



The 2022 Somaliland Elections

*A Periodically Election Report from the
Somaliland Election Monitoring Office
Center for Policy Analysis*

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About CPA

The Center for Policy Analysis (CPA) is a non-governmental, non-profitmaking think tank that was established in December 2014 to help the Horn of Africa region build peace, democracy, human rights, and effective governance systems where all citizens are equal.

The Election Monitoring Office of CPA was launched in January 2017, to closely monitor and follow up for the election related activities happening in Somaliland and to provide a briefing papers, recommendations, and reports. The Office produces a series of reports about the challenges of the Elections, timelines, updates about the Election Laws, etc.

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Introduction:

On 18 May 1991, after suffering 21 years of the brutal military dictatorship of General Siyad Barre and experiencing three decades of marginalization as part of the United Somali Republic, Somaliland unilaterally reclaimed its pre-union independence from Somalia. In the following years, a nascent democratic system was established. A National Charter was approved by consensus soon after the withdrawal of the union, in which it was agreed that government would be based on a system of power-sharing between clans. This transitional arrangement was then superseded by a national constitution of the republic, which was confirmed near-unanimously by a national referendum in 2001, in which 97% of voters approved. With its approval, the constitution legally ushered in the progression for a clan-based politics to a multiparty democratic system.

Since then, Somaliland has held eight successful democratic elections, that was conducted in a peaceful and inclusive manner, a very rare occurrence in this volatile Horn of Africa region, which is overwhelmingly dominated by long-sitting, undemocratic and authoritarian leaders. Beyond that, in 2016, Somaliland conducted the most advanced voter registration processes in Africa, in which an iris-based biometric system was used for one of the first times anywhere in the world¹.

Although Somaliland has been exercising multiparty democracy for almost 20 years now, it has in many ways failed to institutionalize this system. Of the several major setbacks and shortcomings of the democratic process, one of the most serious and intractable is repeated election delays, in which extensions are granted to the term periods of Somaliland's representative institutions. Such delays have occurred at all levels of government, from the executive and legislative to the local governments.

According to the revisions of the election timelines², Somaliland's National Election Commission, become the only Election stakeholder institution that never being extended their term during the last 20 years. The House of Elders extended their own term in 10 times. They were selected in clan conference held in Hargeisa in 1997. The House of Elders also extended 10 times extended the term of the House of

¹ <https://www.newscientist.com/article/mg22329854-400-iris-register-to-eyedentify-voting-fraud-in-somaliland/#ixzz7DLQJ2T2r> (Access in November 2021)

² Somaliland's Election Timelines between 2001 to 2020 [Publications – Somaliland Elections](#) (accessed in November 2021)

Representatives, 7 times the term of the President, and 3 times for the term of Local councils.

PART I: PRESIDENTIAL ELECTION

WHY THE 2022 PRESIDENTIAL ELECTION IS SO IMPORTANT?

The upcoming elections are very crucial for the Somaliland's Democratization Process. Somaliland succeeded the first phase of democratization process³, but extensions and overstaying office affected the second and third phase of Somaliland's democratization process. On the upcoming year of 2022, it is scheduled to have the first election of the House of Elders since 1997, the fourth presidential election which is expecting to be the first election to happen on time, reopening the registration of the political associations and updating Somaliland's voter registration system. The decisions to be made and the steps to take for the coming one month will shape the realization and achievements of these important electoral activities.

The Somaliland's Democratization Process has been a shining example in the region of Horn of Africa. It was conducted eight free and fair elections, including three presidential elections (in April 2003, June 2010 and November 2017), two parliamentary elections (in September 2005 and May 2021) and three local council elections (in December 2002, November 2012 and May 2021). Somaliland's Democratization became one of the best miracles in the region and attracted the eyes of the international community when the first presidential elections happened in 2003.

Nearly half a million voters cast ballots in one of the closest polls ever conducted in Africa. After counting the votes, the incumbent president⁴ Daahir Rayaale Kaahin won only 80 votes over the opposition party. Nevertheless, the Opposition accepted the result even though the margin was very narrow. The other good examples in Somaliland's Democratization Process were, that Somaliland conducted one of the

³ The first phase of Somaliland's democratization process started in 2001, when the people of Somaliland approved the constitution. From 2001 to 2005, the people of Somaliland approved the constitution, elected the first local councils, first directly elected president and first House of Representatives. From 2005 to 2021, the second and third phase of Somaliland Elections faced with extensions and overstaying in office. In 2022, the Fourth Presidential Election in Somaliland is expecting.

