



Somalia Federal Election 2021: Need for Dialogue, Compromise and Consensus

The mandate of Somalia's current bicameral parliament ended on December 27, 2020, and the presidential term ends on February 7, 2021. Between July and September 2020, four conferences were held and attended by leaders of the Federal Government of Somalia (FGS) and Federal Member States (FMS): three conferences were held in the Galmudug state capital of Dhusamareb, and one conference was held in Mogadishu. In September, FGS President Mohamed Abdullahi Mohamed 'Farmajo' chaired a meeting with five FMS leaders, whereupon they agreed on a revised election model known as, "Electoral Constituency Caucuses", which was consistent with the 4.5 power-sharing system, and very similar to the 2016 Indirect Elections model. The 2020 election model is a lackluster attempt at broadening the 2016 electoral process; with 101 clan-delegates selecting each federal parliamentarian, thus doubling the number of delegate-voters compared to the 2016 parliamentary election. Dhusamareb Conference 3, which was held in August 2020 and boycotted by Puntland and Jubaland state governments, was a more democratic attempt at increasing electoral legitimacy by broadening delegate-voters of the Indirect Elections to 301 and creating mixed-constituency voting-blocs, instead of exclusively clan-based voters (as in the 2016 election).

The proposed model at Dhusamareb Conference 3 shared many similarities with an election model proposed by NAI in July 2020, entitled, [Broad Legitimacy Model](#); this proposed model called for regional voting-blocs to curb the risk of corruption and to ensure that delegates selecting MPs were basing their vote on merit. However, Puntland and Jubaland refused to attend Dhusamareb Conference 3, citing confidence issues because the administration lacked a Prime Minister to implement the agreement.¹ At the time, then-Prime Minister Hassan Ali Khaire was sacked in a parliamentary confidence motion.² The ousting of Khaire and other political decisions made by the FGS had eroded any confidence Puntland and Jubaland had in the FGS to implement the agreement. It is also worth stating that the FGS did not attend the two previous conferences of Dhusamareb 1 and 2.

In the lead up to Dhusamareb 3, Puntland and Jubaland leaders called for international stakeholders to take part in the Conference and to act as observers of the electoral process. But all of these conferences failed at a lasting agreement, as pressure for a genuine consensus on the electoral process mounted both domestically and internationally. In mid-September, only weeks after the third Dhusamareb Conference, a 'final' conference was organized in Mogadishu, which all FGS and FMS officials attended. The stage was set for a path forward built on consensus. All signs pointed to the end of a rocky process, but it did not prove so as the national leaders did not prioritize discussing and agreeing on the specifics but rather holding a conference that ended in a generic and ambiguous agreement.

Overview of FGS-FMS Election Agreement

The final election model agreed upon comprised of 15 points. The main takeaways of the agreement are that elections would occur in two districts in every FMS; 101 delegates will be selecting 275 lower house MPs with the selection of the upper house senators by State Parliaments; the federal government and regional states will appoint a number of independent electoral bodies that will manage the election process. The agreed upon electoral model was very much based on the 2016 election one with slight changes to the number of delegates, selection of upper house and voting locations. It was agreed that the various electoral committees would closely resemble the 2016 election bodies. However, the agreement was in large part generic and deferred the details of some important issues. The international

community applauded the Somali leaders for reaching an agreement, but this would prove premature.³ Yet the international community was cognizant that “some details of the agreed process are still to be clarified”.⁴ But these ‘details’ were largely considered an afterthought by the Somali leaders and stakeholders, indicating a naivety of Somalia’s fractious past electoral processes.

On October 2, the FGS would release a number of electoral procedures that instituted three independent bodies that would work together to manage elections and their scheduling. The first election body was the Federal Indirect Electoral Implementation Committees, including the Federal Independent Elections Team (FIET), which would consist of 25 members, 13 of whom would be appointed by the FGS and the remaining 12 would be representatives of the five FMS and Banadir Regional Authority (BRA). This body is largely tasked with coordinating and overseeing the management of the national elections. The second electoral body is the Federal Member States Elections Management Committees (FMSEMCs), which is comprised of 11 members per FMS and tasked with coordinating state-level electoral tasks with FIET. Out of the eleven members, three would be appointed by the FGS and the remaining eight would be nominated by the FMS.

The Dispute Resolution Committee (DRC) is comprised of 21 members of which nine will be nominated by the five FMS and BRA. This electoral body will be tasked with resolving disputes and coordinating with other electoral bodies in the smooth implementation of a national election. The final electoral body that initiated controversy and still remains in debate is the Somaliland Election Management Committee, which will be appointed by the FGS, upon consultation with the politicians representing Somaliland in federal institutions. Before this last body was announced, the Upper House Chairman Abdi Hashi, who hails from Somaliland, released a statement appointing a seven-member team to oversee the election of MPs from Somaliland, one day before the FGS announcement of the full slate of electoral bodies.⁵ The appointment by Chairman Hashi was a signal of some political friction, yet this was not the matter that would forestall the Mogadishu agreement, as FMS leaders initially remained circumspect on the issue of Somaliland. The first real sign of disagreement came from Jubaland as President Ahmed ‘Madobe’ Mohamed Islam objected to holding elections in Gedo region due to the presence of FGS troops in the area.

Election Fault-lines: Gedo Region

Throughout 2019 and 2020, Jubaland and the FGS have been at odds on a multitude of issues that have been classified by political pundits as both personal and political. The Federal Government of Somalia and Kenya have been engaged in a bitter diplomatic row that has significantly damaged the relationship between the two countries. Jubaland state relies heavily on a contingent of AMISOM forces from Kenya for its security and enjoys a strong relationship with the neighboring country cultivated by its leader Madobe.

