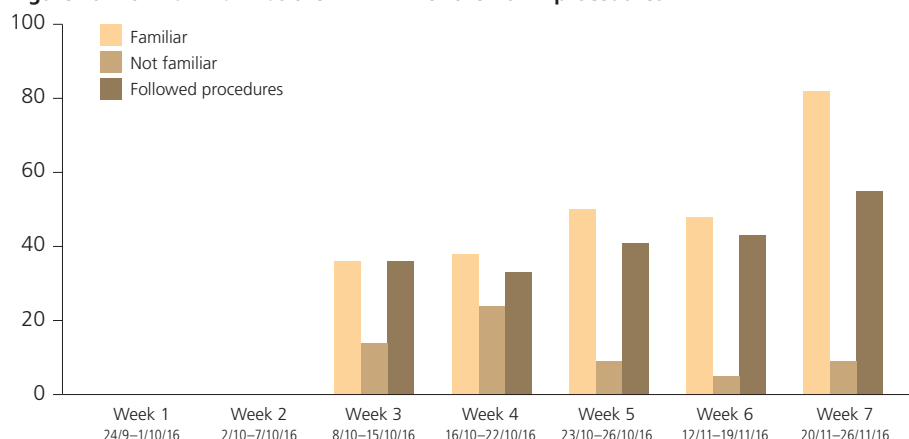
Figure 10: How familiar was the IEDRM with their own procedures?

Numerous disputes arose during the pre-election period. While observers did not directly witness any of the disputes or complaints that were officially reported, 77 per cent of observers reported at least three disputes or complaints being lodged in their area of assignment. These mainly concerned: the allocation of parliamentary seats to certain clans or sub-clans for the HOP elections; the selection of the electoral delegates; the nomination of the candidates; and the interpretation of electoral rules and procedures. At a press conference in Mogadishu, IEDRT confirmed that they had received 1,219 complaints between 10 and 26 October 2016. Abdirizak Barre Jama declared that an undefined number of these were outside their jurisdiction, and that only registered candidates and/or electoral delegates could file a complaint after paying a non-refundable fee of US$1,000.

There were also reported cases of disagreement among IEDRT committees and SIEIT due to divergent interpretations of their mandates, especially regarding who had responsibility and how disputes should be managed. To resolve disagreements, the chairpersons of the regional IEDRTs were summoned to Mogadishu for consultations by the FIEIT. Many of those disputes were resolved by the FIEIT and/or the NLF (Figure 11), while some remain unresolved.

Figure 11: How were disputes resolved during the pre election period?

Legend:
- EDRT was able to resolve
- EDRT declined to address disputes
- Disputes forwarded to SIEIT
- Resolved by SIEIT
- SIEIT forwarded to FIEIT
- FIEIT resolved
- Resolved by committee

Week 1 24/9–1/10/16
Week 2 2/10–7/10/16
Week 3 8/10–15/10/16
Week 4 16/10–22/10/16
Week 5 23/10–26/10/16
Week 6 12/11–19/11/16
Week 7 20/11–26/11/16
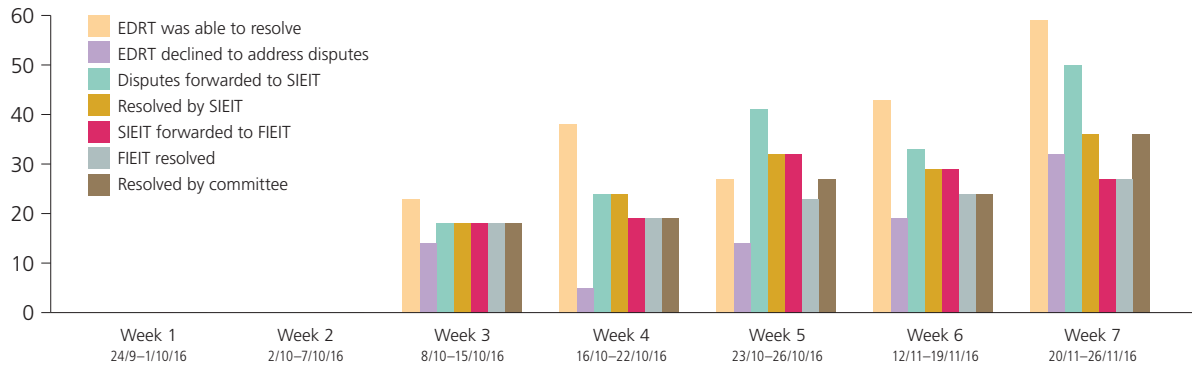
Security

Security during the 2016 electoral process was provided mainly by local security agents, such as state and federal police. Other security providers included the NISA, Somali Defence Forces, African Union Mission in Somalia (AMISOM), and UNSOM police units (Figure 13). Following a communique from the NLF, AMISOM security units were deployed to Galmudug to provide security throughout the entire electoral process.

In general, the security environment during the pre-election period was assessed by observers to be conducive for the electoral process to take place. However fears of attacks by Al Shabaab and threats of violence were reported by observers towards the end of the pre-election period.

Figure 12: Who were the security providers during the pre-election period?

Legend:
- Local
- NISA
- SDF
- AMISOM
- UNSOM
- Combined

Week 1 24/9–1/10/16
Week 2 2/10–7/10/16
Week 3 8/10–15/10/16
Week 4 16/10–22/10/16
Week 5 23/10–26/10/16
Week 6 12/11–19/11/16
Week 7 20/11–26/11/16
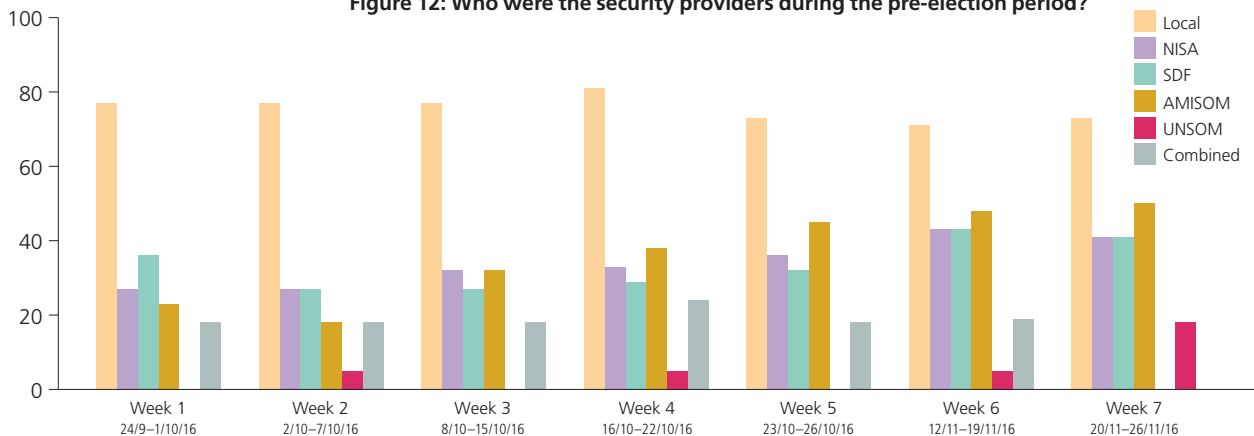
3

Upper House elections

Before election day

Preparations

As part of their scope of work, PUNSAA and SOSCENSA deployed 23 LTOs to observe and report on the Upper House elections period, which took place in FMS capital cities, with the exception of Somaliland, whose UH elections were conducted in Mogadishu. The observers reported on: the identification and registration of candidates; the constitution of the parliamentary election committees (PEC) and their performance; and election day events, which included campaign speeches by each candidate before voting began. Each FMS' PEC prepared and implemented its own election calendar. The key election events included: the identification and selection of candidates; vetting and nomination of candidates by SIEIT; submission of candidates' list to the FIEIT; approval of candidates' lists by the FIEIT; and election day itself.

Nomination of candidates

According to the electoral procedures for the UH election, each of the FMS' executives was tasked to come up with a formula for nominating its candidates, while at the same time maintaining the 4.5 formula and the 30 per cent women quota. The list would then be shared with the SIEIT for vetting before the final list was submitted to the FIEIT for registration.

