



THE VOTER REGISTRATION OF SOMALILAND

*“45 Days of Voter Registration Process in More than 1,200
Registration Centers in 23 Electoral Districts in Somaliland”*

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BY:

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

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1. INTRODUCTION:

On August 23rd, 2020, the Somaliland *National Electoral Commission* (NEC) announced¹ that the long-awaited Parliamentary and Local Council Elections will happen within 9 months, probably the last week of May 2021. That May 2021 has different historic significances on both Somaliland's statehood and its democratization process. It is the 30th anniversary of Somaliland's independence and the 20th anniversary of Somaliland's multiparty democracy. On May 31st, 2001, 97% of Somaliland voters approved the constitution through referendum. So, the nation moved from the clan-based power sharing system to a multi-party democracy.

With 30 years of institutional building and 20 years of practicing a multiparty democracy, Somaliland became one of the role models for many countries in the region as it uses one of the most advanced voter registration systems in the world, holding free and fair elections and its freedom of expression comparing to the region. The other good example is, the unique governance structure of Somaliland, which is the hybrid system that is balancing the western constitutional based democracy and the local traditional system. The upper House (Guurti) of the Parliament represents the traditional system, while the Lower House is directly elected by the people. For the last 20 years, Somaliland held a constitutional referendum², three presidential Elections³, two local council elections⁴ and one Parliamentary Election⁵. Also, Somaliland conducted three voter registrations⁶.

On the other hand, Somaliland's Democratization Process has areas which need to be fixed, including the Election Delays or Extensions⁷, marginalizing women from the decision-making platforms, etc. The Public office holders are used to remain in office beyond their elected term. For example, the extended term of the current Local

¹NEC Announced that they can hold both voter registration and elections within 9 months
<https://www.youtube.com/watch?v=cmzbcBfnk-k>

²(May 2001)

³(April 2003, June 2010, November 2017)

⁴(December 2002, November 2012)

⁵(September 2005)

⁶(2008-2010, 2016-2017, 2020-2021)

⁷For the last 20 years, nearly 30 times were extended the term of the President, Upper House, Lower House and Local Councils.

Councils expired in April 2019, but they remained without having any legitimacy or extension.

The current House of Representatives was elected in September 2005 for a five years term, but their elections were delayed 10 times. Somaliland's young generation who was born after May 1991⁸, did not get a chance to elect their representatives since they were not eligible to vote in the Parliamentary Election of September 2005⁹. On the other hand, the women have the least representation in the House, with only one woman out of the 82 members.

For the last ten years the people of Somaliland were expecting to elect their representatives, particularly women, the young generation and minority groups. Likewise, the voters were expecting to elect their local councilors for the last three years, since the original five years term of the current local councils expired in December 2017. That is why it is important to have elections this coming May of 2021.

⁸Somaliland reclaimed its independence on May 18th, 1991. So, the Youth generation who are now the majority of the population were born after the independence of the nation. Those youth generation, never got an opportunity to elect their MPs in the House of Representatives.

⁹ Current House of Representatives was elected on September 29th, 2005 and never re-elected again.

2.THE 2020-21 VOTER REGISTRATION

On November 7th, 2020, the National Electoral Commission (NEC) Released¹⁰ the timetable of the Voter Registration, that was scheduled to start on November 29th, 2020 and to end on January 13th, 2021. NEC divided the voter registration process into four main clusters.

The Voter Registration Process was designed to register the voters who missed the 2016 voter registration, those who reached the age of voting, voters who registered last time more than one time and whose votes were canceled. After the current four clusters of voter registration ended, it is expected that NEC also to give an opportunity to the voters who need to change their voting locations and those who lost their voter card. This second phase of voter registration will take place in a limited registration centers in the Electoral districts¹¹. The expected third phase will be the voter card distribution to all registered voters in all registration centers of the country.

As scheduled the voter registration started on time on November 29th and ended January 13th, 2021. The *Election Monitoring Office* of Center for Policy Analysis was closely monitoring and observing the voter registration process, focusing on four main areas.

