



Staving off Violence around Somalia's Elections

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What's new? Somalia is organising presidential and parliamentary elections after a mid-September agreement between the federal government and regional states unblocked an impasse that threatened to delay the contests past the current government's constitutional term limit. Tensions among key parties remain high, and electoral preparations are lagging.

Why does it matter? Poor relations among the federal government, regional states and political opposition will test the September agreement, potentially resulting in a breakdown in the electoral framework or violent contestation of results. Al-Shabaab and the Islamic State in Somalia could disrupt the process and capitalise on any resulting instability.

What should be done? Somalia's political leaders should work to reduce prospects of electoral unrest by following through on aspects of the September agreement that bolster confidence – such as enhancing civil society monitoring and establishing a dispute resolution process. To buy time, the leaders could explore a short, consensual extension of the electoral calendar.

I. Overview

Somalia is in the throes of hurried electoral preparations, which began in earnest in November amid pre-election political tensions arguably as high as the country has ever seen. For much of 2020, Somalia's politicians jostled over proposals to move from indirect voting, whereby clan leaders represent their constituents, to a one-person, one-ballot system. The leaders agreed to make this move previously, but the administration did little to take the step until late in its tenure, when the opposition claimed it would be too much for the time allowed. Though the parties agreed in September to stick with indirect voting, they are struggling to prepare the polls, which are supposed to begin in December. Federal and state authorities should promptly fulfil as much of the September agreement as possible, focusing on setting up an enhanced dispute resolution mechanism and boosting civil society monitoring. At the same time, Somalia's international partners should quietly explore with the country's political figures a short, consensual delay to cement those changes, which would make the vote fairer and more transparent.

Tensions between Somalia's federal government and its member states have dominated the run-up to the parliamentary and presidential elections, which are slated for December 2020 and February 2021, respectively. This longstanding discord at its core relates to unresolved questions over power and resource sharing between Mogadishu and the federal states. It has worsened since President Mohamed Abdullahi Mohamed "Farmajo" entered office in February 2017, in large part due to his efforts to exert greater political control over the states, including by strong-arming some of them into replacing their leaders with his allies. Friction over these manoeuvres in turn has hurt cooperation on issues that require the central and regional governments to work together, such as security arrangements, completion of a provisional constitution and holding elections.

Over the course of 2020, a major point of contention between Farmajo and his political opposition, which chiefly includes leaders from some of Somalia's federal member states, like Puntland and Jubaland, has been the framework for conducting the forthcoming elections. The last national elections in 2016-2017 relied on indirect voting, in which clan leaders selected delegates to electoral colleges, which in turn chose parliamentarians to fill lower house seats; federal state assemblies selected upper house parliamentarians; and the two houses together named the president. The UN and Western donors pressed the Farmajo government to move toward a one-person, one-vote system for 2020-2021, in part to address suggestions that indirect voting had opened up the 2016-2017 elections to manipulation. In February, Farmajo signed an electoral law that would establish universal suffrage, but he faced intense resistance from some member states, in addition to political parties and clan groupings, who saw it as a mechanism for delaying the elections and allowing Farmajo to extend his term.

The electoral law kicked off months of heated sparring between the federal government and member states. Finally, under pressure from international partners, the parties reached a breakthrough agreement in September, which fashioned the outlines of a framework for the forthcoming elections. The September agreement kept indirect voting in place but introduced some new features that could enhance the legitimacy of the process. Because the agreement eliminated a potentially debilitating source of delay (ie, shifting to a wholly new electoral model), it also raised hopes that it might be possible to move forward with elections on the contemplated December/February schedule.

Yet that timeline presents major challenges. There is a great deal of preparatory work still to be done, time is running short and a fraught political atmosphere complicates efforts. The federal government and member states have already missed initial deadlines, with the establishment of the federal electoral commission coming two weeks after a 20 October deadline, and the formation of regional electoral commissions still pending at the time of writing.

Pushing forward with elections without adequate preparation could be risky. With tensions already running high, if the Somali public lacks confidence in the electoral process either because they see it as rigged or just poorly managed, the frustration could spill over into violence and spawn a major security crisis. Previous regional elections in South West and Jubaland states have already shown how differences between federal and regional interests can quickly turn ugly and result in bloodshed.