In August 2019, as Somalia was embroiled in a dispute over its territorial waters with Kenya and Madobe was in the midst of a contentious state election, former Jubaland Minister of Security Abdirashid Janan was arrested and imprisoned by the FGS for human rights abuses.⁶ The timing of the arrest was telling as the FGS and Jubaland administration were at odds over how the state election process would be managed. Crucially however, the FGS infringed on the Minister’s due process rights, as he only appeared once in court in October and was remanded indefinitely to a detention facility. His brazen escape on January 28, 2020 would only further destabilize Jubaland as he set up base in Gedo region, near the Somali-Kenya border.⁷

In February 2020, in retaliation to Janan’s actions, the FGS deployed its first forces to Gedo region, which received criticism from the UN who stated that it was “unacceptable” and felt that the deployment was a “politically motivated offensive”.⁸ The FGS countered with allegations that the Kenyan armed forces were harboring and aiding Janan who was wanted for human rights abuses and therefore it needed to secure its borders from threats.⁹ Despite reports of skirmishes between Janan’s militia and FGS forces, the operation to apprehend Janan has proven unsuccessful. Somali federal forces in Gedo continue to be stationed in the region, throughout prominent towns and villages. This has led many to question the true intentions of the FGS deployment of troops in Gedo. Is it a politically motivated deployment against Kenya or Jubaland, or both? Or is this a deployment to actually secure a border area which has not enjoyed government presence since the collapse of Somali central government? In any case, when the FGS controlled city of

Garbaharey in Gedo region was announced as the second location for Jubaland federal elections, these unanswered questions would come to the fore.

Five days after the 2021 election schedule was released in October, Madobe opening a Jubaland state parliament session, claimed that Somali federal forces were destabilizing Gedo region, making it impossible for elections to be held there after Jubaland government officials fled the region due to safety concerns.¹⁰ In his speech President Madobe, in response to why the Gedo issue was not brought up during the Mogadishu agreement in September stated that he felt it was not right to hold the national electoral process hostage because of it, although he stated his position on the removal of FGS troops was firm.¹¹ Yet, Madobe at the same instance failed to explain why there was never any attempt made to find a mutually agreed solution to the Gedo standoff. Again, this underlined the lack of foresight by federal and state leaders to discuss in detail the issues that may cause roadblocks in the future and prioritize a comprehensive and specific agreement over a generic one.

The sending of federal troops to Gedo is partly facilitated by the shortcomings of the Jubaland administration, in terms of physical presence and security of Gedo region, which has been capitalized on by the FGS. On the other side, Jubaland believes that federal forces are present to influence the outcome of the elections and that it is Jubaland's right to manage elections within its state. As the FGS and Jubaland jostle for power in the region, they are doing so under the pretext of national elections. When social contracts of this nature are unclear, it is natural that each side attempts to maneuver for its advantage. But concessions must be made, and it remains unclear how the two sides will reach a compromise over Gedo elections.

Controversial Composition of Electoral Committees

The second major issue of contention within the current national election process is the membership of the independent election committees. In October 2020, the FGS released the schedule of national elections alongside the procedures of the electoral bodies. The schedule called for the selection of the members of the electoral body to occur by October 20.¹² However, this was met with delays from states, specifically Puntland, which was the final FMS to appoint four members to the FIET and Dispute Resolution Committee (DRC) on October 22.¹³ Following the announcement of FIET and DRC members, the FMS were to select members for their state electoral commission to complete the electoral bodies. But by November 7, only Galmudug and Southwest State had completed appointing members to their state electoral bodies, whereas Puntland and Jubaland, and Hirshabelle, which was concluding a controversial state election, had yet to do so.¹⁴

Reports began to surface speculating as to why Puntland and Jubaland had not appointed their state electoral members. But as pressure mounted, it became clear why Puntland and Jubaland were dragging their feet. Following the announcement of the DRC and FIET committees, reports that the FGS had appointed government insiders began to emerge from the coalition of presidential hopefuls, aptly named the opposition council. The opposition council was preparing to hold a joint conference in Mogadishu in November in which they would be addressing the electoral process. But in the lead up to their conference, it was reported that the opposition council had reached out to Jubaland and Puntland to discuss their concerns with the composition of state-level electoral bodies. They felt that the FGS had appointed government officials and loyalists to the electoral committees and therefore the body could not be impartial. However, this argument had a fatal flaw: Puntland and Jubaland had also appointed senior government officials to FIET and DRC. Puntland, for example, appointed the deputy chief of staff and a presidential advisor.¹⁵ Consequently, the opposition council's argument to reject the electoral bodies appointed by FGS was unsustainable if all FMS had followed the FGS' suit. The opposition council needed to shore up support from Puntland and Jubaland states to ensure that this was not the case. In November, the FGS called for the members appointed to the FIET and DRC bodies to convene in Mogadishu to begin induction training on their roles with regards to the electoral process. Puntland and Jubaland did not send their appointees to Mogadishu and it became clear that something was brewing.

On November 8 2020, the council of presidential candidates issued a statement, in which they stated, "we strongly oppose the formation of the electoral commissions after verifying that the offices of the President and Prime Minister appointed members to the electoral commissions [that are part of] National Intelligence and Security Agency (NISA), the Presidential Palace and other members who are close supporters of the President and his allies."¹⁶ The statement went

on to say that this was in direct violation of the “neutrality” of the national electoral process. The statement by the opposition council called for the removal of federal forces from Gedo region, demands to change the makeup of the electoral body, and a resolution to the election of Somaliland MPs among other issues. This indicated that the electoral process was headed for yet another impasse.

Noteworthy is that all of the issues raised by the opposition council hinged on support from FMS leaders. With regards to Gedo, Jubaland had already declared its concerns. Secondly, there were already disagreements with representatives from Somaliland who objected to how their region’s elections were being managed by the FGS. The remaining dispute of the electoral commission makeup relied on Puntland changing the members it appointed to the electoral commission as well as rejecting the FGS appointments. But towards the end of November, media reports suggested that Puntland had refused the request of the opposition council to recall its federal electoral committee members.¹⁷ This would mean that Puntland was ready to accept the election process as is, despite Jubaland’s concerns with Gedo and the unresolved matter of Somaliland MPs. Yet, Puntland’s actual political position remained unclear as it declined to send electoral commission members to Mogadishu where they were supposed to convene.