1. If the NEC and Election Stakeholders are following the rules and regulations of the Elections.
2. If the Voter Registration Process is following the Health Safety Procedures particularly the Social Distancing, Masking, etc. during the Covid19 Era.
3. If the Citizens and voters received the required information and they can reach the voting registration stations without interference
4. If the Election Stakeholders are exercising only their given authority in the Election Laws, including the Government, CSO, Political Parties, NEC, etc.

¹⁰NEC Press Release of the Voter Registration Time Table <https://www.togaherer.com/2020/11/07/komishanka-doorashooyinka-somaliland-oo-soo-saaray-waqtiga-rasmigaa-ee-ay-bilaab-mayso-diiwaangelinta-codbixiyayaasha-somaliland/>

¹¹ Somaliland has 23 Electoral Districts

As NEC planned, the voter registration was kicked off on November 29th, 2020 in four clusters and it was concluded on time on January 13th, 2021. Here are some information about the four clusters with their registration centers:

1. First Cluster of Awdal Region, Gebilay, Bali-gubadle and Salahley Districts was kicked off on November 29th, 2020 with nearly **268** Registration centers.
2. The Second Cluster of Hargeisa and Sahil Region was begun on December 13th, 2020 with nearly **319** Registration centers.
3. The Third Cluster Togdheer Region, Caynaba, Ceel-afweyn and Gar-adag Districts was started on December 27th, 2020 with nearly **296** Registration centers.
4. The Fourth and last cluster of the voter registration, which includes Erigavo, Lasqoray, Badhan, Dhahar, Laascaanood, Taleh and Xudun was launched on January 10th, 2021 with nearly **324** registration centers.

2.1 THE 23 ELECTORAL DISTRICTS AND VOTER REGISTRATION:

The Election Monitoring Office of CPA recorded that NEC successfully conducted the Voter Registration in 22 Electoral Districts¹² while they canceled the 25 voter registration centers of Laasqoray District in Sanaag region due to security related issues. In Badhan and Dhahar Electoral Districts, CPA found that the Registration Centers were placed, different locations other than the early planned and approved registration centers in these two districts. In Buuhoodle there was a multiple registration centers that was cancelled. In Sool Region, the Voter Registration happened in all the Electoral Districts including Laascaanood, Xudun, Taleex and Caynaba.

2.2 THE VOTER REGISTRATION TURN OUT was high in the urban areas and the registration centers of the border areas. The local communities were complaining that the four days¹³ of the voter registration were not sufficient, and they were requesting from NEC to extend the time. In that request NEC extended voter registration time in some registration centers of every region/cluster from three to seven days, based on the needs in each area.

2.3 TECHNICAL ERRORS were recorded in some areas, related to the Electricity or the Generators, the Laptops, printers, etc. particularly the first days of the voter registration, that delayed the work of the first day, but NEC area representatives and NEC troubleshooter addressed and responded to those complains.

¹²The Voter Registration happened completely 19 out of the 22 Electoral Districts. The voter registration happened 78% of the Registration centers of Buuhoodle District.

¹³ NEC planned that the voter registration to happen four days in every cluster.

3. THE CHALLENGES AND THE POSITIVE OUTPUT RECORDED DURING THE VOTER REGISTRATION:

- 1. THE FASTEST VOTER REGISTRATION PROCESS IN SOMALILAND:** NEC started the Voter Registration on November 29th, 2020, and within the first 31 days, they finished the first three clusters which cover 73% or 883 out of the 1,207 voter registration centers in the country, from Lowya-caddo of Awdal Region to Ceel-afweyn and Caynaba of Sanaag and Sool Regions. In the remaining 324 voter registration centers in Sanaag and Sool Region, they finished within 14 days.
- 2. A PEACEFUL VOTER REGISTRATION PROCESS:** The voter registration process was one of the most peaceful voter registrations conducted in Somaliland. There were no big security incidents recorded during the voter registration process. Except a Bomb thrown to a closed voter registration center in Laas-caanood of Sool region.¹⁴
- 3. GOVERNMENT SUPPORT AND THE LIMITED FUNDING OF THE INTERNATIONAL PARTNERS:** for the last two decades, the International Partners played a vital role in the advancement of the Somaliland's Democratizations Process. They were the main body that was supporting the Electoral Process both technically and financially even though the Somaliland government was contributing in terms of financial and security support. Now it seems that the financial and technical support of the International Partners is limited, while the role of the Executive branch to the Electoral Process is increasing day by day, due to their financial, security and technical support, that gave the executive branch a chance to influence the electoral system. On January 13th, 2021, the Minister of Interior Mohamed Kahin Ahmed¹⁵, announced that the

