

An Account of Progress Made towards Puntland's Democratic Elections: Pitfalls and the Road Ahead

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Abstract

Democratization in Puntland has been a protracted dream of the Puntland State of Somalia's citizens and successive governments' priorities as well. However, internalization of the democratic system and holding democratic elections is yet to be fully achieved. This research paper investigated the reasons why this legally adopted government priority became challenging to fully accomplish. The paper also assessed account of progress made so far and it shed light on how Puntland Democratization could be taken forward. Account progress made toward the Puntland democratization process is way less than the expectation of the people of Puntland. According to the constitution, the state district councils and regional parliament should be elected directly by the people of Puntland, while the president, vice president, and parliament speaker should be elected by 66 regional parliament members elected by citizens in their respective constituencies. So far Puntland secured 33 district-level elections. This research paper found several contributing factors to the protraction of the process among these factors are i) Absence of a political will, Legal complexity, financial deficiency, limited knowledge of democracy, and security breakability. Finally, the research provided recommendations to the government and all the major stakeholders of democracy in Puntland. The government is recommended to improve the legal frameworks of democratization, allocate a sufficient yearly budget to the process, and build the capacity of the concerned institutions' personnel.

Keywords: Progress; Election; Democracy; Pitfalls; Puntland; Somalia; and Road ahead

1. Introduction

The Puntland State of Somalia was formed in 1998 after 8 years of unproductive reconciliation conferences and failure to rebuild the Somali National Government. Puntland has been a self-directed and self-governing state which is an integral part of the Federal Republic of Somalia explicitly with no secessionist aspirations. Puntland came into existence as a result of a Consultative Conference held in Garowe city in March 1998 which brought together delegates from six provinces of Nugaal, Bari, Northern Mudug, Sool, Western and Eastern Sanaag, and Southern Togtheer (Buuhoodle District).

The conference approved the three-year charter and the state constitution was to be drafted within these three years by a constitutional committee and submitted for referendum. The final result of this consultative conference was the creation of the Puntland State of Somalia, under the leadership of Col. Abdullahi Yusuf Ahmed, the former leader of the Somali Salvation Democratic Front (SSDF), a first rebel against the military-led government of Somalia established in early 1980s and the future president of Somalia.

Puntland was established several political objectives, which were included but not limited to; i) creating a secure and peaceful environment in Northeastern Somalia; ii) developing a building block and bottom-up reconciliation approach for Somalia; iii) taking part in the efforts to rebuild the country on basis of federal structure; iv) and creating decentralized administration based on democratic principles, as article 1, sub-article 8 of the charter clearly states that “Puntland will have a decentralized system of government, where the ultimate power is given to the citizens of the region”.

Holding Democratic elections, however, has been one of the top priorities of Puntland since its formation in 1998 and it is yet to be achieved¹. Puntland has been facing legal and administrative paradoxes when it comes to elections. Constitutionally Puntland is envisioned to put in place a multi-party system and one-person one-vote elections. Nonetheless, since its creation, Puntland failed to implement this constitutionally adopted multi-party system.

2. Research Methodology

A qualitative research design was chosen for this research paper as it allows for in-depth exploration and understanding of complexity of Puntland democratization, experiences, and perspectives. By using the qualitative method the researcher captured rich and contextual data

¹Kinfe Abraham, Somalia Calling 2006

that provided insights into the research questions and enabled to explore the participant's subjective experience.

An interview guide questions were developed to guide the study and facilitate a focused inquiry into the account of progress toward the Puntland democratization process, challenges, and its ways ahead. These interview guide questions were designed to explore the participants' perspectives, attitudes, and experiences and to gain a comprehensive understanding of the research topic.

Additionally, a purposive sampling technique was employed to select participants who possessed the knowledge and expertise on Puntland democratic process. The researcher aimed to achieve maximum variation by selecting participants from different backgrounds, age groups, and professional experiences all of whom were vital to this study.

Moreover, semi-structured interview questions were conducted as the primary method of data collection. This approach allowed for flexibility and enable, the participants to express their thoughts and experience in their own words. An interview guide was developed to ensure consistency across interviews while allowing spontaneous exploration of Puntland democratic elections. Most of the interviews were audio-recorded with the consent of the participant and transcribed verbatim for subsequent analysis.

An Account of Progress Made towards Puntland Democratization Process

Since the formation of the state, Puntland has not yet fully achieved a democratic election through one person one vote, though five elected regional presidents transferred power peacefully. Puntland developed a clan-based electoral model when it failed to conduct a democratic election as per the state's constitution and other electoral laws, whereby traditional elders 'Isimoh' handpick 66 legislative who then elect the speaker of the parliament, president, and vice president. Let alone three preliminary elections in 2021 of Ufayn, Gardo, and Eyl² which their district councils were elected thought one person one vote electoral method and 30 districts election in 25thMay, 2023.