On November 19, Prime Minister Roble concluded the training of the electoral bodies, where both Puntland and Jubaland members were absent.¹⁸ It was still not clear why Puntland refused to send its delegates to Mogadishu, but government sources suggested that Puntland had its reservations about the electoral process and had likely succumbed to the pressures from the opposition council and Jubaland. As of December 2020, Puntland had still not publicly announced why it did not send its appointees to Mogadishu, but the Somali Partnership Forum (SPF) would reveal the electoral challenges going forward. Puntland and Jubaland refused to attend the conference in person and participated virtually via Zoom. President Madobe reiterated his sentiment towards FGS troops in Gedo region, while President Deni largely echoed this sentiment he also publicly revealed his reservations that the members appointed to the electoral bodies “did not meet the selection requirements criteria” which needed to be reviewed and required more consultations between stakeholders.^{19,20} But the Puntland leader’s statement, which alleged that the federal members were not independent and therefore did not meet the selection criteria, was perplexing as it could also apply to his appointment of state representatives to federal electoral bodies. The forum highlighted all of the issues preventing the conclusion of the electoral process and triggered a number of meetings and conferences in Puntland and Galmudug that would attempt to hash out the issues.

Stark Similarities between 2016 and 2020 Electoral Committees

Despite Somali political analysts suggesting that this is uncharted territory for Somalia, in truth, it is not. Somalia experienced a similar electoral transition under President Hassan Sheikh Mohamud’s term, and one of the main issues of contention was the appointment of members of electoral bodies. In June 2016, only three months before the national elections, President Hassan Sheikh appointed the members of the electoral committees which included among others, Cabinet ministers, officials from the presidential palace, and those considered to be part of his political group Damul-Jadid.²¹ The appointments were met with widespread dismay and allegations of unduly influencing the election process were levied against the former president. And much like this year’s process, the FMS had also appointed ministers and government officials to their 2016 electoral bodies.²² After national and international pressure mounted, it was agreed a month later that all ministers would be removed from the electoral committees by both the FGS and FMS. But this did not mean the 2016/2017 electoral committees were completely impartial.²³ A 2017 report by Saferworld, on the 2016/2017 Somali federal elections, noted that “...complaints were also made in some instances that these institutions were not neutral and were subject to political interference.”²⁴

This begs the question: can a body appointed by sitting leaders be it FGS or FMS, ever be truly independent? The answer, as Saferworld pointed out, is a resounding no. Does that mean that the elections cannot be free and fair and that incumbent leaders will manipulate election results in their favor? The 2017 election proves that this is not necessarily the case. The 2016/17 election was not completely free or fair. Allegations of vote buying, funding the campaigns of potential MPs that were loyal to presidential candidates and the lack of neutrality of the electoral commissions were widespread. This did not result in then-President Hassan Sheikh winning re-election. Nevertheless, Hassan Sheikh was willing to make concessions and review the federal electoral bodies, albeit still ensuring that ‘loyalists’ were appointed

to the electoral committees. The current FGS can be rightfully criticized for choosing to ignore the legitimate concerns of political stakeholders regarding the composition of federal electoral bodies.

On December 12, days after the SPF meeting in Mogadishu, Prime Minister Roble led a delegation to Puntland where he met with President Deni to discuss the national elections.²⁵ After several meetings, the talks failed to yield any outcome as both sides proved intransigent. A speech by Deputy Prime Minister Mahdi Mohamed Gulaid, which coincided with the meetings between Prime Minister Roble and President Deni, indicated that the FGS may be willing to make concessions. Addressing the Women's Conference at the national theater in Mogadishu, the Deputy Prime Minister spoke of the willingness of the FGS to "review" the membership of the independent electoral commissions.²⁶ It is uncertain whether this possibility was raised in the meeting between Prime Minister Roble and President Deni, as both sides made no public declarations.

Only days after that meeting, Mogadishu-based think-tank Heritage Institute for Policy Studies (HIPS) held its Annual Forum for Ideas Conference in Garowe, where the primary subject was the national elections. The conference invited FGS and FMS leaders, presidential candidates, and civil society members to engage in discussions focusing on the national election. In the end, after a number of colorful speeches by dignitaries, the conference did not result in any tangible commitments by the FMS and FGS leaders to move the national elections forward.

The culpability for the electoral deadlock can be levied on all Somali stakeholders, whose commitment to resolution is lacking and who continue to send mixed messages to the Somali public. The FGS initially embarked on an uncompromising path of appointing officials deemed loyal to the FGS. Yet, later they suggested a willingness to review membership of electoral committees. Apart from alluding to this, the FGS has not in fact reviewed the electoral bodies. On their part, FMS leaders have not pressed as to why the FGS failed to meet its pledge to review membership of electoral bodies. Puntland state waited until December to publicly state its concerns and why it declined to send its electoral members to Mogadishu. This action delayed the electoral process and the possibility of timely rapprochement. It is clear that all sides are not serious about a path forward and continue to engage only in political posturing. Despite attempts made by civil society, such as HIPS, and FGS-FMS meetings, the three major issues remain unresolved as of the beginning of 2021.

Negative Rhetoric and its Implications

For most political pundits, the focus seems limited to the major points of electoral contention discussed above. What is often overlooked by analysts and commentators is the steep and consistent rise of negative rhetoric, which has fueled tension and undermined avenues for compromise and concession between the FMS and FGS in Somalia.

NAI believes that this is the final and most crucial roadblock to political consensus in Somalia. This rhetoric has been fueled by both those inside and outside of the political sphere; each contributing in their own way to fanning the flames of political dispute and, potentially, conflict. This negative rhetoric has been occurring for some time and has become increasingly worse as the elections draw closer. The first major incident started with former Minister Abdirahman Abdishakur who is also a presidential candidate. Abdishakur and the FGS had been at odds since the controversial raid on the former minister's political office in Mogadishu in which some of his security staff were killed.²⁷ Abdishakur, who is a leader of the political association Wadajir, was arrested and later released but the violent attack that led to his security staff being killed was never investigated.²⁸ Speaking at a conference in London months after the arrest, Abdishakur stated that the FGS would be removed from the country the same way former Somali military dictator Mohamed Siyaad Barre was unseated in a bloody uprising that sparked the Somali civil war in 1991.²⁹ Many questioned if Abdishakur was purposefully drawing on the similarities between President Farmajo and the former dictator Barre, who share a clan affinity. Although that conclusion may not be accurate, the speech by Abdishakur can be construed as divisive rhetoric.