¹⁴ On January 12th, 2021 Hiiraan Online At least two people get wounded, after a bomb was thrown to a closed voter registration center in Laas-caanood. It was nighttime when the bomb was thrown. https://www.hiiraan.com/news/2021/Jan/wararka_maanta12-176297.htm?utm_source=hiiraan&utm_medium=WararkaMaantaFront

¹⁵ The Press statement of the Minister of Interior about the voter registration [Warka wasiirka arimaha gudaha Somaliland Maxamed Kaahin Axmed oo kahadlay Diwaan Galinta Iyo Sida ay - YouTube](#)

government fully funded the voter registration process. It is good a thing that the Somaliland government to take the lead of funding it's democratization process without foreign assistance, but the concern coming from the opposition parties and the civil society, is that the government is taking this support an advantage to influence the electoral system. During the voter registration process, the role of the government in Elections is increased including the last move that the president replaced the long-served director general of the National Electoral Commission by a new Director¹⁶, who was holding the Secretary of the Cabinet Ministers. That step itself shows the government's increasing influence on the electoral process.

4. **ROLE OF TRADITIONAL ELDERS** has increased during the Voter Registration Awareness and Preparation of the upcoming Elections. The Traditional System is the main body that is now pre-selecting the candidates of the House of Representatives and the Local Councils. Those pre-nominated candidates with traditional leaders carried out voter registration awareness in their respective areas/districts. This is a very alarming issue in two ways.
 - a. Somaliland moved from a clan-based power-sharing system to a multiparty democracy, but now it seems that the role of the traditional system is coming back into the democratic institutions, since they have a louder voice in our election system.
 - b. Since the House of Representatives rejected the Quota for Women and Minority Groups, and since now the male dominated traditional system has a big influence in the voter registration campaign and selection of the candidates, it can be another big challenge for women to be elected in the upcoming Parliament and Local Councils.
5. **COVID19 HEALTH SAFETY PROTOCOLS:** Most of the Voter Registration we collected Data from, were not fully following the Covid19 health safety Protocols including the Social Distancing, Masking, etc. NEC put signs and instructions in most of those registration centers, telling both

¹⁶ The former Director of NEC was holding this position nearly two decades. All the former presidents were not interfered, since the director is responsible the day-to-day activity of, one of the most sensitive offices. According to the currently approved Electoral Law, NEC is an independent institution, but the current nomination will question that independence, since the president is directly nominating the Director General who is responsible for the execution of the NEC Operations.

the NEC Polling Station team and the Voters going to register to follow the COVID19 Health Safety Protocols.

6. **DROUGHTS IN EASTERN REGIONS:** During the Preparation of the Voter Registration, the local communities in eastern regions particularly Togdheer region, complained about droughts in their areas, while they mentioned that the eligible voters in rural areas crossed the border between Somaliland and Ethiopia to seek water and grass for their animals. The Traditional leaders from the Togdheer region requested from the government and election stakeholders to postpone the voter registration. But, the Election stakeholders¹⁷ including the government, political parties, and NEC, decided that the voter registration to happen as scheduled in every region. The traditional leaders¹⁸ of Togdheer region, then called their eligible voters in their region to register and to carry out voter registration awareness.
7. **VOTER EDUCATION WAS NOT EFFECTIVE DUE TO LIMITED RESOURCES:** Most of the Regions we collected the data from were complaining about the limited voter education awareness and the methods used for the awareness raising. There were self-organized committees from the clans and candidates who were conducting voter education awareness. NEC Members, Political Parties and Government Officials were also taking part to the awareness raising of the voter education, through visiting the voter registration centers and meeting the local communities.