In Puntland's history there have been several attempts to democratize the administration. Both the chapter and the constitution that got its constituency delegates approval by overwhelming majority vote in 2012 call to prompt of democratic elections on the bases of one person one vote in elections. In April 2011, first Puntland Transitional Electoral Commission (TPEC-1)

² These three districts elections of Ufayn, Gardo and Eyl were held successfully as plot.

was established, under leadership of the third elected president of Puntland Abdirahman Mohamed Mohamoud “Farole administration”.

PTEC-2 was formed again by Abdiwelis Gas’s Administration; even though TPEC-2 has not contributed much to the process, despite strong pledge made by President Aliweli Gas to revive the process. Resumption of democratization did not happen as expected, which brought disappointment to the general public. Once more when the incumbent president SaedAbdullahiDeni came to the office in 2019, TPEC-3 was created. TPEC-3 made tremendous efforts to the realization of this long waited dream. The commission completed number of bills, cord of conducts, and finally held preliminary three district council elections in 2021 and 30 in in 2023.

Shortcomings were also observable during and after these abovementioned three preliminary elections, including delayed seating of the elected councilors, chronic corruption and coincidence of these elections with federal elections. Nevertheless the process is resumed in early 2023, 37 districts council elections were planned to held in May 25th elections through one person one vote which 30 of them were conducted successfully

TPECis the result of Puntland Electoral Commission Law approved by the parliament in January 2, 2011. mandated to hold and manage the overall Puntland district level elections. Main tasks of TPEC are included

- i) Developing Electoral Procedures, plans, codes of conducts, initiating the important bills to the elections and summit to parliament for approval.
- ii) Registration of the Puntland Political Association
- iii) Managing and conducting Local Government Elections (LGEs)
- iv) Awarding and Authenticating three political associations which won most seats inLGEs as Political Parties.

Puntland democratization process is a protracted government priority. Both the establishment charter and the current constitution of Puntland demand the implementation of multi-party system of government in Puntland and holding of democratic elections on the bases of one person one vote. Democratization process of Puntland despite being a legal and constitutional principle, Puntland is yet to achieve a democratic election whereby the citizens of the region elect directly their representatives both in local government councilors and parliament members.

Why Puntland Democratic Elections Took Longer Than Expected?

Absence of Political Will:

As mentioned above, the establishment charter of Puntland clearly stated that Puntland elections should be conducted in one person one vote by 2001. From 1998 to 2001 major expected achievements included drafting and finalizing the state's constitution and holding a democratic election. None of the above top-priority agendas were achieved³. Severe conflict and civil war that commenced in 2003 within Puntland led the failure to hold democratic elections and the attempt of term extension by Puntland's first administration under the leadership of Col. Abdullahi Yusuf Ahmed. Since then Puntland had never conducted one-person, one-vote elections (except three district preliminary election in 2021 and 30 in 2023).

During Adde's reign, Puntland Democratization made no progress, Mohamoud Muse Hersi, aka "Adde", was a general, former governor of Sanaag region, SSDF army commander, and served as military attaché in China during the military rule in Somalia (1969-1991). Thus Puntland's demarcation stagnated because of military leadership and the deficiency of political will from 1998 to 2009⁴.

In January 2009, Puntland elected its third regional president, Abdirahman Mohammed Mohamoud aka "Farole". Mr. Farole, unlike the other two prior presidents of Puntland, has no military background nor has he been involved in rebel groups against Siyad Barre's rule. It was during his leadership that the first Transitional Puntland Electoral Commission (TPEC-1) formed, though his opponents accused him of failing to start the process in his first two years in office.

In 2012, paramount steps were taken toward this democratization process; on June 30, 2012, Puntland Parliament approved Political Parties Law, TPEC-1 again drafted Local Council Election Law, submitted to the cabinet which endorsed and passed to the parliament, the parliament approved the bill and the president signed on 8th Sep 2012⁵.

Furthermore, TEPC-1 registered several political associations, scheduled and Election Day. However, after deadly riots erupted in the cities of Qardho and Galkacyo, the government called off the election, the coming elections were conducted in the

³ An interview with former the Director General of the office of the President, Garowe, April 23, 2023

⁴ International Crisis Group, 19th, 2023 "Puntland's Punted Polls"

⁵ PDRC, April, 2019, Democratization: Breaking the Permanent Political Transition in Puntland

traditional way whereby both district councils and the state's parliament are selected elders of tribes in each constituency.