The final lists of candidates from Galmudug, Jubaland, Puntland, and HirShabelle included individuals who had allegedly committed crimes during the civil war. The list from Jubbaland included the former deputy leader of the Islamic Courts Union, Abdifatah Mohamed Ali; the Hirshabelle List included the former warlord Musse Sudi; the Puntland list included General Mohamed Said Hersi Morgan, a former warlord based in Kismayo; the Galmudug list included a former warlord, Abdi Hasan Awale 'Qeybdid and an ex-president of Galmudug. The international community,[28] led by the UN Special Envoy to Somalia, Michael Keating, was concerned that such individuals were standing as representatives of the people. Only Jubaland responded by expunging Ali from its list.

In effect, this meant that candidates barred from standing by FIEIT (as per NLF regulations prohibiting warlords from standing) were still allowed to contest the electoral process by SIEIT. This example underlies the tensions experienced throughout the electoral process between FIEIT and SIEIT regarding their respective mandates and degree of autonomy and authority.

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28 https://unsom.unmissions.org/international-community-expresses-concern-over-parliamentary-candidates-history-violence-and

Election days

Before voting

The UH elections were held at the parliamentary buildings in each of the FMS. Observers reported that the environment around the election venues, throughout the election period, was peaceful and candidates could be seen campaigning/lobbying for votes outside the buildings. Observers reported that most FMS MPs and officials mandated to conduct the UH in the respective FMS assemblies were present in all election venues. All election materials were reported to have been received, and the ballot boxes were presented as empty and sealed with ordinary padlocks.

Before voting, most PECs allowed candidates 15 minutes to present their respective speeches and political agendas before the FMS MPs. Observers also reported that the election venues were arranged in a manner that allowed the smooth conduct of the voting process and that sufficient ballot papers were made available for all MPs present to be able to vote. Candidates and/or their agents were present to observe election day events.

During voting

Observers reported that officials stamped each ballot paper with their official stamp before issuing it to an MP. Safeguards to prevent multiple voting by MPs were followed. These including calling out the names of the MPs and ticking against their names on the list. In addition, most officials clearly demonstrated to MPs how to correctly mark and fold their ballot papers, and the standard procedures to protect the secrecy of the vote were also adhered to.[29]

After voting

Before the counting process began, observers reported that officials did not seal the slot on the ballot box after the voting for an elective seat ended, though the close of voting and commencement of counting were free from official complaints.

In most venues, before counting began, a separate table for the candidates' respective agents was set aside close to the table with the ballot boxes. One of the officials would then open the ballot box and remove one ballot paper at a time. They would then open the paper and loudly announce the name of the candidate before passing it on to the candidate's agent. Invalid ballot papers were passed to one of the officials conducting the election. After all the ballots had been removed from the ballot boxes, the valid ballot papers were counted for each candidate. At the end of the count, the results were recorded on an official document before being announced.

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29 Officials would request MPs not to reveal whom they had voted for, emphasising that their vote was their private decision.

At the end of the count, the UH results were as follows:

S/N	State	No. seats	Candidates		No. of MPs per State disaggregated by gender		Election timeline		Election outcome per State disaggregated by gender		
			M	F	M	F	Start	End	M	F	% women quota
1	Puntland	11	19	10	64	2	20 October 2016	20 October 2016	8	3	27.3
2	Galmudug	8	15	4	82	7	15 October 2016	16 October 2016	6	2	25.0
3	Southwest	8	11	5	118	31	19 October 2016	20 October 2016	6	2	25.0
4	Somaliland	11	24	7	42	3	8 January 2017	29 January 2017	8	3	27.3
5	HirShabelle	8	17	4	85	13	9 November 2016	10 November 2016	6	2	25.0
6	Jubaland	8	16	4	72	3	19 October 2016	20 October 2016	7	1	12.5
	Total	54	102	34	463	59			41	13	24.1

Critical incidents during the Upper House elections

On the whole, observers did not report any critical incidents during the UH election period. However, in Southwest there was a clash that caused disturbances in the election hall between two rival candidates (Aden Gabow and Mumin Saiid), which was reported by the media.[30]

Complaints and disputes

Observers did not report any complaints or disputes during the UH election period.

Alleged bribery, nepotism, and corruption during the Upper House elections

The UH election for Southwest was marred by allegations of nepotism and other forms of favouritism. President Sharif Hassan Sheikh Aden was accused of running the Southwest administration as his personal domain by appointing family members and close allies to key positions. For example, the president appointed his nephew, Mohamed Abdullahi Mursal, as the chairperson of the SIEIT Southwest.

30   Allafrica (2016), 'Somalia: Drama in Baidoa as two rival Upper House candidates clash', 19 October http://allafrica.com/stories/201610200208.html.

4

House of the People elections

Before election day

Preparations

PUNSAA and SOSCENSA deployed 39 accredited[31] STOs to observe the HOP elections. The observers reported on the following aspects: the environment outside election venues (including polling stations); the opening of polling stations; the period before, during, and after voting, including vote counting; and polling stations' closures. Similar to the elections for the UH, each FMS conducted its respective HOP election according to its own timetable – but within the FIEIT[32] election calendar.

The elections were managed by SIEIT and held in pre-determined venues in FMS' capital cities. The elections for Somaliland and Banadir were held in Mogadishu.

Election days

Before voting

Most observers reported that the environment around the election venues, on most election days during the HOP elections, was conducive for the conduct of election day events and activities, with less than 20 per cent reporting otherwise. However, observers from Galmudug and HirShabelle reported a few cases of disruption in the period before voting began in their respective states. Observers from Galmudug reported that on 16 November, an electoral delegate was killed after his name was deleted from the electoral delegates' lists. In HirShabelle on 17 November, the opening of one of the polling stations was disrupted after one of the female candidates was allowed inside with an excessive number of private security guards. At the same venue, on 18 November, there was a serious disturbance at one of the polling stations when the security guards of two candidates exchanged fire.

Generally, observers reported that throughout the HOP election period, candidates carried out campaigns and/or lobbied for votes outside the vicinity of the polling stations, and materials such as campaign posters were visible. These were notable in all the FMS, with the exception of Southwest and Banadir.

31 FIEIT only accredited a limited number of STOs to observe the HOP elections. There was no provision for the accreditation of LTOs and observers for the UH, Speaker, Deputy Speakers, and presidential elections.
32 Due to logistical and operational challenges, FIEIT made regular changes to the election days in accordance with the context of each FMS.

Polling stations were arranged in a manner that allowed for the smooth conduct of voting processes.[33] All relevant election materials were available before voting commenced, ballot boxes were shown to those present as empty inside the polling stations, and sealed with official seals before voting commenced. Moreover, polling officials recorded the serial numbers of the seals used for securing the ballot boxes on the relevant forms provided. Observers also reported that neither the candidates nor their respective agents were allowed to fix their own seals.

Observers noted that the polling officials were present before voting commenced, with the exception of 6 December in HirShabelle, where the presiding officer of one of the polling stations arrived when counting had begun. Also on 6 December, in Somaliland, polling officials arrived when voting was already ongoing. It was also reported that the quorum limit (41) was adhered to before voting commenced in most polling stations throughout the HOP elections.

During voting

The general environment inside the polling stations[34] was conducive to the smooth conduct of the voting processes. At the beginning, most polling stations were officially opened as early as 7.30am for voting to begin. As the election days progressed, voting commenced after 9.00am, and it took between 2–4 minutes before the first electoral delegate was allowed to vote after the official opening time. All electoral delegates who arrived at the election venue (and/or polling station)[35] and were confirmed on the official list were issued with a ballot paper. In general, observers did not report any ballot paper shortages, although this did occur on 17 November in Jubaland, HirShabelle, and Galmudug.