⁴ In 2003 Dahir Rayaale Kaahin was the presidential candidate of the ruling party of UDUB, Ahmed Mohamed Siilaanyo was the presidential candidate of Kulmiye, the main opposition party, and Faisal Ali Warabe a presidential candidate of UCID Party. President Daahir Rayaale Kaahin won the Elections and transferred the power in 2010 when he lost the election.

most advanced voter registration systems on the planet⁵ to counter the double voting and election fraud.

On the other hand, there was setbacks and bad lesson that affected the Democratization Process. The main setbacks were that the elected leaders failed to leave the office after their term expired. As a result of that, nearly 30 times were extended the term of the Presidential Office, the Parliament, and Local Councils. All 8th elections in Somaliland did not happen on time, and all were delayed or extended their term. So, the culture of extension and overstaying in the office became normal.

The president of Somaliland, Muuse Biihi Abdi, is now promising to hold the forthcoming elections on time, if that commitment is achieved, it is ending the culture of extensions and overstaying in elected offices. It will be a significant legacy and a historic milestone for the president if he successfully fulfills his commitment to holding the upcoming presidential election on time. On the other hand, the opposition parties publicly and practically expressed their readiness for the upcoming elections.

Accordingly, the International Partners who support the Somaliland democratization processes received in Nairobi, a delegation from the Somaliland government, the members of the National Electoral Commission and the leadership of the opposition parties to discuss the lessons learned on the 31st May of 2021 elections and the preparation of the upcoming elections. The international partners also welcomed the reassurance from the high-level Somaliland delegation that both the President and opposition parties remain committed to holding presidential elections next year and that funding to support the election is already being allocated in the 2022 budget.

TO COUNTER ANY DELAYS, WHAT STEPS NEED TO TAKE:

- ❖ **Releasing of the Election Timeline:** It's the duty of the National Electoral Commission (NEC) to prepare the roadmap and timeline of the electoral process. Already NEC shared with the Political Parties, that the voter registration is supposed to start at the first months of the 2022. Updating of the voter registration is the starting point of the Election Process. According to

⁵ Read more: <https://www.newscientist.com/article/mg22329854-400-iris-register-to-eyedidentify-voting-fraud-in-somaliland/#ixzz7DLQJ2T2r>

the Article 44 of the National Election Law (Law No.91/2020)⁶, the National Electoral Commission has the authority to propose the starting date of the voter registration, while the president will issue an official decree announcing the starting date of the voter registration within 15 days after receiving a recommendation letter from the NEC. Any delays for the releasing of the election timeline and starting of the voter registration will cause further delays for the preparation of the forthcoming elections.

- ❖ **Discussions Between the Election stakeholders:** It is very crucial for the preparation of the Elections to start the dialogue between the Election Stakeholders, mainly the Opposition Parties and the President, for discussing the preparations of the forthcoming elections and challenges need to be addressed. This step increases the trust between the election stakeholders, particularly the government and the opposition parties. As happened previously, it is important to resume the meetings for the technical committees from the three political parties who are supposed to solve any challenge come up during the pre-election season.
- ❖ **ELECTION BUDGET:** There are already commitment in place and the budget of the election was promised, but the time is running. The Election Monitoring Office of CPA is calling the Government and the International partners to provide the necessary budget resources in timely manner
- ❖ **CSO Pressure Groups:** It is very important to give a space for the CSOs and other pressure groups to oversee the electoral process and advocate on behalf of the citizens and to make sure that the political parties to follow the timelines and instructions from the National Electoral Commission to counter any delays to the forthcoming elections.

⁶ Law No. 91/2020 [Xeerka-Guud-ee-Doorashooyinka-iy-Diiwaangelinta-Codbixiyayaasha-Xeer-Lr.-91-2020.pdf \(garyaqaankaguud.com\)](#)

Article

19

Law of 2003

*“... the Single Article Law and the legal base of the
Guurti’s self-extension ...”*

PART II: UNDERSTANDING GUURTI ELECTIONS.

In February 1997, Somaliland's 82 members of the House of Elders (*Guurti*) were selected in Hargeisa. On February 16th, 2003, the President of Somaliland Daahir Rayaale Kaahin⁷ submitted to the House of Representatives a bill for indirect election of the *Guurti*⁸. When the Bill reached the House of Representatives, Discussions and controversial comments started related to the Bill, particularly a seven-member election commission in the Bill, responsible for the indirect election of the *Guurti*, which the president will nominate.⁹

Since the term of the *Guurti* was expiring at the end of March 2003, “*unlike article 42(3) of the constitution which allows the extension to the House of Representatives by a resolution from the Guurti,*” there is no article in the constitution for the extension of the term for the *Guurti*¹⁰. The House of Representatives decided to postpone the discussion of the *Guurti*'s indirect election Bill but considered the more pressing issue of the fast-approaching end of the 6-year term of the *Guurti*.