If there is election-related violence, Al-Shabaab (which is already signalling its intention to disrupt the vote) and the Islamic State in Somalia are likely to fan the flames.

There is a more prudent option, but it must be carefully undertaken. Somalia's international partners could swiftly explore with the country's politicians a possible consensual extension of the electoral calendar, perhaps of one to three months, to allow more time for preparations. Authorities would then use this period to fulfil aspects of the September agreement that will help protect the vote's integrity – for example, by helping civil society take on a new role in monitoring the selection of electoral college delegates or helping federal and state authorities stand up an enhanced dispute resolution mechanism. While opposition parties leery of delay may view this idea with suspicion at first, proponents can allay their concerns by sharing a detailed timetable for taking these technical steps. Some in the opposition have privately indicated that as long as the process is moving, a short wait would not necessarily generate major discontent. Farmajo's administration can help by stepping back from major policy decisions in order to make clear that for the duration of the extension period, it will be acting in a caretaker capacity.

While there may be some risk of violence whatever the course the federal government and state leaders choose, it can be mitigated if, together, they focus on the most important steps to boost confidence in the process. Extending the time for preparations would be the best way to send a joint clear message that they are working in tandem to help make the elections as fair and credible as possible, and that they are committed to working with local actors, civil society and foreign partners to keep faith with that pledge.

II. Somalia's Fragile Electoral Compact

A. The Torturous Road to Consensus

Disagreements between Mogadishu and federal member states over what electoral model national elections in Somalia ought to follow have been at the heart of tensions surrounding the elections for some time.¹ Farmajo's administration has pushed for a one-person, one-vote system, in which every citizen of voting age is entitled to cast a ballot, to replace the past system in which parliament is chosen by clan leaders and their delegates. Western governments have encouraged Somalia to move in this direction in part out of concern about the integrity of the indirect model, which as discussed below did not have a good track record in Somalia's 2016-2017 elections.

The opposition (primarily leaders from states like Puntland and Jubaland that have poor relations with Mogadishu, along with some political parties and clan groupings) have long suspected that Farmajo's support for universal suffrage is motivated less by principle than by political calculation. They believe that Farmajo has been banking on the monumental challenges of rolling out the new system, especially given the obstacles posed by institutional weakness, the COVID-19 pandemic and

¹ "Political Turmoil Ahead of Somalia's Election", Crisis Group Commentary, 1 October 2020. See Appendix A for full electoral timetable.

Al-Shabaab's presence in large parts of the country. They think his design has been to use implementation-related delays as a pretext for staying in power.²

Farmajo's signing of a new electoral law on 20 February, giving every Somali of age the right to vote, thus triggered howls of protest from the opposition, who argued that as a result, the schedule for national polls would inevitably slip.³ Halima Ismail Ibrahim, chairwoman of the National Independent Electoral Commission (NIEC), announced to parliament on 27 June that conducting national elections under the new model might require a delay until August 2021, a statement that drew further angry condemnation from Farmajo's opponents.⁴ Tensions also flared when the lower house of parliament, aligning itself with the Farmajo administration, passed a series of resolutions to close gaps and address other issues in the electoral law. In doing so, it sought to bypass opposition from parliament's upper house, which since February had aligned itself with the federal member states on questions relating to the electoral model and did not wish to strengthen the law before resolving the underlying dispute.⁵

Sensing the potential for a major political crisis, Somalia's external partners, including the U.S., UK and UN, pushed Mogadishu into re-engaging with the member states to find a mutually acceptable solution.⁶ Discussions initially organised by the states kicked off in July in Dhusamareb, the capital of Galmudug state, as they worked to align their positions on what kind of electoral system to support.⁷ At a follow-up round on 19-22 July, with both President Farmajo and then-Prime Minister Hassan Ali Khaire in attendance, all parties agreed on the principle of holding the election on time, thereby making it probable that Somalia would stick with some form of indirect elections, as they would be more realistic to arrange within the timeframe.⁸

² See also Crisis Group Africa Briefing N°155, "COVID-19 in Somalia: A Public Health Emergency in an Electoral Minefield", 8 May 2020; Hassan Sheikh Mohamud, "Why elections are a pillar of stability in Somalia", *Horn Observer*, 13 May 2020; "Somali opposition leader urges 'national consensus' to avert state collapse", *Somali Affairs*, 1 September 2020.