The second major incident that continued the trend of negative rhetoric was ex-President Sharif Sheikh Ahmed, whose controversial and heated language raised alarms. In a speech in Beletwejn on November 10 2019, the former president who had been prevented from boarding a plane by FGS security officials at Mogadishu airport weeks prior, repeatedly swore that the current FGS administration would be ousted by force if they did not stop what he described as their

wrongdoings on the people of Mogadishu.³⁰ The infamous speech dubbed “*Thuma Wallahi*” was quickly shared among the Somali public via social media. Many equated it to a dog whistle, as the former leader referenced that the people of Mogadishu had ousted by violent force the former military dictatorship, clan warlord militias, the Ethiopian army, and Al Shabaab insurgents. This rhetoric was alarming but was dismissed as yet another disgruntled former government official who felt humiliated and harassed at the hands of FGS security officials. Continuing the trend, former president Hassan Sheikh also contributed to the negative rhetoric comparing Farmajo’s actions to that of an abusive former husband.³¹ The rhetoric would not stop there, as a prominent politician expressed clannish comments. Federal MP Mahad Salad openly called out members of the Hawiye clan, who were part of the Farmajo administration by referring to these officials as ‘sycophants’ who were steering the country into conflict.³²

The warnings of conflict are not only talking points of former and current officials. The warnings of conflict have also come from reputable think-tanks and research organizations involved in Somali affairs. While think-tanks and research organizations have every right to raise this possibility, there is a need to do so in a matter befitting the contextual reality on the ground. On December 19 2020, media reported that Sahan Research – an independent research organization headed by Matt Bryden – a senior researcher who has been involved in Somalia for almost 30 years – issued a statement warning of armed conflict. Penned by Bryden, the statement said:

“Opposition leaders are making plans for a Provisional Council to replace [Farmajo] – an equally unconstitutional but arguably more stable solution. Both scenarios are likely to involve armed conflict, especially in Mogadishu.”³³

The statement contains elements of truth; if opposition leaders were to declare a provisional council to replace President Farmajo once his mandate ends, it could lead to armed conflict. The statement, however, does not acknowledge the fact that previous federal administrations have gone beyond their mandate and this did not lead to armed conflict. Why armed conflict would be likely under this administration once its mandate ends was not adequately explained. Moreover, the notion that an opposition council made up of presidential hopefuls all vying for the top job would result in “a more stable solution” is quite baffling. It is unclear how Mr. Bryden anticipates a group of candidates vying for the same presidential seat could form a governing council and agree on a common path forward especially when there have been reports of infighting.³⁴ Further detracting from this group’s credibility is the fact that two former presidents on this council had their own term extensions and were both accused of attempting to influence the election in their favor. Given all this, there is ample opportunity for President Farmajo to find a way out of the crisis and armed conflict is far from inevitable.

The opposition’s predictions of conflict if the FGS failed to heed to opposition warnings, has been a recurring theme since 2019. Conflict in fragile settings such as Somalia is a definite risk, especially during a tense and polarized election. Undoubtedly, the FGS has also contributed to a rise in angry sentiment. In some circumstances, FGS actions have obstructed travel of former Somali presidents, the constitutional right to hold political meetings without harassment, and issued an illegal civil aviation ban on Jubaland. These actions have exacerbated an already tense environment of political fragmentation. But linking these incidents as similar to those of the previous military dictatorship is divisive and possibly misleading and creates an environment of tension.

Somalia has had contentious elections in the past. Two previous administrations were granted term extensions, while not resulting in election violence it did have an adverse impact on constitutional governance and social cohesion. As federal elections draw closer and predictions of conflict continue to be mooted, it is possible that low-level conflict can erupt in Mogadishu. Reports of caches of arms headed to Mogadishu and the price of arms and ammunition increasing at an alarming rate indicate the current climate in the Somali capital.³⁵ Yet, it is entirely plausible that this current climate of polarization ends without armed conflict and that a last minute resolution is found as was the case in prior periods of election transition. For this desired outcome to occur, negative rhetoric from presidential hopefuls and opposition members cannot continue into 2021.

Policy Recommendations for the FGS

Elections in Somalia have always been contentious and have accentuated political disagreements that have in turn strained social cohesion. But this election is markedly different than previous elections due to the sheer volume of

negative rhetoric. This election has exposed all the rifts and fissures of Somali governance and politics that have been long unaddressed. The talk of resisting dictators seeks to revive traumatic memories of the civil war era and emphasis on this by presidential hopefuls is concerning. Whether this is just campaigning or this stems from real sentiment is of no import. The rhetoric is deeply polarizing and its future implications are as yet undetermined. The intransigence of the federal government's approach to the electoral process and their treatment of legitimate political opponents adds fuel to the fire. Even if the opposition is callous in their dissemination of divisive rhetoric, the FGS has not genuinely attempted to include parties they deem as 'spoilers' which indicates that the FGS leaders do not fully comprehend the requirements of statebuilding in fragile settings.

More generally, the lack of a finalized constitution has created a void in the overall social and political contract, so every political process is regarded as an attempt to impose a particular settlement and engenders contentious battle. Ensuring broad-based support requires wide and concerted consultation that must be transformational, converting those deemed as 'spoilers'. The current election process has failed to achieve this and since the process has been led by the FGS, the blame must be put squarely on the current administration's inability to foster a political environment that not only has the public's confidence, but achieves broad consensus from all political stakeholders. To that end, federal leaders must recognize that the most important political tools going forward are constant dialogue, repeated accommodation and openness to adjustment. Where the FGS feels that a process was agreed upon, it cannot be under the impression that such agreements are lasting and permanent. Any agreement may be subject to criticism and thus revision should always be on the table.