On January 8, 2014, Abdiweli Mohamed Ali aka “Gaas” was elected by 66 parliamentarians as president of Puntland. The expectation of revival of the Puntland democratization process was high as President Gaas who is an economist educated in the West, credited the formulation of the roadmap ending Somalia's transitional period which he succeeded while he was serving as prime minister of Somalia from June 2011 to October 2012.

During his campaign, Gaas made a strong pledge to the people of Puntland that his government works on democratization. Although President Gaas formed PTEC-II in his third year in office on March 2016, the process stalled. The TPEC-II contributed little notably; it reviews some of the existing bills and developed new ones. Major challenges that TPEC-II faced included; deficiency of political will by the government (Gaas's leadership) and insufficiency of finance⁶.

The incumbent president Saed Abdullahi Deni, unlike his prior president “Gaas” commenced the process in his first months of the presidency the president re-established the Transitional Electoral Commission of Puntland (TPEC-III) which was a good indication that President Deni is willing to fulfill his pledge of democratization. TPECT-III was endorsed by Puntland Parliament on 16 November 2019. TPEC-III successfully conducted held 33 district council elections so far.

Complexity of the legal System and Government Fragility

Some key Informants of this study underlined that among other factors, the legal complexity and fragility of government institutions are the reasons that caused this process to take longer than expected. Article 28 of the Establishment Charter, demanded the formation of a committee that drafted the constitution of the state within the three years mandate of first Puntland's administration (1998-2001). However, it took more than a decade to draft and finalize the constitution. The fact that the Constitution required finance, expertise, and a referendum and the government's limited resources made it a bit challenging for its accomplishment within the first two terms of the government.

In May 2005, President Mohamud Muse Hersi (Gel.Adde) nominated a committee that drafted the constitution although he suspended the committee later. This step of forming a

⁶ An interview with chairperson of Mustaqbal Political Association

constitutional committee is considered one of the first steps taken toward the democratization. As per the legal frameworks holding democratic elections in Puntland at the district level should go through eight consecutive steps. Each step is a prerequisite to its next step, these steps are,

1. Formation of the Transitional Electoral Commission
2. Developing of Political Association Guide
3. Inviting eligible Political Associations to apply
4. Temporary registration of the qualified Political Association which fulfilled the entire requirement, including that each Political Association have offices and at least 500 registered followers in 5 provinces out of 9 regions in Puntland.
5. Registration of eligible voters
6. Distribution of voting IDs
7. Allocating Campaign days of each Political Association
8. Announcing Election Day

Additionally, developing legal frameworks for the democratization process was challenging, time-consuming, and financially costly. The Region has a fragile government institutions and economy. It also has limited interactions with international development partners and democratic stakeholders, as this needs the consent and permission of the Somalia Federal Government⁷.

Limited knowledge of the Democracy

Among other things, limited knowledge of public democracy is considered one of the factors that prolonged Puntland's democratization process. "It is more than 50 years since democratic elections were conducted in Puntland and Somalia at large, democracy and democratization were not incorporated into the education system either, therefore this model of elections is forgotten"⁸

Additionally, because of the Somalis' pastoral lifestyle and a higher illiteracy rate of the population resulted in low awareness of this democratization process.

Approximately, more than 60% of Puntland citizens live in the countryside, and nomadic life lacks channels to educate the people. There are no approaches to communicate with them to be fully aware of this democratization and governance transformation process. This becomes a challenging issue to deal with. Furthermore,

⁷ An interview with an expert of democracy and post conflict state building and university rector.

⁸Abdinasir Ahmed University Lecturer and Somali Governance Expert

as a result of the collapse of the central government of Somalia led by the military junta the education of the country collapsed as well, and this lead to to widespread illiteracy throughout the country Puntland was not immune from it. Higher illiteracy is having negative effects on the knowledge of democracy, the multi-party system, the principle of good governance, and elections in Puntland⁹.

Security breakability:

Puntland has been at relative peace for nearly 25 years of its existence within the devastating insecurity of Somalia. Puntland stability is aided by homogenous clan composition, strong conflict resolution mechanisms notably traditional elders, and periodic transmission of power (PDRC, 2015). However, Puntland's security and law enforcement bodies have a low capacity for order-making, particularly when political differences arise. Anti-peace elements including extremist groups such as Alshabab and ISIS also have a presence in the Bari region of Puntland. Puntland Constitution recognized three security forces i) the military police known as Darvish (Puntland's military), ii) Puntland Police Forces, and, iii) Puntland Custodial Corps. There are also two internationally financed forces 1) Puntland Security Force (PSF) financed and trained by the USA and Puntland Marine Police Force (PMPF) Trained and financed by the UAE. The existence of ununified army units, public possession of weapons, and the presence of extremist groups are making Puntland's security breakable which made the holding of democratic elections protracted.