Overall, observers reported poor compliance with voting procedures in some instances, and a high number of cases where the process was disrupted or interfered with. Poor compliance incidents included: the election officials' lack of understanding of the voting procedures; officials arriving late; and electoral delegates going to the wrong polling station at the election venue; or showing up to vote for the wrong elective seat.[36] This often hampered the smooth opening of affected polling stations for voting to commence. Observers reported high cases of missing and/or misspelt names from the lists of electoral delegates alongside incorrect lists being issued to a polling station for a particular elective seat.

Figure 13: Did the polling station have the list with all the electoral delegates assigned to that polling station?[37]
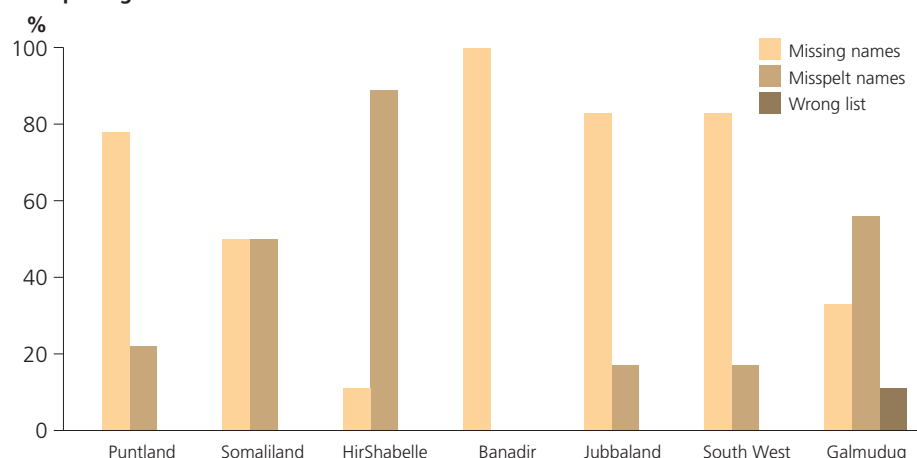
33 A polling station set up should include the presence of an official to issue ballot papers, the presence of polling booths for voter privacy, and the positioning of the ballot box position so that it is clearly visible to all those present.

34 This is based on the polling stations STOs were assigned to observe.

35 The term 'election venue' is used to describe the building where elections took place. However, 'polling stations' is the term used to describe specific areas within the election venue where different elections were conducted.

36 Each delegate was permitted to vote only once for a specific election.

37 Figure 13 was based on analysis of the first day of UH elections for each respective electoral venue.

Observers reported that although most electoral delegates were familiar with the voting procedures, many still needed assistance to vote. The most common form of assistance was on how to mark the ballot paper and fold it before casting it into the ballot box. Observers reported that of the 14,025 electoral delegates, approximately 1,157 electoral delegates were assisted to vote. The breakdown of electoral delegates that were assisted to vote by election officials were as follows:

- **Galmudug:** 286 out of 1,770 electoral delegates (16.2%)
- **Somaliland:** 349 out of 2,289 electoral delegates (15.3%)
- **Jubaland:** 332 out of 2,174 electoral delegates (15.3%)
- **Banadir:** 42 out of 305 electoral delegates (13.8%)
- **Southwest:** 95 out of 3423 electoral delegates (2.8%)
- **HirShabelle:** 31 out of 1871 electoral delegates (1.7%)
- **Puntland:** 22 out of 1873 electoral delegates (1.2%)

Observers noted the presence of candidates and their representatives or agents inside polling stations; there were only a few cases where they were absent. Examples included on the 12, 14, 19, 25 December 2016 and 1 January 2017 during Somaliland's HOP elections. Observers reported that in Galmudug and HirShabelle some of the candidates and/or their agents were evicted from the polling stations. Observers also reported the presence of other observers at polling stations. In addition, most of the IEDRT committees assigned to the election venues were not responsive to complaints raised concerning voting processes. However, in Southwest and Galmudug observers noted that IEDRT committees did respond to some of the complaints raised.

A few incidences of violence inside polling stations were noted in HirShabelle, Galmudug, Jubaland, and Somaliland (see section 'General assessment of HOP elections: Incidents', below). There were also a few cases of interference during the voting process, reported on 17 November 2016, in Jubaland, HirShabelle, and Galmudug. Although most observers reported that security was present inside the polling stations, on a few occasions it was absent, resulting in violence among delegates, particularly in Galmudug on 16 November, HirShabelle on 18 November, and Jubaland on 19 November 2016.

More positively, observers noted that most electoral delegates were not pressured to reveal whom they voted for, with the exception of a few cases in Southwest and Banadir. Most polling officials were impartial when providing assistance to electoral delegates to vote. With the exception of Somaliland, where electoral delegates were allowed to vote for different seats, polling stations observed safeguards to prevent multiple voting.

Overall, voting processes during the HOP elections were seen to be largely free from irregularities, apart from a few isolated cases reported by observers in Southwest, Galmudug, and HirShabelle. These incidents were not serious enough to adversely affect the election results. In most cases, polling officials prevented electoral delegates from voting if their eligibility was unclear. However, this was not consistently adhered to throughout the election days.

After voting: Counting

Generally, the closing of polling stations in readiness for counting processes was conducted peacefully throughout the election days. No specific timeframe was set by the FIEIT or SIEIT to be adhered to.[38] The counting processes for the initial elections started from approximately 11.00am in most polling stations.

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38 Counting would start at the end of voting for each elective seat.

Observers reported that in some instances that there were attempts during the counting process to link a specific vote to a specific electoral delegate. Observers noted this in Jubaland on 12, 13, 15, and 17 November 2016; in Puntland on 5, 13, and 14 November 2016; and in Somaliland on 14, 19, 22, and 25 December 2016 and 1 January 2017.

In most polling stations, observers saw a few cases of unauthorised individuals present during counting processes. Observers also noted a few cases where vote counting was not done by polling officials. Initially, a high number of complaints were made to the IEDRT about how the count was conducted. Nonetheless, as election days progressed, the number of complaints gradually reduced.

Overall, counting processes were conducted in a transparent manner and observed by candidates or their respective agents. However, most of the complaints raised during the counting process were not addressed.

After voting: Post-counting and results announcement

At the end of each day, observers noted that most officials repacked the used and unused election materials according to procedure, and most candidates or their agents signed the election results forms. Only in a few cases was it reported that candidates or agents did not sign the election results forms in Southwest, Jubaland, Puntland, HirShabelle, Galmudug, and Somaliland. In most cases, candidates and/or their agents received copies of the official election results, and the majority of officials publically announced the official election results at the polling station. Observers also noted that most officials resealed ballot boxes after the count and reconciliation procedures were completed, although this was not consistent in all polling stations.

With the exception of a few cases in Southwest, HirShabelle, Jubaland, and Galmudug, no official complaints were lodged about the voting processes during the HOP elections. Of the complaints officially lodged, observers reported that polling officials, SIEIT, and the IEDRT committees did not respond to most of them but many were unsatisfied by the decision.

HOP election results

| S/N | State | No. seats | Candidates | | Election timeline | | Elections | | | Election results | | | | | | Elections outcome | |
			M	F	Start	End	Electoral delegates	Absent delegates	Assisted delegates	Valid votes	Invalid votes	M	F	% of WMP	Returning MPs	New MPs
1	Puntland	37	88	21	5 November 2016	31 December 2016	1873	14	22	1858	15	30	7	19	5	32
2	Galmudug	36	75	44	10 November 2016	2 February 2017	1770	66	286	1755	15	27	9	25	17	19
3	Southwest	69	126	49	8 November 2016	3 February 2017	3423	96	95	3343	80	55	14	20	45	24
4	Somaliland	46	66	50	6 December 2016	29 January 2017	2289	57	349	2216	73	31	15	33	19	27
5	HirShabelle	38	77	28	16 November 2016	4 February 2017	1871	67	31	1849	22	28	10	26	14	24
6	Jubaland	43	79	30	8 November 2016	24 November 2016	2174	19	332	2138	36	33	10	23	15	28
7	Banadir	6	9	5	5 December 2016	17 January 2017	305	1	42	305	0	4	2	33	3	3
	Total	**275**	**520**	**227**			**13705**	**320**	**1157**	**13464**	**241**	**208**	**67**	**26**	**118**	**157**

General assessment of House of the People elections

Incidents

Somaliland

- The observers reported 12 critical incidents, including: candidates and delegates being denied access to polling stations; the alteration of electoral delegates lists; and the dissemination of misleading information to some of the candidates. One incident, on 6 December 2016, was of a female candidate running for the Sacad Muse/Jirbil Abokar sub-clan seat being denied access to the polling station after she arrived late. She claimed that SIEIT officials had provided her with the wrong election time and misleading information.