¹⁷ On December 11th, 2020: Press Statement from the Government, Political Parties and NEC, responding from the complains of the traditional leaders of Togdheer region about the droughts in their area and postponing the voter registration [Xukuumadda, Xisbiyada Mucaaradka iyo guddida Doorashooyinka oo madax-dhaqameedka Togdheer lahadlay - YouTube](#)

¹⁸On December 16th, 2020, The Traditional Leaders called their communities to take part the voter registration [Madaxdhaqameedka G.Togdheer Ayaa Shacabka Goblkaas Ugu Baaqay Inay Udiyaar Garooban Isdiwaangalinta - YouTube](#)

4. THE STILL STANDING CHALLENGES:

1. NEC has completed the first phase of the voter registration process, now at least there are two other remaining phases, including location change for the voters, re-issuing voter cards to those who lost their voter card and also printing and distribution of voter cards. All those remaining tasks need both financial and technical support.
2. On November 24th, 2019, the House of Elders (Guurti) extended two years for the term of the House of Representatives, whereas the National Electoral Commission scheduled the Parliamentary and Local Council Elections to happen the last week of May 2021. So, still the Guurti's Extension is effective, and the term of the House of representatives is expiring at the End of this year. That is another big challenge to the upcoming Elections.

5. RECOMMENDATIONS:

1. Article 6 of Law No. 2020¹⁹ requires the National Electoral Commission to announce the election date before 120 days. The deadline of that 120 days is at the end of this January. CPA is calling the President and the House of Elders to take the lead of adjusting/amending of the extension of the House of Representatives, to have the elections at the end of May 2021.
2. The Support of the International Partners is very crucial to Somaliland's Democratization Process, CPA is calling the international partners to increase their support to the National Electoral Commission and the Election Process in general.
3. CPA is calling the Political Parties to play their role in the selection of the Candidates and minimize the role of the traditional Elders in the electoral process.
4. Women are nearly 50% of the voters, and they have extremely limited representation among the elected officials. CPA is calling both the government and Political Parties to develop strategies supporting more women to be elected in both Parliament and Local Councils.
5. CPA is calling the National Electoral Commission and Election Stakeholders to increase the COVID19 awareness and to follow the health safety procedures. Not only that NEC members do not distribute enough masks and other required equipment of COVID19²⁰ to the NEC registration center staff, but the voter registrants are not compliant enough with the COVID19 protocols including masking and social distancing.
6. Article 13 (7) of Law No. 91/2020 is clearly mentioning the independence of the National Electoral Commission without any external influence. Also, article 22 of the Election Law is explicitly mentioning the independence of NEC staff from the government influence, so, CPA is calling the Election stakeholders including the government to respect the independence of the

¹⁹The Newly approved Combined Election Act

²⁰Based on the registration centers we visited, media contents we analyzed and the interviews with some of the NEC Registration Center staff.

Election body. The recent nomination of the NEC director made by the president was an alarming and directly affecting the independence of the institution.

7. LEGAL ANALYSIS OF THE NEC DIRECTOR.

Article 12 of the Combined Election Law²¹ is clearly mentioning the structure of the National Electoral Office, which consists of the Headquarter (Xarunta Dhexe), the Regional Offices, the District Offices, and the Polling Station Office. Article 1 of the Combined Election Law defines the word of “Xarunta Dhexe” the Headquarter, as the highest administration office of the National Electoral Commission. In the 156 articles of the Combined Election Law, no article mentions or hinted the role of a director general in the National Electoral Offices.

So, the NEC Director General is the head of the Headquarter Operation, and he/she is a NEC staff, since he runs the day-to-day operation of the National Electoral Commission. If the director general has different role than a NEC staff, his roles and responsibilities were supposed to mention in the newly approved election law. Article 22(1) of the Election Law is clearly stating that the NEC staff are independent from the government employee.

²¹ The Combined Election Act, Law No. 91/2020 [Xeerka-Guud-ee-Doorashooyinka-iyo-Diiwaangelinta-Codbixiyayaasha-Xeer-Lr.-91-2020.pdf \(garyaqaankaguud.com\)](#)