- i. Existence of Constitutional Court
- ii. Applications of the learns learnt in three district preliminary elections
- iii. Well rainy seasons

3. Conclusion

Since the establishment of Puntland as an autonomous region after eight years of failed rebuilding efforts of Somalia's government in 1991. The Puntland Democratization Process has been a priority of all successive governments to hold democratic elections. However, this process took longer than expected, after nearly a quarter of a century Puntland achieved little about democratization. The expectation of Puntland citizens about democratization was as they were skeptical about the undemocratic rule of the military junta from 1969 to 1991. As the findings of the paper reveal, there have been incessant efforts made by the government

toward the realization of this protracted dream of democratization. So far 33 district council elections were held on the basis of one-person one-vote elections.

The paper investigates the reasons that elongated this process and throughout the paper, several factors were discussed that participants of the research paper considered that protract the process. Among these factors is a deficiency of political will, Legal complexity, limited knowledge democracy, and security breakability.

4. Recommendations

To the government

i. Addressing the Political Differences:

There have been disagreements regarding district elections, political elites, including former ministries who were dismissed from the cabinet, former TPEC chairman, and Former Puntland president criticized the fairness of the democratization process these grievances from the opposition which led to the postpone three districts elections of Nugaal province and finally an arm confrontation in Garowe the capital city of Puntland. Therefore should address these political differences and seek a consensus among the political stakeholders, including independent political opposition and Political Associations (PA).

ii. Building the Capacity of the Security Forces:

Puntland's constitution (article 86) clearly states that the armed forces of Puntland are mandated to maintain the security of Puntland territories. Principally security forces should refrain from politics. However Puntland has experienced whenever there is political disagreements it affects the security forces. There are units within the armed forces which are loyal to some politicians' stead of maintaining the mandated duties and abiding the constitution and other legal frameworks. Therefore the government should build the capacity of the security forces. Having well trained and capacitated security forces will assist to democratize Puntland Governance and political system.

iii. Improving the legal frameworks:

One of the reasons that protracted this process of democratization is the complexity of legal frameworks. Therefore the government, particularly TPEC/PEC and ministry of interior should work together toward improving the legal frameworks, policies and procedures of the Puntland democratization process.

iv. Allocation of sufficient Budget for the process:

Government oppositions including resigned former Chairperson of TPEC criticized to the that it did not allocate sufficiency yearly budget to the implementation process, it is also

criticized fact that government did not fully paid the an insufficiency allotted budget to TPEC to execute the democratization process. Thus the government should allocate sufficient funds to process and pay for it as well.

To TPEC or its Replacement

PTEC/PEC as an independent and technical body of Puntland democratic election, should apply professionalism and impartiality. It should apply all crucial lessons learnt from 33 district elections and develop all the necessary policy and legal frameworks that will ease this process to success.

To the Universities and Think-Tank Institutions:

The Universities and the other academic institutions should conduct evidence based studies regarding the Puntland democratization process that will assist political decision makers building their decisions with scholarly research evidence. They should also conduct constant debates regarding the pressing issues of democratization in Puntland.

To the Political Associations/Parties:

Puntland Political Association is considered as most important actor of the democratization process, thus they should enhance the expertise and capability of their personnel so as to come up with sound political agenda and to nurture growth of the political associations. Political Associations are recommended to;

- i) **Build Broad-Based Representation:** Puntland has large territories and interest groups with diverse political and social interests, therefore the political association/parties should not be seen as solely owned entities.
- ii) **Develop clear policy platforms:** Political associations should articulate clear policy platforms that address the key challenges and priorities of Puntland's population. Whether it's economic development, infrastructure, education, healthcare, or security, having well-defined policy positions will help enhancing Puntland Democratic Developments.
- iii) **Collaborate with civil society organizations:** Civil society organizations play a crucial role in promoting democratic values, human rights, and civic engagement. Political associations should seek partnerships and collaborations with reputable civil society organizations to enhance their influence, gain insights into local issues, and strengthen their grassroots networks.
- iv) **Prioritize regional stability and cooperation:** Puntland is located in a region with complex security dynamics. Political associations should prioritize regional stability, promote dialogue and cooperation with neighboring regions, and actively

engage in efforts to resolve conflicts and address security challenges. This will help foster peace and stability within Puntland and the wider region.

- v) **Focus on good governance and accountability:** Puntland has faced challenges related to corruption and weak governance. Political associations should prioritize transparency, accountability, and good governance practices within their own structures. This will help build credibility and trust among the population and attract support.

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