- On the same date, one of the candidates for the seat of the Habar Carfan/Yabar Yeesif sub-clan caused disruption after he complained that one of the polling officials had campaigned for another candidate among the electoral delegates inside the polling station, but his complaint was not responded to.

- On 18 January 2017, one of the candidates and some of the delegates were escorted out by SIEIT officials after violence took place inside the polling venue. The delegates were eventually replaced, and the election was held with the presence of only one candidate.

- Observers reported that the election for the Muuse Dhariyo seat was held on 16 December 2016, at the Mogadishu Police HQ, prior to its scheduled date. Violence ensued, resulting in a scuffle among the delegates. This led to the suspension of the local election, which was postponed until 22 December 2016.

- Observers reported on 14 December 2016 that polling officials escorted five electoral delegates with valid ID cards out of the polling station, after they were caught campaigning for one of the candidates.

- Electoral delegates for the Maxa-Ase sub-clan alleged that they were forced to vote for one candidate after the other candidate stepped down. Some of the delegates complained that they were intimidated and harassed by SIEIT officials who were supporting one of the candidates.

- Six reported incidents relate to alterations to the delegates list, and that some candidates were restricted to meeting with the delegates while their competitors were campaigning among the electoral delegates, particularly for the seats of Maxamed Case-bahar Abokor, Garxajix Habaryoonis, Habar Jecelo Muse Abokor, and Cidagale sub-clans. These cases caused tensions among clans/sub-clans and their candidates, but these tensions did not erupt in violence. Election officials postponed the election of some seats to allow more time for such tensions to resolve themselves. Finally, observers and media were denied access to one of the polling stations on 16 December 2016, where the Cidagale/Dhamal adan election was taking place.

Puntland

- On 5 November 2016, when the HOP election started in Puntland, gunfire were heard near one the polling stations at East Africa University. This disrupted the voting process for an hour, but nobody was hurt, and polling officials confirmed the gunfire was not related to the ongoing voting process.

- Observers reported that some of registered electoral delegates for the Warsangali Dubeys Ugaryahan sub-clan were replaced by a candidate called Dahir Haji Geelle with the support of a member of the SIEIT. Eventually, Mr Dahir won the seat on 5 November 2016. Unfortunately, he died in Garowe, under unexplained circumstances, on 20 November 2016.[39] On 11 December 2016, another election was conducted and the deceased's brother, Mohamed Haji Geelle, was elected.

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39   One of the elected MPs from Puntland died in Garowe on 20 November 2016; see www.radiomuqdisho.net/mid-ka-mid-ah-xildhibaanada-cusub-ee-dhawaan-la-doortay-oo-garoowe-ku-geeriyooday.

- Observers reported an incident where a candidate protested inside a polling station, accusing SIEIT officers of facilitating corruption. As a result, the joint IEDRT and FIEIT committee annulled the results of that election, which had been won by Abdi Mohamoud Mohamed for Marjeerten Ugarsaleban sub-clan, and the NLF agreed to a repeat the election. This was held on 31 January 2017, and Mohamoud Mohamed retained his election.

- On 11 December 2016, a SIEIT member resigned, raising questions about the transparency of the process.

Galmudug

- Observers reported 11 critical incidents, including the killing of one of the electoral delegates by security guards on 16 November 2016 after he was denied access to the polling station where the election was taking place.

- In Adaado, a NISA commander interfered with the selection of the delegates in support of his brother, Abdulkadir Mohamud Gafow, by arresting the chief of the sub-clan of Murursade (Habar Aayno). On election day, NISA security personnel attacked a candidate, Mohamed Mohamoud Guure, who was running against Gafow. The list of the electoral delegates was altered in favour of Gafow's candidacy, and he won the seat. However, the NLF nullified the seat despite intimidation and violence. In addition, the US Ambassador raised concerns about the seat's election.[40] A repeat election was held, and Gafow won the seat again.

HirShabelle

- Observers reported a series of violent events at the election venue in Jowhar on 18 November 2016. This included FGS Minister of Youth, Mr Nuh, and his opponent Ahmed Sheikh being directly involved in a shoot-out that created panic among the delegates. In response, a letter dated 7 December issued by FIEIT disqualified both candidates. However, on 9 December 2016, the HirShabelle SIEIT overturned the FIEIT's decision to disqualify the candidates, and went ahead with the election. On 10 December, FIEIT refused to recognise the results in which Minister Nuh won. However, SIEIT insisted and confirmed again that Minister Nuh had been elected. Finally, the NLF intervened, nullified the election, and ordered for repeat election. Nur retained his win for the second time.

- Observers reported 18 cases of electoral irregularities, including the alteration of delegates' lists, vote buying, intimidation, and the harassment of candidates and electoral delegates. There were also allegations of interference by FIEIT, SIEIT, and the HirShabelle state executive in the election.

Southwest

- Observers reported six critical incidents, including the assault of a traditional elder and the alteration of delegates lists.

- Observers reported cases related to the alteration of the delegates list, specifically names forged on the delegates list.

- Observers reported that one of the registered candidates for Ajuran Waqle sub-clan seat, Mr Idiris Cusman Haji Ali, was denied access to the polling station, and security guards at the venue threatened him. The candidate filed his complaint on 5 December 2016 to the IEDRT, but did not receive a satisfactory response.

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40 United States Ambassador to Somalia wrote a letter to the president of Galmudug on concerns of intimidation, threats, and bribery, dated 18 November 2016; available at http://dhanaanmedia.com/us-ambassador-sends-a-warning-letter-to-galmudug-president.

Jubaland

- Five critical incidents were reported throughout the election period.

- On 19 November 2016, observers reported that NISA interfered with one of the elections. They are alleged to have confiscated the IDs of 16 registered electoral delegates, causing a disturbance to election proceedings.

- Fifteen registered delegates were not permitted to vote. Following intimidation, they were replaced on 17 November with unregistered delegates with the support of SIEIT committee.

- Observers reported that on 12 November, 51 of the electoral delegates who voted were 'forcibly assisted' and faced further intimidation if they refused.

- In one of the elections conducted on 12 November 2016 and contested by three candidates, the results of the first round yielded twenty-five, twenty, and six votes, respectively. Before the run-off election, observers reported witnessing vote buying/bribery inside the polling station as the six votes of the eliminated candidate had been cast in favour of the candidate who had received twenty votes, and so officials declared him the winner.

- One female candidate whose details had been omitted on the ballot paper for the seat was denied entry into the polling station by polling officials. However, after intervention by the FIEIT/SIEIT committee, her name was included and the ballot papers reprinted. All 51 electoral college delegates were helped by the chairperson of that polling station (a member of SIEIT) to mark the ballot paper, which caused candidates to raise concerns on the impartiality of the SIEIT officials and the fairness of the voting process.

- Observers reported that the election in Galjecel was contentious because of disputes about how the electoral delegates were selected. On 19 November 2016, SIEIT rejected the candidacy of Mohamed Mukhtar Ibrahim due to allegations that he had bribed the SIEIT members. The polling officials went ahead and conducted the election for that seat which was won by Abdillahi Mohamed Adan. However, IEDRT nullified the results and NLF agreed. A repeat election was conduct and Abdillahi Mohamed Adan still retained his election.

Banadir

No incidents reported

Complaints and disputes

Somaliland

No incidents reported.

Puntland

- Before the start of the voting process, some candidates from different sub-clans filed complaints to the IEDRT committee, highlighting that their electoral delegates list had been altered and replaced with new lists not approved by their sub-clan. The IEDRT sent a letter to the SIEIT on 1 November 2016 asking them to suspend those lists until the dispute was resolved. However, the joint FIEIT/SIEIT committee, ignored the IEDRT and allowed the elections to go on using the disputed lists. This worsened the relationship between IEDRT committee and SIEIT.

