



Commentary

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Averting Electoral Violence in Somalia



In less than 20 days, the four-year mandate of President Mohamed Abdullahi Farmaajo will come to an end and the nation's key stakeholders have yet to agree on the implementation of the 17 September 2020 agreement on the federal elections. In that landmark agreement, the federal government of Somalia (FGS) and federal member states (FMS) agreed to hold indirect elections in two locations in each state plus Mogadishu, with 101 clan delegates electing each of the 275 members of the House of the People and state legislatures electing members of the senate.

Four months later, three sticking points remain unsolved. First, at least two states (Puntland and Jubbaland) and the union of presidential candidates are disputing the neutrality of members of the Federal Electoral Implementation Team (FEIT). They allege that several members of the FEIT are FGS civil servants and members of the security forces. Second, Puntland, Jubbaland and the presidential candidates oppose the government-appointed Somaliland electoral commission, which they allege disenfranchises the highest elected official from Somaliland – the speaker of the senate and his allies. Third, there is a very strong disagreement on how to manage the elections of the 16 parliamentary seats that are allocated for Jubbaland's Gedo region, which is currently ruled by the FGS. Similarly, a multidimensional conflict (communal and election-related) is flaring up in the Hiiraan region where more half of all Hirshabeelle parliamentary seats are expected to be held.



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Given the gravity of the situation, an urgent intervention by the international community to mediate between the two sides is necessary. Under the leadership of the US, the UK, Turkey and the EU, and within the framework of the UN Security Council, the international community should exert maximum pressure on the FGS and FMS leaders to meet in the coming days and return from the brink. The two sides have not met since 17 September when the electoral agreement was signed in Mogadishu.

Getting to the brink



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Over the past four years, local elections took place in all of the five federal member states. With the notable exception of Puntland, all other elections were sham exercises designed to produce specific results. The FGS was responsible for rigging local elections in Southwest, Galmudug and Hirshabeelle for the sole purpose of placing its allies in leadership positions so that they could return the favor and rig federal parliamentary elections. The incumbent president of Jubbaland also engineered his re-election campaign in a way that made it impossible for his rivals to compete in a free and fair environment. The outcome of that election directly led the deepening crisis in the Gedo region, which is now effectively an autonomous province under the tutelage of the president of the FGS.



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These local elections paved the way for a deeply flawed and contested federal election. The FGS leadership expected that years of fixing FMS elections would tilt the balance of power in their favor during the federal election. Meanwhile, the opposition believes that a free and fair election is practically impossible given the evident domination of the FGS in three states and Mogadishu.

These binary perceptions are animating the current political impasse as each side digs deeper into defensive positions. Ominously for Somalia, this is uncharted territory that could easily unravel the 20 years of peacebuilding and statebuilding that has been supported by the international community. Since the birth of the Third Republic in Djibouti in 2000, the country has held four national elections that were broadly acceptable to all stakeholders, even if serious irregularities were committed.

Opposing arguments

Each side is making important arguments regarding the electoral impasse. The opposition believes that President Farmaajo wants to rig the federal elections much like his administration did in three states. They also believe that the prevailing situation, where the incumbent essentially controls three local administrations and Benadir, are tantamount to a pre-ordained outcome. Taken together, Southwest, Galmudug, Hirshabeelle, Somaliland MPs and Benadir control and/or constitute nearly 70 percent of the federal parliament. The opposition also resent the fact that, as was the case with two of his predecessors, President Farmaajo is failing to organize a broadly acceptable electoral process.

The FGS and President Farmaajo in particular argue that he has compromised on his plans for universal suffrage elections and party-based politics. They add that President Farmaajo joined the Dhuusamarreeb 1, 2 and 3 dialogues in good faith and has grudgingly accepted that 301 delegates elect each of the 275 seats of the lower house, instead of the universal election that he wanted. They also note that, once again, the president compromised on that and accepted the reduction of that figure to 101 delegates.

The FGS leadership believes that the union of presidential candidates, together with Puntland and Jubbaland, are delaying in order to exhaust the president's mandate on 8 February 2021 and call him an illegitimate president. The leadership believes that the opposition will, on 8 February, declare the country leaderless.

Recommendations



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We know that Somalia can't withstand a disputed federal election given the deep polarization among the society and the rupture of the so-called elite compact. While political actors are squabbling about elections, al-Shabaab is exploiting the situation and creating a new reality on the ground. Its forces have aggressively expanded the territory under their control in Galmudug, Hirshabeelle and Southwest. They have also intimidated traditional elders and civil society groups to dissuade them from playing a role in the upcoming elections.

Admittedly, there are no easy solutions to the current electoral impasse. But having created the space for political leaders to have a frank dialogue in Garowe at the HIPS annual Forum for Ideas, we also learned that solutions do exist if all sides have the will and courage to negotiate and compromise for the sake of the nation. In the positive spirit that was created in Garowe, we propose the following concrete actions which are broadly in line with the 17 September agreements and are aimed at finding a common ground in what is proving to be a profoundly dangerous situation:

On the Election Committee:

- First, we propose that the opposition urgently submit the names they allege to be civil servants and security officials to the Office of the UN Special Representative of the UN Secretary-General (SRSG), as a representative of the international community, so that he can work with the FGS to replace the disputed members in compliance with the 17 September agreement. They should be replaced with neutral and credible election managers.
- Second, we propose that all FMS replace the FEIT members they appointed who are known to be partisans and or senior/security officials.
- Third, we propose that the FGS and FMS submit their proposed replacements to the UN SRSG so that he can work with all sides to ensure that FEIT members and regional election committees are broadly acceptable to all stakeholders.

On Somaliland:

We propose that senate speaker Abdi Hashi Abdullahi, and the deputy prime minister Mahdi Gulaid—the two highest Somaliland officials in the FGS— jointly appoint the committee that would manage the election for Somaliland MPs, as they indicated they were willing to do during the Garowe discussions.

On Gedo and Hiiraan:

We propose that a multipronged approach is taken.

- First, we propose that local reconciliation is initiated in both situations between the states (Jubbaland and Hirshabeelle) and the revolting communities in Gedo and Hiiraan, respectively. Considering that the dynamics of the conflict bear striking similarities and are inextricably linked to rigged local elections/power sharing and longstanding clan grievances, we propose that the FGS works with the two states to launch a formal reconciliation process aimed at systemically addressing communal grievances.
- Second, we propose that elections in the two provinces are delayed (few weeks to a month) to give local reconciliation a chance to succeed.
- Third, we propose that once progress is made in local reconciliation, a neutral AMISOM (non-Kenyan and non-Ethiopian) contingent is deployed to each province to secure the election city and venue. Fourth, given the volatility of the situation, we propose that the UN electoral support team is given an exclusive mandate to organize the elections in those provinces with the support of the state electoral management body.



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Finally, we call on the international community, particularly the UN Security Council, to play a decisive role in averting a civil war. An indifferent attitude towards a demonstrably dangerous situation is a dereliction of duty. Despite tremendous progress over the past 20 years, Somalia remains heavily reliant on international support in the provision of security and basic services. More than half of the national budget and significant portions of FMS budgets are paid by generous donors. Over 20,000 AMISOM peacekeepers support the FGS and FMS in securing the country. For that reason, the international community, particularly the Secretary General's Special Representative, has an important role and legal mandate in mediation and reconciliation in a situation that is about to get out of control.

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