The fact is that the September 17 Mogadishu Agreement, which triggered the current political discord, was vague and did not attempt to head off problems associated with it. To continue pushing this version of the agreement, and to ignore the concerns and growing rhetoric is akin to burying one's head in the sand. A lot of the issues are justified and warrant the attention of the FGS, whose only remaining leverage, is the mediation role, as the government's mandate inches closer to expiry. The FGS cannot continue its siloed approach to national elections within this deeply fragile and polarized federal system. President Farmajo in the past has touted himself as a '*nabadoon*', or peacemaker, and this quality is of utmost importance today to promote dialogue, compromise and consensus-building. It is likely that the FGS will change its tune, but it may be too late by that time, tainting the legitimacy of the process and its capacity to lead it.

Policy Recommendations for FMS

The FMS leaders have arguably the most crucial role to play in national elections and without their support the whole process can be derailed. However, this role should not be used as the proverbial 'trump' card to exert pressure on the FGS to succumb to their demands. There needs to be recognition that protracted election crises have adverse impacts on fragile countries. Therefore, what is required is genuine commitment to consensus not because of international pressure but because the nation's development hangs in the balance. The FGS have taken a rigid approach to managing elections but the FMS leaders have also acted in a manner that does not demonstrate political maturity. The objections of Puntland, Jubaland and other political stakeholders have been expressed in an ad hoc and untimely manner and proposed solutions that may be palatable to the FGS have not been offered.

Jubaland would be wise to clearly propose its solution to the issue of Gedo; whether this is a joint security taskforce for the elections in Garbaharey or the security of state elections be mandated only to Jubaland forces with FGS forces being removed from Garbaharey until elections are over or some agreement that allows for Jubaland to manage state elections without the influence of FGS troops. What has proven to be a non-starter is the demand that the FGS removes all its troops from Gedo entirely. For Jubaland to continue presenting this as a solution is not productive. Puntland can also identify and act on solutions to the elections roadblock rather than expecting the FGS to take the lead. If Puntland has objections to the impartiality of members of the FGS election committees, it should first recall the members it appointed who can also be deemed as not impartial. This would ensure that Puntland claims against the FGS lack of good faith have validity. Furthermore, Puntland and others who object to the composition of the electoral committees must specifically identify those members that pose a problem. This would clarify for the public where they stand and begin the process of resolution. During former President Hassan Sheikh's term, the issues were clear as Somali stakeholders objected to former and current ministers who were appointed to the electoral bodies. This can be replicated in this electoral cycle as the starting point for resolution of this particular issue. With regards to the Somaliland matter, reaching a consensus on

this is not the responsibility of presidential hopefuls, Jubaland or Puntland, but the sole responsibility of Somaliland representatives and their constituents within the FGS. Jubaland, Puntland and other Somali stakeholders can voice their opinions and proposed solutions to the issue of Somaliland but ultimately the decision going forward is not up to them.

Finally, Galmudug has attempted to play the role of mediator between the FGS and Jubaland/Puntland. This role is crucial to reaching agreement. Yet, this hinges on neutrality and the acceptance of both sides as an honest broker. Galmudug, under the leadership of president Qoorqoor, has had mixed results in this role. For example, it has supported the current management of elections that have proved problematic to Puntland and Jubaland while simultaneously claiming to negotiate a compromise between the opposing parties. If Galmudug wants to be successful in brokering an agreement it cannot be perceived as already being in agreement with one side. It will need to forgo its support of a particular election model for the consensus of all parties. If it does not attempt to do this, its role will not be perceived as genuine and will likely fail in achieving a breakthrough.

Recommendations for Civil Society Organizations

Currently, the role of civil society in this electoral process has been relegated to an outside observer and critic, as the FGS/FMS leaders are not making sincere attempts to include them in the process. In the meantime, civil society both nationally and internationally would be prudent to refrain from rejoicing at any positive development or foreshadowing impending conflict at every setback. Sober and impartial analysis is necessary at this sensitive time. Those that presage a risk of conflict should do so in a manner that calls attention to the need for solutions and refrains from fomenting strife. Civil society organizations have previously contributed to proposing solutions to issues such as the Somali Public Agenda. This group has issued some specific recommendations that should be considered by national leaders and the opposition.³⁶ More solutions need to be proposed as this will provide national leaders' options to move the federal elections forward but these solutions should refrain from postulational rhetoric. Civil society should be given a greater role in the upcoming elections since more often than acknowledged they have provided policy options and a path forward for Somali national leaders who have suffered from repeated bouts of political myopia.

Issues to Watch Going Forward

- ❑ How the FGS and FMS will regulate infighting and overlapping mandates of the electoral bodies? Saferworld in its 2017 report on Somalia's elections, stated, "Numerous reports were made of tensions between FIEIT, SIEIT, and IEDRT and confusions over their exact roles and responsibilities".³⁷ This will likely be an issue for the upcoming elections.
- ❑ How will the FMS and FGS ensure that civil society are part of the appointment of delegates who will elect MPs as stipulated in the Mogadishu agreement and procedures of electoral committees?³⁸ Previously delegates were selected by clan elders but the Mogadishu agreement stipulated that civil society will part of the process. How the leaders intend on doing this is still not clear?
- ❑ What measures are in place or will be taken to curb corruption and vote buying in the 2021 election? The increasing of delegates from 51 to 101 is not enough of a deterrence to stop corruption. What measures will be taken is crucial to the legitimacy of upcoming elections.
- ❑ The 30% quota of women will be another issue that will arise in the months to come. Currently, apart from measures adopted from the 2016 election, there have been no other genuine attempts to ensure the quota. If the same measures of 2016 are adopted it will likely result in the same outcomes.

Impact of Political Fault-lines on 2020 Hirshabelle State Election

The election of Ali ‘Gudlawe’ Abdullahi Hussein on November 12, 2020, as the third elected president of Hirshabelle state government caused a minor political storm in Somalia, whose reverberations could have long-term implications for the upcoming 2021 Somali federal elections in Mogadishu, and democratic electoral processes in Somalia more broadly.³⁹ The state election marked an important moment for reflection on Somalia’s path to rebuilding state and national institutions. In coordination with federal electoral bodies, the federalization framework empowers state authorities to organize and manage regional elections, and yet, the Federal Government of Somalia’s (FGS) invisible hand was widely cited in Somali media. Indeed, with 45 seats in Somalia’s bicameral Federal Parliament, Hirshabelle state represents nearly 14% of all federal parliamentarians. This is an important state where campaigning for the federal presidency has been prioritized by the former FGS administration, under ex-President Hassan Sheikh Mohamud, and the current FGS under the tutelage of Mohamed Abdullahi Mohamed ‘Farmajo’. The Hirshabelle state electoral process took place in 2016 and 2020, occurring during the same months as Somalia prepared for federal parliamentary and presidential elections.