- Three other cases of altered electoral delegates' lists were also reported.

Galmudug

- Asha Haji Elmi, an aspiring candidate for one of the seats reserved for women, was denied the opportunity to compete, and the seat was eventually won by a male candidate, Mohamed Ahmed Abtidoon. However, although the election result was invalidated by IEDRT/FIEIT committee, the NLF overruled this and confirmed that it was won by Mohamed Ahmed Abtidoon.[41]

- Another female candidate, Saida Mohamed Elmi (Aayr sub-clan), complained that she was denied from contesting a seat in the HOP election.

- Suldan Mohamed Abdi Shido, one of the 135 traditional leaders, lodged a complaint following SIEIT's refusal to register Fowziya Hassan Abukar, a female candidate, for one of the seats reserved for women in his clan. Instead SIEIT registered a male candidate for that seat.

- There were seven cases of altered delegate lists, intimidation, vote buying, harassment, and denying access to polling stations.

- On 27 November, Galmudug's President's Office sent a letter of complaint to the chairperson of IEDRT in Mogadishu, asking him to remove and replace the chairperson of the Galmadug IEDRT committee. According to the complaint, the Galmadug IEDRT chair was exacerbating conflicts among the election stakeholders. However, some saw this response as deliberate electoral interference from the Galmudug administration.

HirShabelle

- Observers reported several complaints regarding the alteration of delegate lists and the provision of misleading information including the wrong dates for the election of a seat.

Southwest

- A candidate of the Hintire clan claimed that the delegates who voted were not official, and that he could not take part in the voting.

- Another candidate was declared winner despite no election having taken place.

- State House guards from the Southwest administration physically harassed a Geledle clan chief in front of the election venue when he claimed that he was not notified when the election was to take place.

- Another candidate reported that he was denied entry into the polling station, and that some of the electoral delegates refused to vote as their candidate was not present.

- A Tunni clan elder, who was among the 135 elders who selected delegates, complained that his electoral delegates with valid ID cards were denied access to the election venue to vote. The elder alleged that the SIEIT had registered fake electoral delegates to vote for the candidate they were supporting.

Jubaland

- Different candidates complained that the SIEIT requested letters providing evidence that they had no criminal convictions from the intelligence agencies as a requirement to be registered as candidates. There were continuous complaints throughout the process, despite the fact that in their press statement dated 1 November 2016, the FIEIT invalidated the requirement and called the SIEIT not to ask a candidate to provide such evidence.

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41 Mohamed Ahmed Abtidoon is the second person in the list of eleven nullified elected MPs issued by IEDRM on 14 December 2016.

- The Mareexan clan elder, Ugas Mohamed Hashi Ugas Hirsi, and the Waqmahashe sub-clan of Mareexan elders, complained about the election of the Waqmahashe seat on 17 November 2016. The elders accused the SIEIT of altering the delegate's list by registering delegates who did not belong to the Waqmahashe sub-clan.

Banadir

No disputes were reported by observers.

5

Upper House Speaker and Deputy Speaker elections

Pre-election period

ON 31 DECEMBER 2016, during the second joint meeting of the two Houses, which was attended by 247[42] MPs (37 from the UH and 210 from the HOP), the criteria and eligibility for the two speakers and their respective deputies to contest elections were agreed. On 1 January 2017, the PEC, consisting of 15 members, was created to organise and oversee the elections. The key criteria[43] included abiding by the conditions stipulated in the PFC and paying fees of US\$15,000 for speaker elections and US\$10,000 for deputy speaker elections.

The inauguration of the newly formed UH of the federal parliament along with the HOP was held on 27 December 2017 in Mogadishu. A total of 40 of the 54 members were initially sworn in to the UH, with the remaining sworn in on the election day prior to the commencement of voting. On 16 January 2017, the UH interim Speaker, Mohamed Hussein Raghe, nominated six members of the UH to form the Upper House Leadership Election Committee to organise the elections for the roles of speaker and two deputy speakers. The election committee set out the election calendar as follows:

Item No.	Details	Date
1.	Registration of candidates	17–19 January 2017
2.	Announcement of registered candidates	19 January 2017
3.	Campaign period for the speaker's and the two deputy speakers' election	17–21 January 2017
4.	Speaker's and deputy speakers' elections	22 January 2017

On 19 January 2017, the Upper House Leadership Election Committee announced to the general public that they had received two names for the speaker's position and

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42 The UH and HOP elections for Somaliland were yet to be completed then, while the elected MPs for the FMS were yet to arrive in Mogadishu.

43 FPC, 1 August 2012, Article 65: (1) the House of the People of the Federal Parliament shall elect a Speaker and two Deputy Speakers from amongst its members; and Article 58: (1) (a) citizen of the Federal Republic of Somalia, of sound mind, not younger than 25, (b) not have had their citizenship suspended by a court order in the last five years, and (c) having a minimum of secondary education.

seven candidates each for the first and second deputy speakers' positions. The candidates had fulfilled the constitutional requirements to stand for election and paid the US$15,000 fee for the speaker position and US$10,000 for the first and second deputy speakers' offices.

Election day

The elections were chaired by the interim Speaker, Mohamed Hussein Raghe. Before voting began, each candidate gave a campaign speech. Mohamed Hussein Raghe outlined the rules and procedures for the three elections. The speaker's election would be first, followed by the election of the first deputy speaker, and then the second deputy speaker. Three of the six DEOM observers deployed were allowed into the premises where the elections were held.

Before voting

The elections for the speaker and the two deputy speakers were held on 22 January 2017. Fifty-two[44] of the fifty-four newly elected UH Senators participated in the elections. Observers reported that the environment around the election venue was peaceful and allowed the candidates to engage in the final lobbying for votes prior to their respective elections.

Officials overseeing the election were present at the election venue before voting commenced, and election materials were available in sufficient quantity. For each election, the ballot boxes were presented as being empty to everyone present and were sealed using ordinary padlocks. There were no official complaints made prior to the commencement of voting.

During voting

Observers noted that the venue was opened shortly after 9.00am for voting to commence. Candidates and domestic and international[45] observers were present and able to observe the opening of the venue and the voting process. Voting was hampered by poor coordination of the process by the supervising officials. Observers reported that all Senators were issued a ballot paper that was stamped with the official rubber stamp. Officials clearly demonstrated to Senators how to correctly mark and fold the ballot paper before casting it into the ballot box.

After voting

The counting began before 11.00am, between 11.00am–1.30pm, and after 1.30pm for each election respectively. Observers reported that at the close of voting for each election, the slots on ballot boxes remained unsealed.

Speaker's election

The interim Speaker officially declared Abdi Hashi Abdullahi the winner with 43 out of the 52 votes cast, becoming the first Speaker of the Upper House. Mr Abdullahi, from the Dir/Isak clan, defeated his challenger, Mustaf Mohamed Qodah, who received nine votes. Mr Qodah conceded defeat and congratulated Mr Abdullahi on his victory.

44 Two UH seats for Somaliland were not yet elected by the date the election took place.
45 Senior officials from AMISOM and the UN were among the international observers who attended the elections.

First Deputy Speaker's election

Voting for the first deputy speaker's position began after the election for the speaker's office.

The first deputy speaker's position went to Abshir Mohamed Mohamud Bukhaari, who received 30 votes against his closest rival, Abdi Ahmed Dhuhuloow, who received 22 votes after the second run-off.

Second Deputy Speaker's election

Mowlid Hussein Guhaad emerged as the winner of the second deputy speaker's position after the third re-run, defeating his closest rival, Abdikaafi Maalim Hassan, who received 24 votes.

General assessment of Upper House Speaker and Deputy Speakers' elections

Observers reported that members of the UH were free from pressure to reveal who they had voted for and followed procedures to protect the secrecy of the vote. Safeguards were also in place to prevent multiple voting, including ticking the name of each member of the House from the official UH members list, once they had voted.

Observers reported that the counting process was free from efforts to link a particular ballot paper to a member of the UH, and that officials followed the established and objective criteria for determining the intent of the voter.