On March 27th, 2003, both Houses of the Parliament passed a single-article law from the indirect Election Bill, called Article 19; later, the president signed it into law. The single article Law of Article 19 stated that the term of the *Guurti* is to expire one year after the term of the House of Representatives. After approving that single Article Law in 2003, the *Guurti* received an automatic two-year extension ending on May 16th, 2005, and with months they received another extension. Their term was supposed to expire on October 15th, 2006, one year after the Election of the House of Representatives. But the *Guurti* received four years extension in May 2006 starting from October 2006.¹¹

On September 16th, 2006, another indirect election bill was introduced¹² and the House of Representatives was approved, but the *Guurti* rejected the indirect election

⁷ H.E.Daahir Rayaale Kaahin was the president of Somaliland between May 2002 and July 2010.

⁸ The Indirect Special Election Bill that the government of Somaliland submitted to the House of Representatives in February 2003 [JAMHUURIYADD SOMALILAND \(somalilandlaw.com\)](http://JAMHUURIYADD SOMALILAND (somalilandlaw.com)) (accessed in November 11th, 2021)

⁹ The

¹⁰ Jama, I. H. (2009). Somaliland Law Series. Retrieved November 25, 2021, from www.somalilandlaws.com.

¹¹ Read here the timeline of the Extensions of the *Guurti* Publications – Somaliland Elections (last time accessed November 2022)

¹² According to the record of Somaliland Laws website, the 2006 Indirect Election Bill of the *Guurti* was the only *Guurti* Election Bill that reached the floor. The *Guurti* rejected the bill 68 votes out of the 82 members of the House [Guurti Election Bill 2 indirect 2006.pdf \(somalilandlaw.com\)](http://Guurti Election Bill 2 indirect 2006.pdf (somalilandlaw.com)) (accessed in November 2021)

bill on September 23rd, 2006. As article 78(5) of the constitution requires, when the *Guurti* rejects a two-third vote for a bill from the House of Representatives, the constitution requires that the House of Representatives to overturn by two-thirds majority vote. Unfortunately, they could not raise such a majority, and the bill failed.

Since March 2003, the single article law of Article 19 was one of the main legal justifications that the *Guurti* was using to extend their term. But, unfortunately, only very few people saw or heard the single article law. If you try to find it in the Government's Official Gazette or the House of Representative's website, you can't find it.

According to CPA's Election Monitoring Information, the *Guurti* extended more than 30 times, the term of the office of the President, the House of Representatives, the Local Councils and their House of Elders.

When the Term of Guurti is Expiring?

That question has different answers, and it depends on many issues. On November 24th, 2019, the *Guurti* extended the term of the House of Representatives to two more years, starting from January 2020 and ending January 12th, 2022. Also, the *Guurti* voted that the term of their House shall expire one year after the term of the House of Representatives. So, according to that extension, the term of the *Guurti* will expire on January 12th, 2023, and their Election should happen on December 12th, 2022¹³.

But other legal experts have different opinion that is based on the single Article Law that the *Guurti* justified in its November 2019 extension¹⁴. So, if we follow as the single Article Law of Article 19 stating¹⁵, the term of the *Guurti* is expiring one year after the term of the Election of the House of Representatives, so the *Guurti* Election is supposed to happen May or June 2022.

¹³ 70 members of the House of the Elders voted 2 years extension of the House of Representatives and 3 years extension of the House of Elders. [DEG DEG: GOLAHA GUURTIDA SOMALILAND OO MUDDO KORDHIN SAMEEY - YouTube](#) (Accessed in November 2021)

¹⁴ The *Guurti* uses Article 19 Law as their main reason for extending their House. They were using this article in all or most of their extensions.

¹⁵ Article 19 states that the term of the *Guurti* is expiring one year after the term of the House of Representatives.

CHALLENGES NEED TO BE ADDRESSED:

❖ **Guurti's Double Expiring Term Dates:**

- According to the 2019 extensions, the current term of the *Guurti* is expiring in January 2023, but according for the Article 19 that *Guurti* used their last extension, their term is expiring in June 2022. So, those two legal arguments need to be clarified.

❖ **Guurti Election Act:**

- The Article 58(2) of the Constitution requires to initiate the *Guurti's* Election Law, that bill is not introduced yet.
- Before discussing the *Guurti's* election, it's very important to discuss and review the *Guurti's* mandate. So far, it's election or selection modalities are not in place. Any new law will require inclusive consultation and political and clan consensus.

❖ **The Political Issues:**

- It seems that the highest political actors have no enthusiasm for the *Guurti* Election. Still, most discussions are focusing on the upcoming presidential elections and securing positions of the party leadership. The *Guurti's* House of Elders is very important House for both the Somaliland's democracy and the it's governance system, majority of the members elected in February 1997 are no longer members in the House, either died or left the House. It is the time to start a genuine discussion for resolving the long starting problem of *Guurti's* Election Case.