The political instability that arose as a direct result of the state election in Jowhar had been inspired by prior events in the lead-up to the Hirshabelle election. There were two divergent views at the heart of the political dispute: one group advocating for an unofficial clan agreement that allocated the role of state president to a candidate from Hiran region; and an opposing group that supported Gudlawe, a former vice president from Middle Shabelle region, arguing that Gudlawe had equal constitutional right to compete for the presidential seat. The two divergent views were politicized once reports emerged that the FGS was backing Gudlawe, and in effect, dismantling the 2016 informal ‘clan agreement’ that allocated the seats of president and vice president between candidates from Hiran and Middle Shabelle regions, respectively.

There are some similarities and differences between Hirshabelle’s two most recent election cycles. The 2016 election was preceded by a months-long constitutional conference, held in Jowhar, after a prolonged period of political feuds among local communities and politicians jockeying for power, position and prestige in Somalia’s newly formed Federal Member State (FMS) government. The FGS and local political stakeholders invested time and funding in bringing together representatives from Middle Shabelle and Hiran regions, to form a unified state government founded on the will of the people. For example, as a matter of political compromise, an informal “clan agreement” accompanied the political union of the two administrative regions in 2016: that one region, Middle Shabelle, would get the state capital at Jowhar, and the other region of Hiran, would get unfettered access to compete for the state presidency. During the 2016 election process, and again in the 2017 by-election of a new state leader, this informal “clan agreement” was tested and pushed to the brink. Intervening in an unprecedented fashion in June 2017, the FGS Ministry of Interior issued a ministerial circular entitled, “Federal Government Policy on Political Dispute in Hirshabelle State”.⁴⁰ The five-point signed statement, “welcomed the advice of the leadership and parliament of Hirshabelle that *Hawadle Clan* (emphasis added) should present the only candidates for the seat of State President”.

The 2016 agreement was, on the surface, a political union merging two of Somalia’s former 18 administrative regions: Hiran and Middle Shabelle regions. To solidify the agreement and bolster support across both regions, the FGS and local political stakeholders approved an “unofficial” social agreement allocating regional balance and power-sharing model among local constituencies/clans. In essence, this informal agreement – which was granted pseudo-legitimacy by the 2016 letter from FGS Ministry of Interior and Federal Affairs – was founded on a premise that was unconstitutional. In the sense that the Somali federal constitution or any FMS constitution does not *explicitly* assign public office to specific constituencies/clans, as this limitation would strip a section of Somali citizenry the right to hold public office and to participate in democratic politics. It was worrisome when this ubiquitous reality was granted fatigued credence by the former FGS interior minister’s circular that explicitly named a specific clan in Hiran region as the “only candidates” approved to compete for the role of ‘president’ in Hirshabelle state. Undoubtedly, Hirshabelle state is unique among fellow FMS administrations, as the 2016 informal “clan agreement” of power-sharing among local clans is not overtly

present in any of the other federal states in Somalia. This could be attributed to successive Hirshabelle state processes occurring during a period of national elections where political polarization and jockeying for power is unbridled.

Hirshabelle State Formation Process

Somalia's government adopted federalism as a system of government, after the National Constituency Assembly representing the country's various regions and communities ratified the Provisional Federal Constitution in Mogadishu, in August 2012. Puntland state, founded in 1998, precedes the emergence of the Somali federal system; Jubaland was founded in 2013, Southwest was founded in 2014, and Galmudug emerged in 2015. At the time, Somalia had completed the transitional period (in 2012) and had entered a period of completing the federation by building the remaining Federal Member States.

Hirshabelle state is located along one of Somalia's two major rivers: the Shabelle river valley. The state stretches from the Ethio-Somali international boundary, extends across the Shabelle river valley, and finally ends along the Indian Ocean coastline. The state's capital Jowhar is located 90km north of Mogadishu, and has long been considered to be located at the heart of Somalia's 'breadbasket' regions. Indeed, the inter-riverine area, which stretches between parts of Southwest, Hirshabelle and Jubaland states along the two river valleys, is a fertile area with vast agricultural development potential.

The first state government for Hirshabelle regions was founded in October 2016, at the conclusion of the Jowhar Regional Conference. The state consists of two of Somalia's former 18 regions: Hiran region, neighboring Ethiopia, and Middle Shabelle region neighboring Mogadishu and the Indian Ocean. Jowhar became the state capital, and Beletwejn became the new state's commercial city. At the time, Somalia's international partners and friendly nations (UN, AMISOM, EU, IGAD, Ethiopia, Italy, Sweden and UK) congratulated the formation of the new Hirshabelle state administration. The international partners called on the new administration to "reach out to groups that were not part of the state-formation process" and emphasized that "reconciliation across Hirshabelle is critical at this stage".⁴¹

The state's first 89-seat parliament came to power on October 9, 2016.⁴² On October 17, the state parliamentarians elected Hirshabelle first president, Ali Abdullahi Osoble, and, Ali 'Gudlawe' Abdullahi Hussein was elected as vice president.⁴³ After the contentious 2016 election of Hirshabelle, it seemed that the youngest state could finally join its fellow federal states and begin its statebuilding process. The then-president Osoble, who was allegedly backed by the outgoing FGS administration under former president Hassan Sheikh, would however experience a rocky start to his term which coincided with the outcome of a national election. In February 2017, only months after his election, president Osoble would endure a political crisis as reports would emerge that there were motions by the Hirshabelle parliament to remove the president in a vote of no-confidence.⁴⁴ The political divide largely stemmed from his appointment of cabinet, which reportedly angered Hirshabelle's Speaker of Parliament. But many other factors including his close relationship with outgoing president Hassan Sheikh and the election of the new FGS administration under Farmajo in February likely played pivotal factors in the political fragmentation of Hirshabelle. Despite, several attempts to reach a political agreement which were held in Jowhar, Mogadishu and Beletwejn, in August 2017, less than a year into his term, president Osoble was voted out of office by the Hirshabelle parliament.⁴⁵ His vice president Gudlawe oversaw the election process of President Mohamed Abdi Waare who was the runner up in the 2016 elections. The impact of two FGS administrations on Hirshabelle's state building process was clear, as the state would elect two presidents in less than a year. A similar path would be charted in 2020 which could likely have the same outcome in the months to come.

