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## ***Newsletter: February 2018***

# **UNDP/UNSOM Integrated Electoral Support Group (IESG) to the Federal Republic of Somalia**

### ***Highlights***

- In February, the National Independent Electoral Commission (NIEC) finalized its regional consultations with sub-national stakeholders in the different Federal Member States, with the aim to facilitate political agreements on electoral challenges.
- On 11 February 2018, Somalia's National Security Council, which comprises the country's federal and state leaders, issued a Communique to appoint a 10-member Technical Committee to identify an "applicable electoral system".
- On 12 February 2018, the Sub-Working Group on Elections held its first substantive meeting since its establishment in December 2017. The meeting was co-chaired by the NIEC and DFID and topics for discussion included the role of the Sub working Group, an update from the NIEC on electoral activities, and the presentation of the "UN Joint Programme for Support to Universal Suffrage Elections".
- On 15 February and 26 February, the NIEC organized by-elections for two vacant seats of the Federal House of the People, respectively for a sub-clan from Jubaland and one for the Somalilanders.

### ***Electoral Updates***

#### ***a. Political updates***

On 11 February 2018, Somalia's National Security Council, which comprises the country's federal and state leaders, issued a Communique which instructed the Prime-minister to appoint a Technical Committee in preparation of the Electoral Law, amongst other aspects to consider as part of the country's federalization process. The "Technical Committee for the Promotion of Federal Affairs" was appointed on 24 February and consists of 10 members from the Federal Government (FGS) and the Federal Member States (FMS) and is requested to submit "an applicable electoral system" for the next meeting of the country's federal and state leadership in March. The Technical Committee organized a first session in late February and early March to discuss different electoral systems, with specific focus on the options for constituencies of a Parliamentary system with proportional representation and closed party list.

#### ***b. By-elections (Federal House of the People)***

On 15 February, in Kismayo, Jubaland, and on 26 February, in Mogadishu, the National Independent Electoral Commission (NIEC) organized by-elections for two vacant seats of



Photo 1: NIEC by-election in Kismayo, Jubaland, 15 February 2018. Photo credit: NIEC

the Federal House of the People concerning a specific clan from Jubaland and one of the Somalilanders, respectively. For the by-election in Jubaland, the 51 delegates comprised 16 women as well as 20% young people. Mr. Mohamud Abdullahi Siraji, brother of the deceased MP and Minister of Labor and Public Works, was elected. For the Somalilanders by-election, Mr. Faatix Saciid Hassan was elected as the new Member of the House of the People

from the sub-clan *Habarcarfoon*. The NIEC followed the procedures of the limited franchise electoral process in 2016, including the provision of 51 clan-based voting delegates and a formal candidate campaign period. The UN Integrated Electoral Support Group provided some logistical support and polling and counting training according to the procedures.

**c. NIEC consultations with (sub)national stakeholders**

By the end of February, the NIEC concluded its consultations with stakeholders in up to



Figure 2: NIEC consultations with sub-national stakeholders, including women groups. February 2018. Photo credit: NIEC

twenty locations in the different Federal Member States, with the aim to facilitate political agreements on electoral challenges. The consultations focused on sub-national stakeholders in Puntland (Garowe, Qardho, Bosasso, Galkayo), Galmudug (Adado, Guricel, Abudwaq, and



Figure 3: NIEC consultations with sub-national stakeholders, including women groups. February 2018. Photo credit: NIEC

Galkayo), Hirshabelle (Baladweyne, Jowhar, Buloburde, and Bal'ad), South-West (Hudur, Baidoa, Barawe, and Walaweyn), Jubaland (Kismayo, Garbaharey, Dollow, and Doble), Benadir, and the Somaliland community in Mogadishu. The meetings were attended by state-level and regional

officials, traditional elders, political parties, religious leaders, women's and youth groups, and civil society organizations. The NIEC received widespread feedback that the Somali public strongly supports the Government's objective to reach universal multi-party elections in 2020, and move beyond clan-based power sharing arrangements. The NIEC is conducting in March consultations with the Somali diaspora community in the United States, Canada, Europe and Kenya. The final consolidated report including recommendations to the Federal Government of Somalia is expected to be submitted by the NIEC by the end of March. These consultations followed the Mogadishu Agreement of 5 November 2017 between the FGS, Federal Member States (FMS) and the Benadir Regional Administration (BRA), which tasked the NIEC to undertake within 90 days an inclusive consultation process throughout the country on the challenges facing the organization of the country's first universal suffrage elections since 1969.

#### ***d. Voter registration feasibility study***

In order to consider the feasibility of comparative approaches to voter registration (VR), and issues that could potentially impact on the registration process in the specific Somali context, IESG has been in discussion with the NIEC on the details of the joint VR Feasibility Study conducted in late 2017. IESG has also been working on the publication of this study both in English and Somali, to share with national and international stakeholders.

The NIEC is expected to give a presentation of the VR Feasibility study to the upcoming National Security Council. IESG is engaging with the NIEC to elaborate on different options

and implications, ranging along a spectrum from a paper-based manual exercise that underscores inclusivity, to a biometric system that would underscore integrity. It is important that the NIEC comes to an informed decision on the way forward that is accepted and agreed by key partners in this process.

During the feasibility study, a wide array of stakeholders were consulted, including most of the FMS, and all interlocutors expressed their full support for universal suffrage elections in 2020. The major challenges for registration were believed to be access and security; political will and consensus; and the current absence of a constitutional and legal framework. Depending on the available time and resources, the voter registration methodology to be adopted in Somalia could range from manual to manual biometric, with different gradations. Either of the voter registration options would enable the NIEC to meet its mandated responsibility for voter registration. However, the methodology needs to be consulted and agreed with key partners in 2018, in order for implementation to commence in early 2019. A minimum level of security to allow access will be a key factor for the success of the voter registration process.

#### ***e. MOIFAR electoral law working group – discussions on systems of representation***

In February, IESG has been providing in-depth technical assistance to the Ministry of Interior, Federal Affairs, and Reconciliation (MoIFAR) as well as other key interlocutors from the Federal Government and the Parliament on electoral concepts of the different systems of representation.

The 10-member Technical Committee for the Promotion of Federal Affairs, which is requested amongst other things to submit the ‘applicable’ electoral system for Somalia, comprises both FGS and FMS representatives, thus providing a forum for federal and state level dialogue on this fundamental issue. The NSC Communique of 11 February cited the extensive work undertaken by MoIFAR in identifying relevant electoral systems to govern future elections for the Parliament. In late 2017, the Minister of Interior has briefed the Cabinet (Inclusive Politics Sub-Committee) on the option of proportional representation (PR list system) as the most suitable electoral system to ensure inclusive representation in Somalia. Furthermore, a closed party-list system was recommended, and two constituency options were identified: one national constituency versus the option of sub-national constituencies (state-level; 6 currently recognized FMS plus Benadir).

The Roadmap envisages that the Executive prepares the legislation for the Electoral Law in a consultative manner with the FMS. Once consensus on the system of representation

is reached, this will facilitate conclusion of the drafting of the electoral legislation and should safeguard passage of the law by Parliament in the second-half of 2018.

### ***Upcoming Activities***

- Sessions of the 10-member committee on crucial elements of the system of representation and presentation of a selected model to the National Security Council.
- MOIFAR workshop with representatives from the federal government and civil society on different electoral systems to inform partners on the drafting process of the Electoral Law.
- NIEC consultations with members of the Somali diaspora in the US, Canada, Europe, and Kenya.
- NIEC presentation of its consultations report to the National Security Council.
- NIEC presentation on the voter registration feasibility study.