WHY ARE SOMALILAND WOMEN MISSING IN THE DECISION-MAKING TABLES?



"He who divides something gets either nothing or takes all"

PART III: WHY NOT FOR WOMEN?

For the last four years CPA published more than 10 reports and articles focusing on and advocating for Somaliland's Women Political Participation. Those reports are highlighted the challenges and the solutions. To understand the challenges that the Somaliland women face during the Elections and why they are not elected, please read our latest report [Somaliland: A Lighthouse of African Democracy With Limited Women Representation](#)¹⁶

In the last Election of May 2021, Somaliland people elected 220 local councilors and 82 members of the House of Representatives. There were only 3 female local councilors elected out of the 220 members and ZERO female members in the House of Representatives. So, there is no women representation in the 164 members of the Parliament, and only 2 members in the cabinet ministers, which is the highest body in the executive branch. That data is showing that women are only 1% in the highest policy making bodies of the country including the two Houses of the Parliament, the Cabinet Ministers, and the Local Councils.

In other words, there are 95 high profile decision-making leaders in Somaliland who led the most influential policy and decision-making offices, including the President, Speakers of the Parliament, the 19 Mayors, a 14 Governors, 23 cabinet ministers, head of governments, etc. Women lead only three offices out of those 95 decisions making offices in the country.

So, the male dominated all elected and nominated positions in Somaliland. This not only incurs an underdeveloped democracy, but a system built on patriarchy, lack of female sensitive spaces and interim loss of brilliant ideas and politics when women politicians are missing from the table.

One of the main reasons for marginalizing women from political participation are, that they are already missing from the decision-making tables, particularly the leadership of the political parties. The three political parties of Somaliland have more than 29 leadership positions, including the Chairpersons and their deputies, the secretary generals, the candidates and their deputies, the spokespersons, the central committee chairs, etc. There is only one female in those leadership positions of the political parties, Milgo Mohamed Elmi from Waddani Party. She was elected as a

¹⁶ [SOMALILAND: A LIGHTHOUSE OF AFRICAN DEMOCRACY WITH LIMITED WOMEN REPRESENTATION – Somaliland Elections](#)

deputy chairman¹⁷. Fortunately, within days after her election, Milgo Mohamed Elmi became the first female acting chair in the Somaliland Political Parties. It was much appreciated and step forward that Waddani Party included a woman in their party's top leadership. But that step must be the beginning example for the other political parties, at least to include one female deputy chair or secretary general in they party leadership.

Why top leadership of political parties is important?

The Political Parties are the birthplace of the Somaliland Political system, so, when the party wins the election, those top leaders design and distribute the government positions. A Somali proverb says, “*Qaybshaa Qad ama Qaaday*” meaning “*He who divides something, either gets nothing or takes all*”, So, when women are not in the table of forming the government, the male leaders in the table are up to them if they distribute the positions and include women or not. So, that is why it is very important that the political parties include more women in their leadership positions, particularly the upcoming elections.

Why are advocacy programs intended for this specifically failing?

- ❖ **Women advocates are not interlinked:** There are programs and advocacies who succeeded and achieved a meaningful output for the women, but most of the programs related to the women's political participation did not achieve their main goal. One of the main reasons are that there are many NGOs and CSOs who advocate on women's issues, but every organization or a CSO group uses their method of advocacy.
- ❖ Unfortunately, the women's political empowerment advocacy programs, targets the wrong demographic. As revealed to CPA in the interviews we had carried out in our latest report (linked below)¹⁸, focusing on the elder generations of politicians doesn't leave enough space for the younger hopeful females, who are more than ready and searching for the appropriate platforms. While the larger and older women advocacy groups have done more than enough to eradicate prejudices against women; their methods and systems lack the flair and imagination to succeed in the current political air; and while all their efforts are appreciated, there needs to be space for younger advocates and completely

¹⁷ [Shirweynihii Labaad Ee Xisbiga WADDANI Oo Lagu Doortay Hoggaan Cusub | HargeisaPress](#)

¹⁸ [Women-Report-CPA-Final-1.pdf \(somalilandelection.com\)](#)

youth lead and executed advocacy programs to keep in pace with the changing waves.

THE SOLUTION IS NEVER TOO FAR OFF.

- The new political era we are entering needs a newer tackling team that not only understands the system but can add to it with creativity and scalable solutions, while utilizing all the metrics available. And although change is daunting, any women's advocacy group need to transition the analog and the traditional based programs and start considering the youths available as potential leadership if the objective is to improve Somaliland's democracy for the better.
- CPA finally calls out to the government on the front of nominations that more women be placed in positions of leadership within the government, since there is no shortage of competent and educated young women more than ready to serve their country.