Due to political instability, chronic insecurity and weak institutions, Hirshabelle state had been hereto unable to benefit from commercial investment in agriculture and other industries. The state does not have major infrastructure, such as ports or international airports, whereby the state administration could raise revenue to manage government affairs. With poor taxation capacity throughout Somalia, most regional governments have relied on their major infrastructure as a main source of revenue, or direct support from the FGS and the international community. This critical point was most recently raised by the former Hirshabelle president, Mohamed Abdi Waare, while addressing the Somali Partnership Forum in Mogadishu, and is indicative of Hirshabelle's vulnerability in the federal structure of Somalia.

Political Fault-lines Trigger Election Controversy

The inter-regional political competition within Hirshabelle polities was not the only factor that was pivotal. During the lead-up to the 2020 Hirshabelle state election, it was becoming increasingly clear that the Federal Government of Somalia (FGS) was taking a close interest in political developments emerging from Jowhar. In addition, FGS officials were reportedly involved in mediating some of the political disputes arising between former President Waare, President-elect Gudlawe (the former VP), and the former state parliament speaker Sheikh Osman Barre. Somali National Army (SNA) troops were also deployed in parts of Hirshabelle state, including at Jowhar airport.⁴⁶

Another contentious issue had been the nomination of the Election Vetting Committee, which was mandated to lead the Hirshabelle electoral process. On January 6 2020, Somali media was reporting that the FGS was considering to hold ‘early election’ in Hirshabelle state, since the federal parliamentary election was poised to commence in October 2020, same as the Hirshabelle state election.⁴⁷ This report, while unverified, implied that the FGS was concerned about the impact of Hirshabelle election on the broader national election, which was scheduled to occur during the same period. However, this did not happen and the Hirshabelle political process continued to unfold over the coming months. By April 2020, Hirshabelle was locked in a brewing dispute between MPs and the state parliamentary leadership, with many MPs rebelling against Speaker Sheikh Osman Barre. Media in early May reported the FGS ‘intervened’ for Hirshabelle state MPs to halt proceedings against the speaker, which would be the first open act by the FGS.⁴⁸

On August 29 2020, Hirshabelle’s incumbent state president Mohamed Abdi Waare nominated the 11-member Election Vetting and Conflict Resolution Committee, which was mandated with guiding the formation of Hirshabelle’s second state parliament.⁴⁹ During this period there was growing speculation that Hirshabelle vice president, Ali ‘Gudlawe’ Abdullahi Hussein was vying to challenge President Waare during the 2020 Hirshabelle presidential election. Moreover, there were reports that the FGS leadership was secretly backing Mr. Gudlawe to assume the Hirshabelle presidency, in an affront to the 2016 political agreement among local clans. The two leaders of Hirshabelle state had taken two different and colliding paths in politics, and the dispute brewing between the president and vice president would have implications for the election outcome.

The FGS leaders have a vested interest in the Hirshabelle state election; the same is true in state elections in Southwest, in December 2018, and in Galmudug, in February 2020. Allegations of FGS political interference in state elections in Jubaland, in August 2018, and Puntland in January 2019, apparently backfired when Ahmed ‘Madobe’ Mohamed Islam retained his post as Jubaland leader, despite the federal government’s exhibiting extreme measures of pressure, including a complete ban on civil aviation. Likewise in Puntland, alleged FGS efforts would prove insignificant where Said Deni became victor over allegedly pro-FGS presidential candidates. If the allegations are merited, the FGS stood at 2 – 2 in terms of wins and losses in influencing state elections, and Hirshabelle election offered an opportunity to break the deadlock.

Evolving Political Dynamics in Hirshabelle State

By mid-2020, media reports that Mr. Gudlawe, who has served as Hirshabelle vice president since 2016, was planning to directly challenge the status quo by competing for the Hirshabelle presidency were growing. Gudlawe did eventually become Hirshabelle’s president in a landslide election on November 11 2020.⁵⁰ In essence, Gudlawe’s election upended the informal power-sharing arrangement of political representation at Hirshabelle state-level. This push towards re-shifting local dynamics was met with fierce criticism, media outbursts by prominent politicians from Hiran region, and outright protests against the Gudlawe candidacy. On other hand, Gudlawe’s supporters held their own gatherings and claimed that the role of ‘president’ in Hirshabelle was equally shared among the state’s constituencies.⁵¹

By early December, there were violent protests in Beletwejn, capital of Hiran region and Hirshabelle state’s commercial hub. The protestors were opposed to reports of the pending arrival of Hirshabelle president Gudlawe.⁵² Some media reports claimed that the new president’s inauguration would be held in Beletwejn. The new vice president of Hirshabelle state, Yusuf Dabaged, reportedly claimed that the state capital would be relocated to Beletwejn.⁵³ Meanwhile a rebel militia led by Gen. Abukar Warsame Hud had been organizing in parts of Hiran region, as local communities in the region continued to openly oppose the electoral process in Hirshabelle that culminated in the

election of Gudlawe as Hirshabelle state president. By the end of November, more clan militias were joining forces with the Gen. Hud-led faction in Hiran region.⁵⁴ In addition to deteriorating political rhetoric, these developments seemed to accelerate and compound the widening political divide in Hirshabelle and, simultaneously, pose direct governance and security challenges to the newly elected administration whose main priority presumably included consolidation of state authority.