There were no complaints during the counting process, and the environment in which the counting was conducted was peaceful. After each count, the results were announced publicly; however, candidates were not required to sign the official results form.

6

Elections for the speakers of the House of the People

Pre-election period

ON 27 DECEMBER 2016, the tenth Parliament of Somalia inauguration ceremony was attended by 283 newly elected parliamentarians.[46] The newly elected HOP members took their constitutional oath of office at the Police Academy in Mogadishu. The oath was officiated by the Supreme Court Chairman, Ibrahim Idle Saleban. According to the constitution, the oldest of them took the role of interim speaker.[47] Accordingly, Osman Elmi Boqore was appointed the interim Speaker.

On 5 January 2017, the joint PEC officially announced the names of the candidates wishing to contest the HOP's speaker's and the deputy speakers' elections as well as the elections calendar. The elections calendar was as follows:

Item No.	Details	Date
1.	Campaign period for the speaker's election	5–10 January 2017
2.	Campaign period for the two deputy speakers' elections	5–11 January 2017
3.	Speaker's election	11 January 2017
4.	The two deputy speakers' elections	12 January 2017

The PEC received and registered four candidates for the speaker's office, six candidates for the first deputy speaker's office, and twelve candidates for the second speaker's office. Two days before the elections, two candidates contesting the second deputy speaker's election withdrew their candidacies.

The four candidates contesting the speaker's election were the immediate speaker of the ninth federal parliament, Mohamed Osman Jawari from the Digil-Mirifle clan, Abdifitah Mohamed Ibrahim (Gesey) from the Digil-Mirifle clan, Idiris Abdi Takhtar from the Digil-Mirifle clan, and Abdirashid Mohamed Hidig from the Darood clan.

Candidates for the first deputy speaker's election were Abdiwali Sheikh Ibrahim Mudey (a former first deputy speaker of the eighth federal parliament), Jeylani Nur

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46 Comprised of 243 elected members of the HOP and 40 elected members of the UH.
47 Article 65(1).

Ikar Sheikh Sufi (former second deputy speaker of ninth Parliament), Khalid Maow Abdulkadir, Said Hussein Eid (former Minister of Livestock), Khadija Mohamed Diriye, and Farah Sheikh Abdulkadir (former Minister of Justice and a close ally of the immediate former president, Hassan Sheikh Mohamud).

The candidates for the second deputy speaker were: Mahad Abdalla Awad (the immediate former second deputy speaker of the ninth federal parliament), Abdikadir Sheikh Ali Baqdadi (the immediate former Minister for Religious Affairs), Abdualahi Godah Bare (former Interior Minister), Abdiwali Mohamed Qanyare (the son of a former warlord, Mohamed Qanyare), Burhan Aadan Cumar (former deputy chairman of Puntland State University in Garowe), Cabdullahi Xuseen Cali (Cabdalla), Dr Xuseen Cabdi Cilmi, Maryan Ahmed Harun, Abdurahman Ibrahim Adan (Ibbi), and Dr Elmi Mohamud Nur Abdi.

On 8 January 2017, candidates who vied for the speaker's and the first deputy speakers' offices presented their speeches to MPs in the HOP of the federal parliament. Campaign speeches for the second deputy speakers' election took place on 9 January 2017. All candidates who contested these elections were given 15 minutes each to address the parliament on their political agenda.

For security reasons, the elections were held at the National Parliamentary Building in Mogadishu. The Somali National Armed Forces and AMISOM troops controlled the security of the building. Movement around Mogadishu was severely restricted, with police and security forces deployed on the main roads of the capital and the surrounding areas.

HOP Speaker's election

Before voting

PUNSAA and SOSCENSA observers reported that the venue was well organised and that all officials were present and election materials, including the ballot boxes, were available before voting commenced.

The interim speaker, who chaired the session, officially opened and requested that the election committee proceed with the election as scheduled. The HOP election committee chairperson, Abdirahman Ducaale Bayle, outlined the voting procedures and reminded the MPs of materials prohibited during voting. In addition, he stated that MPs could vote for candidates for the two deputies concurrently. Each MP was given two ballot papers of different colours to be cast into two different ballot boxes.

The election for the post of HOP Speaker was held on 11 January 2017. The environment both outside and inside the election venue was conducive for the conduct of the election. Observers reported that candidates were still lobbying for votes from MPs prior to the vote. 259 HOP members participated in the election, which was chaired by interim Speaker Osman Elmi Boqore and conducted by the PEC under the chairmanship of Abdirahman Ducaale Bayle. All PEC officials were present, including accredited local and international observers,[48] before the venue was officially opened for voting to commence.

Before voting began, the PEC chairperson briefly explained the rules and procedures for the election. This included: the prohibition of mobile phones and camera use; how to mark the ballot paper and to refrain from writing anything (e.g. signature or names) that could reveal the identity of the MP; how to determine whether a vote was valid or void; and the election threshold.

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48 AMISOM, UN, AU, and Ambassadors from Arab countries attended the election.

Voting

Voting for the speaker's election was officially scheduled to start at 9.00am; however, it was delayed to 11.00am due to the late arrival of MPs. The opening of the election venue for voting to commence was free from any complaints. In addition, the voting process went smoothly with no interference and was devoid of irregularities such as multiple voting, complaints, or disputes.

After voting

The election venue remained peaceful during the close of the voting process. Before counting began, a separate table was set aside for the candidates' respective agents close to the table with the ballot boxes. After the voting area was converted into a counting area, the interim Speaker called the house to order and for the counting to begin.

Counting began shortly after 1.00pm, and officials opened one ballot box at a time in everyone's presence, including the candidates, agents, and election observers. Officials scrutinised each ballot paper before publicly announcing the voter's choice and passing the validly marked ballot paper to the respective candidate's agent. The validity of the ballot papers was determined in an impartial and objective manner, and the counting process was free from any complaints. After reconciling the total number of votes cast, the interim speaker officially announced the results of the election. The results were as follows:

Item No.	Candidate	Number of Votes
1.	Mohamed Osman Jawari	141
2.	Abdirashid Mohamed Hidig	97
3.	Abdifitah Ibrahim Gesay	17
4.	Idiris Abdi Dhaktar	2
5.	Invalid votes	2
Total Votes		**259**

Mohamed Osman Jawari was declared the winner after he won 141 votes of the total cast, the threshold being 139 votes,[49] and became speaker of the new HOP, retaining the position he had held in the ninth parliament. He defeated MP Abdirashid Mohamed Hidig, a close associate and ally of the incumbent president, Hassan Sheikh Mohamud. Professor Jawari was previously the chairperson of the Independent Constitutional Review and Implementation Committee. Professor Jawari's candidature was backed by all the FMS' leaders of the country, with the exception of President Sharif Hassan Aden (Southwest) who had supported Abdirashid Mohamed Hidig.

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49 PFC, August 2012, Article 65: (4) The Speaker and his/her deputies shall be elected through a secret ballot by a majority vote of the Members of the House of the People of the Federal Parliament.

Elections for the two Deputy Speakers to the House of the People

Before voting: Election for the first and second Deputy Speakers Office

Elections for the two deputy speakers to the HOP were held on 12 January 2017. A total of sixteen candidates contested the elections. For the first speaker position, Farah Shaikh Abdiqadir, Khadija Mohamed Diriy, Saed Husain Iid, Ibrahim Sheikh Mudey, and Jeylani Nur Iikar were assessed to be the front runners. The session was attended by 259 HOP members. Furthermore, ten candidates competed for the second deputy speaker position, among them the outgoing second deputy speaker, Mr Mahad Abdalla Awad.

PUNSAA and SOSCENSA observers reported that the venue was well organised and that all the officials were present and election materials, including the ballot boxes, were available before voting commenced. The atmosphere was peaceful and no complaints arose before voting commenced.

The interim speaker, who chaired the session, officially opened the election and requested the election committee to proceed with the election as scheduled. The HOP election committee chairperson, Abdirahman Ducaale Bayle, outlined the voting procedures and reminded MPs of materials prohibited during voting. In addition, he stated that MPs could vote for candidates for the two deputies concurrently. Each MP was given two ballot papers of different colours to be cast into two different ballot boxes.