Timeline of Major Events for 2020 Hirshabelle State Elections

Date	Event
April 28, 2020	Political dispute among Hirshabelle state leadership revealed ⁵⁵
May 3, 2020	Online media reports that ‘motion’ against Hirshabelle parliament speaker Sheikh Osman Barre had been ‘suspended’ after FGS intervention ⁵⁶
June 12, 2020	Media reports alleged that FGS was planning protests in Beletwein, after Hirshabelle state president Waare supported Upper House statement calling for FGS-FMS talks ⁵⁷
August 29, 2020	State president Waare appoints Vetting and Conflict Resolution Committee for 2020 Hirshabelle state election ⁵⁸
August 31, 2020	Reports emerged that President Waare would not run for a second term as Hirshabelle state president under alleged FGS pressure ⁵⁹
August 25, 2020	Somali National Army announces that its deploying more forces to parts of Middle Shabelle region, Hirshabelle state, Somalia ⁶⁰
August 25, 2020	Danab special forces to be deployed in Jowhar, capital of Hirshabelle ⁶¹
September 27, 2020	Vetting and Conflict Resolution Committee for Hirshabelle state election arrives in Jowhar ⁶²
October 6, 2020	Timetable for Hirshabelle parliament election announced ⁶³
October 7, 2020	Hirshabelle president Waare rejects election timetable ⁶⁴
October 12, 2020	Increasing rhetoric widening political divide on Hirshabelle electoral process ⁶⁵
October 8, 2020	25 legislators representing Hirshabelle state in Federal Parliament issued a 5-point communique calling for timely elections and reaffirming every citizen’s equal right to compete for office of Hirshabelle state president ⁶⁶

State of Security During Election Year

The state of security in Hirshabelle, Somalia, can be best characterized as highly volatile and simmering tensions that seem to surface, unsurprisingly, towards the end of an election cycle. There was a marked increase in targeted attacks and killings in parts of Hirshabelle, with militant groups claiming responsibility for guerrilla-style military operations and targeted attacks against Somali federal troops, Hirshabelle state forces and AMISOM forces, in addition to targeted attacks on federal and state officials, and government facilities throughout the state. In May 2020, Hirshabelle state president Waare survived attempt on his life when alleged “clan militia” attacked the president’s convoy in a remote area, in Hiran region.⁶⁷

There were many high-profile attacks reported in Hirshabelle territories during election year 2020. Most of the attacks were attributed to insurgent operations carried out by Al Shabaab group, and incidents of sporadic clan-related violence. But the lack of political cohesion had contributed to a breakdown in social cohesion that was capitalized on by violent extremist organizations. During the year, Al Shabaab claimed responsibility for killing two Hirshabelle government ministers and a state parliamentarian. In addition, there were numerous attacks targeting security forces government personnel, teachers, and aid workers. Hirshabelle state does not have the security capacity to effectively investigate the spate of attacks that have continued to destabilize the state, especially as Hirshabelle prepared to conduct its third state election since its formation.

The state government’s weak security capacity, the deployment of AMISOM and Somali federal forces in particular areas, leaves space for ungoverned spaces in rural and coastal areas where insurgents operate and move without detection. Nonetheless, the increasing number of attacks on government targets created further apprehension, in addition to the brewing political dispute between politicians from the two founding regions of Hirshabelle administration. The lack of state action to effectively investigate, arrest and prosecute the attackers, the insurgents’

relentless onslaught of attacks, and the dispute over the state electoral process, seemed to combine into a maelstrom of fear, political uncertainty, and the growing risk of fragmentation and renewed instability.

During 2020, there were a number of high-profile targeted attacks in different areas of Hirshabelle state:

DATE	LOCATION	INCIDENT TYPE	TOTAL FATALITIES
Jan. 25, 2020 ⁶⁸	Bal'ad, Middle Shabelle region	Roadside bomb	6 people
May 28, 2020 ⁶⁹	Beletwein, Hiran region	Local militia attacks Hirshabelle leader's convoy	1+ person
May 29, 2020 ⁷⁰	Bal'ad, Middle Shabelle region	Clan-related violence	8 persons (including 7 health workers)
Jul. 5, 2020 ⁷¹	Jowhar-Bal'ad Road, Middle Shabelle region	Targeted assassination	1 person (Hirshabelle state MP)
Aug. 17, 2020 ⁷²	Jowhar, Middle Shabelle region	Targeted assassination	1 person killed (Hirshabelle state agriculture minister)
Sep. 8, 2020 ⁷³	Bal'ad, Middle Shabelle region	Roadside bomb	3 people
Sep. 14, 2020 ⁷⁴	Jowhar-Bal'ad Road, Middle Shabelle region	Targeted assassination	1 person killed (Hirshabelle state agriculture minister)
Sep. 17, 2020 ⁷⁵	Adale, Middle Shabelle region	Clan-related violence	6 people (Islamic school teachers)
Sep. 18, 2020 ⁷⁶	Jowhar, Middle Shabelle region	Targeted assassination	1 person (Hirshabelle state religious affairs minister)
Oct. 7, 2020 ⁷⁷	Bal'ad, Middle Shabelle region	Improvised Explosive Device	10 people
Dec. 4, 2020 ⁷⁸	Beletwein, Hiran region	Violent protests; militia activity	2+ persons ⁷⁹

Conclusion

Hirshabelle state of Somalia, as the country's youngest Federal Member State, is certainly undergoing the frictions of local politics in a manner unique to the state. Two major events seemed to coincide for Hirshabelle in two election periods of 2016 and 2020: in both cases, the electoral processes for federal and state elections coincided on the same months. Similarly both state processes were heavily influenced by the FGS and have impacted social cohesion and possibly security. The current FGS administration has largely ignored the recent history of Hirshabelle's election process. Rather the current administration has chosen to follow the previous administration's path that ultimately culminated with ousting of their favored candidate within months of the current FGS administration coming to power. History could repeat itself as Gudlawe struggles to gain legitimacy in all regions of the state. While the FGS generally has vested interest in securing the support of FMS administrations, the timing of the Hirshabelle election is unique as the FGS leaders prepared for their re-election campaigns, making the young state's development future vulnerable to contentious national processes.

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