During voting: Election for the first and second Deputy Speaker's Office

Two hundred and fifty nine MPs cast their votes for the candidates in two different ballot boxes, labelled 'First Deputy Speaker' and 'Second Deputy Speaker'. The interim speaker and the chairperson of the HOP election committee were the first to vote, with other members of the committee following. The MPs left all prohibited materials, including mobile phones, on the table in front of the election committee.

Each MP went into the voting booth individually to ensure the secrecy of the vote.

After voting: Counting

After the count of votes, the election results for the first and second deputy speakers' elections were as follows:

First Deputy Speaker's Election Results:

Item No.	Candidate	Number of Votes
1.	Abdiwali Sheikh Ibrahim Mudey	111
2.	Farah Sheikh Abdulkadir	94
3.	Khadija Mohamed Diriye	26
4.	Said Huseen Eid	17
5.	Khaalid Macow Abukar	7
6.	Jaylani Nur Ikar	4
	Total Votes	**259**

Second Deputy Speaker's Election Results:

Item No.	Candidate	Number of Votes
1.	Mahad Abdalla Awad	71
2.	Abdulkaadir Sheikh Baqdadi	51
3.	Abdirahman Ibrahim Ibbi	36
4.	Burhan Adan Omar	26
5.	Abdullahi Godah Barre	18
6.	Hussen Abdi Elmi	14
7.	Abdiwali Mohamed Qanyare	12
8.	Elmi Mohamed Nur	12
9.	Maryan Ahmed Harun	10
10.	Abdullahi Hussen Ali Abdalla	8
	Total Votes	**258**[50]

The first run-off elections for the two positions were competed by the eight candidates who had the highest number of votes from the first elections.[51] Before the first run-off election voting for the first deputy speaker, two candidate – Said Mohamed and Said Hussein – withdrew from the race, leaving two candidates to compete in the run-off. At the end of the vote count, Abdiwali Sheikh Ibrahim Muudey received 164 votes against his only competitor, who received 93 votes. Muudey was declared winner of the first deputy speaker's position.

The first run-off election for the second deputy speaker election took place concurrently with the first Deputy speaker's first run-off. As was the case in the first deputy speaker's first run-off, two of the four candidates – Abdirahman Ibrahim and Burhan Adan – who qualified to vie in the first run-off withdrew from the race. After the count, Mahad Abdalla Awad won with more than 171 votes against Abdulqadir Sheikh Ali Baghdadi's 88 votes. Mahad Abdalla Awad was declared the new elected second deputy speaker.

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50 One vote was invalidated by the election committee.
51 Article 65 (4) of the PFC.

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Presidential election

Pre-election period

ON 24 JANUARY 2017, the HOP Speaker, Professor Jawari, constituted the Parliamentarian Presidential Election Committee (PPEC). The committee comprised seventeen members, eleven from the HOP and six from the UH, whose goal was to set a date, register the candidates, organise, and manage the presidential election. In addition, HOP Speaker Professor Jawari nominated on 29 January 2017 the Presidential Election Monitoring Committee (PEMC) – with a membership of nine individuals from academia and civil society – who were tasked with monitoring the integrity of the presidential election to ensure it was free and fair. However, Fadumo Dayib, listed as a member of the PEMC, was removed from the list for unknown reasons, leaving only eight members.

The PPEC elected Abdirahman Ducaale Bayle as its chairperson and Abdullahi Sheikh Ismail Fartaag as the deputy chairperson. Following pressure from a section of electoral stakeholders, Fartaag later resigned after he was seen publicly campaigning for the incumbent president, Hassan Sheikh Mohamud.

On 29 January 2017, the PPEC officially announced the names of the candidates wishing to contest the elections, as well as the electoral calendar. The candidates qualified by fulfilling the constitutional criteria[52] for the position of the president of the Federal Republic of Somalia, and each one paid the parliament-approved registration fee of US$30,000.

A total of 24 candidates qualified and registered to contest the presidential election. The candidates included: the incumbent President of Somalia, Hassan Sheikh Mohamud; the incumbent Prime Minister Omar Abdirashid Ali Sharmake; former President Sharif Sheikh Ahmed; and former Prime Minister Mohamed Abdullahi Mohamed 'Farmajo'. Close to election day, three candidates withdrew from the race: Abdirahman Mohamed Farole, Zakariye Mohamud Haji, and Abdullahi Hassan, as they advocated unifying opposition to the incumbent President Hassan Sheikh Mohamud.

On the dates allocated for campaigns, each candidate was allotted time to share their personal profile and manifesto with both houses of the federal parliament. PEC had hoped to present live television coverage of the candidates' debate on 31 January 2017, but internet disconnection in Mogadishu prevented this. The committee rescheduled the debate to 6 February 2017; however, the debate format was replaced by candidate interviews.

To ensure that the election was conducted credibly and according to international best practices, the PPEC formed two sub-committees: the Security, Finance and Logistics

52 PFC, 1 August 2012, Article 88: Any citizen is eligible for the position of the president of the Federal Republic of Somalia as long as he/she meets the eligibility requirement of (a) being a Somali citizen and a Muslim; (b) being not less than forty years of age; (c) having relevant knowledge or experience for the role; (d) having a sound mind; and (e) not having been convicted by a court of a major crime.

Sub-committee, which was led by Jawahir Ahmed Elmi, and the Candidates Registration Sub-committee, headed by Osman Haji Ali. Both sub-committees put in place stringent rules aimed at minimising election-related malpractices. The PPEC set the date for the presidential election for 8 February 2017.

On 7 February 2017 the government imposed air traffic restrictions and movement to and from Mogadishu on election day. This included the closure of Mogadishu International Airport (MIA), main roads, and government and educational institutions.

The electoral calendar was as follows:

Item No.	Details	Date
1.	Candidates' registration	26–29 January 2017
2.	Campaign period	26 January–7 February 2017
3.	Live coverage of presidential candidates' debate	31 January 2017
4.	Presidential candidates' speeches to members of both Houses	2–5 February 2017
5.	PPEC meeting and monitoring election venue	6–7 February 2017
6.	Election day	8 February 2017

Dual citizenship

Many Somalis obtained dual nationality after fleeing the civil war. The US, UK, and Canada are among the countries where they settled and acquired passports. Foreign passports are held by more than 100 of the country's 329 legislators and 16 out of the 24 candidates cleared to run for the country's top office. This includes the incumbent President Hassan Sheikh Mohamud and former President Sheikh Sharif Sheikh Ahmed, who are both understood to have Kenyan passports.

Vote buying

Observers reported that there were widespread allegations of vote buying during the pre-presidential election period. Candidates took advantage of the absence of campaign financing regulations. None of the candidates have made public their campaign budget, the source of the funding, and how much was spent.

Election day

After months of delays and threats to derail the presidential election by Al Shabaab, on 8 February 2017 the newly elected parliamentarians gathered at the Aviaszione premises at MIA to elect the new president.

The election venue was changed from the Kediye Police Academy to MIA a few days prior to the election due to growing fears of attacks from Al Shabaab and concerns over the impartiality of the police following the police commander's public announcement of his support for former President Hassan Sheikh Mohamud. Holding the election at the airport complex was aimed at reducing the possibility of vote buying and other election malpractices, including corruption.

Before voting

PUNSAA and SOSCENSA deployed 12 observers to report on the pre-presidential election events, the election day, and the period immediately after the election. However, on election day, local observers were denied access to the election venue. No explanations were provided as to why local observers were denied access despite having the relevant accreditation documents. However, PUNSAA and SOSCENSA

were able to quickly request that the local IT expert and the five data entry clerks observe the process via UNSOM's official website that was streaming live coverage of the presidential election.

All the officials and election materials were available before voting began. HOP Speaker Professor Jawari stated before the voting began that the ballot papers would be printed at the election venue. He then called the two Houses to order in accordance with the parliament's Standing Procedures. The PPEC chairperson, Abdirahman Ducaale Bayle, explained the voting procedures as outlined in Article 89 of the PFC, which included prohibiting MPs from being allowed to go to the voting booth with a mobile phone.

During voting

Three hundred and twenty eight MPs (274 from the HOP and 54 from the UH) participated in the presidential election. One MP was absent due to illness. Four out of five MPs previously annulled were re-elected and re-introduced into their parliamentary positions. HOP Speaker Professor Jawari was the first to vote.

After voting

Vote counting began at 3.08pm after all MPs present had voted. To be declared the winner, a candidate needed to get at least 219 of the valid votes cast. In the first round, no outright winner emerged at the end of the counting process. The election results were as follows:

Item No.	Candidate	Votes
1.	Xasan Sheekh Maxamud	88
2.	Maxamed Cabdullahi Farmaajo	72
3.	Sharif Sheikh Ahmed	48
4.	Cumar Cabdirashiid Cali Sharmarke	37
5.	Cabdulqaadir Cosoble Cali	25
6.	Siciid Cabdullahi Deni	18
7.	Cabdullaahi Cali Axmed (Caddow Cali Gees)	14
8.	Cabdiraxmaan Cabdishakur Warsame	9
9.	Cabdinaasir Cabdille Maxamed	6
10.	Cali Xaaji Warsame	3
11.	Haji Mohamed Yassin Ismail	2
12.	Maxamud Axmed Nuur (Tarsan)	2
13.	Jabril Ibraahim Cabdulle	1
14.	Dr Siciid Ciise Maxamud	1
15.	Maxamed Ahmed Jabarti	1
16.	Dr Maxamuud Maxamed Culusow	0
17.	Maxamed Cali Nuur – Ameeriko	0
18.	Bashiir Raage Shiiraar	0
19.	Maxamed Abdirizak	0
20.	Cabdullaahi Ciilmooge Xirsi	0
21.	Axmed Maxamed Cabdi	0
	Total	**327**[53]

53 One HOP member did not attend due to sickness and one invalid vote was disregarded.

First run-off

The first run-off was contested by the first four candidates with the highest number of votes. After the count, Hassan Sheikh Mohamud received 88 votes of the valid votes cast, Mohamed Abdullahi Mohamed received 72 votes, Sharif Sheikh Ahmed received 48 votes, and Omar Abdirashid received 37 votes. None of the candidates received the required threshold of 219 votes. This necessitated a second run-off. However, before this was conducted, Omar Abdirashid Sharmarke, who came in fourth, withdrew from the race.

Second run-off

The second run-off was contested by the first three candidates with highest number of votes cast during the first run-off. The outcome of the second run-off election was as follows:

Item No.	Candidate	Votes
1.	Mohamed Abdullahi Mohamed	184
2.	Hassan Sheikh Mohamud	97
3.	Sharif Sheikh Ahmed	45
Total		**326**[54]

During the second run-off, none of the three remaining contestants met the required threshold to win. In this round, Sharif Sheikh Ahmed was eliminated, leaving the former prime minister and incumbent president to contest the third and final round. However, prior to the third run-off, Hassan Sheikh Mohamed conceded defeat and urged all Somalis to support the new president and work with him and his government. Mohamed Abdullahi Mohamed was immediately installed and sworn in as the new President of Somalia.

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[54] Two invalid votes were recorded in the second round.

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Conclusions and recommendations

Conclusions IN ITS PRELIMINARY ASSESSMENT OF THE DATA, the DEOG makes the following conclusions:

■ The DEOG commends electoral stakeholders, the FMS' executives and parliaments, and political leaders for their commitment to ensuring the holding and conclusion of the 2016 indirect electoral process in the face of notable insecurity, social, political, and technical challenges.

■ However, in view of its observations and findings, the DEOG concludes that the 2016 indirect electoral process **was largely completed in a peaceful manner but marred by a number of irregularities and incidents that resulted in the overall process falling short of the DEOG's Standards for Free and Fair 2016 Indirect Elections**.[55]

■ Given the limited timeframe available, the electoral administration during the pre-election period was generally effective in regards to the briefing of clan elders and SIEIT, the selection of electoral delegates, SIEIT, and their briefings. **However, the DEOG was concerned with the bias exhibited by the three electoral bodies and the NLF during the nomination and registration of electoral delegates and candidates; the conduct of the elections and announcement of results; and the handling of complaints and disputes.**

■ The electoral disputes resolution mechanism **was not effective and was unable to respond to all the complaints** lodged during the HOP elections.

■ The requirement to achieve 30 per cent women's representation was controversial and challenging to implement and enforce. However, observers noted that in the pre-election period, the FIEIT did ensure that the candidates' lists and, of the lists submitted for electoral delegates, at least 16 out of 51 were allocated to women. **Women were elected to 26 per cent of seats in the HOP and 24 per cent of seats in the UP**.

■ The DEOG also acknowledges the role played by the local security forces (with support from AMISOM) for ensuring that the electoral environment remained relatively conducive and peaceful.

■ DEOG notes that CSOs played a crucial role in delivering civic and voter education campaigns to electoral delegates and elders and promoting the 30 per cent women's quota through mainstream media and public gatherings.

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55 See Appendix 1

Recommendations

To the Executive and Legislative Branches of the Federal Government

- The finalisation of the provisional constitution is a clear priority for democratisation in Somalia. This needs to be endorsed by the public through a public referendum.

- Strengthen and decentralise the National Independent Electoral Commission so that it is able to effectively manage future federal elections.

- Develop a clear and comprehensive roadmap for democratisation in Somalia. This should be based on extensive and meaningful consultations involving FGS, FMS, CSOs, and communities.

- Strengthen judicial institutions at the state and federal levels so that they may more effectively resolve disputes that could emerge in any future electoral process.

- Establish a Constitutional Court to regulate disputes regarding the interpretations of the constitutional provisions.

- Draft and enact all necessary electoral legislation to ensure a fair, free, and transparent process in the future.

- Engage in civic engagement on the Political Party Law to increase public awareness regarding Somalia's transition towards a political party system.

- Agree a modality for civic and voter registration that can be utilised for elections at federal and state levels.

- Ensure that state and regional boundaries are quickly demarcated ahead of any civic and voter registration process.

- Develop a clear roadmap with an agreed timeframe, electoral model, and financing modality for upcoming electoral processes at the state level.

To Civil Society

- Undertake nationwide civic and voter education to increase public awareness once a future roadmap for democratisation in Somalia is in place.

- Engage citizens and communities meaningfully in the ongoing review of the Provisional Constitution.

- Advocate for the timely implementation of the agreed democratisation road map.

- Advocate for the freedom of the press as an essential pillar of Somalia's transition to democracy.

- Strengthen state-society relationships by promoting regular dialogue between civil society and communities with federal and state level authorities and the National Independent Election Commission.

To the international community

- Provide technical and financial support to the National Independent Election Commission in order that free, fair, and peaceful elections can be held.

- Provide technical and financial support for the implementation of universal elections, including border demarcation, civic and voter registration, civic engagement, and the development of an electoral framework.

- Engage with Somali authorities to develop a comprehensive democratisation framework that is able to deliver free, fair, and peaceful elections at federal and state levels.

ANNEX 1
PUNSAA and SOSCENSA DEOG:
Standards for free and fair 2016 elections in Somalia

1. All electoral delegates and candidates should enjoy the right to participate in the 2016 elections free from violence, intimidation and administrative or political interference.

2. All Somalis should enjoy the right to freedom of expression, association and assembly within reasonable limits.

3. The Federal Government, the State and Public Servants should remain neutral.

4. All Somalis should enjoy equal rights to stand as candidates based on the 4.5 formula, free from administrative or political hindrances.

5. All Somalis should enjoy the right to stand for consideration as an electoral delegate based on the 4.5 formula, free from administrative or political hindrances.

6. All electoral delegates should enjoy the right to vote, free from administrative or political hindrances.

7. There should be equal access to and impartial reporting by the media.

8. The electoral regulations should be applied fairly and rigorously.

9. The elections should be free of bribery and corruption.

10. The elections should be administered impartially and openly.

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