³ For example, in reaction to its passage, Puntland's ministry of interior closed the National Independent Election Commission's office in its capital city Garowe, suspending working relations with the electoral commission. See tweet by Garowe Online, @garoweonline, 2:52pm, 6 February 2020.

⁴ Crisis Group interviews, Somali clan elder involved in 2012 and 2016 elections, upper house senator, civil society leader, academic focused on Somalia, August 2020. Ibrahim noted that forgoing biometric registration would allow voting to proceed in March 2021.

⁵ Both houses of parliament approved the electoral law, allowing it to come into force with Farmajo's signature in February 2020. A dispute emerged, however, in June, when the upper house (which is appointed by the state assemblies of the federal member states and is more inclined than the lower house to align with them) signalled its preference to delay working out amendments to address certain remaining issues in the law. The lower house ignored this request and passed a series of legally questionable "resolutions" aimed at strengthening the legislation. Somalia's political leaders have since disregarded these resolutions. Crisis Group interview, upper house senator, August 2020.

⁶ Crisis Group interview, Western diplomat, November 2020.

⁷ This meeting called for an adjustment to the electoral model as movement to a one-person, one-vote contest was increasingly seen as untenable. "War Murtiyeed", Dhusamareb, 12 July 2020.

⁸ In addition to pressure from international partners and the member states, opposition parties, namely the Forum for National Parties and Wadajir, routinely issued strong statements in favour of timely elections. Press release, Forum for National Parties, 3 April 2020.

The parties appointed a committee to develop proposals on voting preparations and procedures and agreed to reconvene.⁹

Although participants made progress at the second Dhusamareb meeting, they fell short of a clear agreement on either the specific electoral model or the timeline for the forthcoming elections. The prospect of a follow-up meeting to solidify consensus and resolve outstanding issues was also put in jeopardy by Farmajo's 25 July sacking of Prime Minister Khaire. Khaire had been a key intermediary between the president and member states, but had set himself apart from Farmajo by openly advocating a timely election, a goal that the president had not embraced.¹⁰ Against this backdrop, the leaders of Puntland and Jubaland, two member states particularly at odds with Farmajo, boycotted the third meeting, while the leaders of South West, Hirshabelle and Galmudug states defied their call to join in and attended.¹¹ This awkward dynamic damaged the unified front the member states had presented just a month earlier.

Held in August, the third Dhusamareb meeting officially closed the door on prospects for a one-person, one-vote electoral contest, with all present agreeing to adopt an indirect model similar to the one followed in 2016-2017. The outcome marked a significant climb-down by the federal government, signalling its susceptibility to domestic and international pressure, although some diplomats believe that Farmajo used the time chewed up by negotiations to quietly get the jump on his opponents in preparing for indirect elections.¹²

Puntland and Jubaland called for another meeting in Mogadishu in September, rushing back to the table to ensure their positions were heard. While both regional governments supported the indirect election model, they dissented on aspects of the third agreement in Dhusamareb that would lessen the role states would play in administering the forthcoming polls.¹³ Further negotiation brought the parties to consensus on 17 September behind an electoral framework known as the "Mogadishu model".

The model is similar to the framework for the 2016-2017 elections, when electoral colleges chosen by clan elders selected lower house parliament representatives, with a separate college created to fill each seat. In 2020-2021, however, the sizes of those colleges are set to double to 101 members each while the number of voting centres per member state will increase from one to two – measures that will, as discussed below,

⁹ "War Murtiyeed", op. cit.

¹⁰ "PM asks cabinet to prepare for elections amid claims of plans to extend term", Garowe Online, 1 June 2020; press release, Puntland State House, 16 August 2020. Many observers interpreted Khaire's dismissal as Farmajo's attempt to reassert control over the electoral discussions. Crisis Group interview, Western diplomat, August 2020.

¹¹ Both administrations came under international pressure as a result of the boycott, with a tweet from the U.S. Embassy in Somalia indirectly labelling them "spoilers". See tweet by U.S. Embassy in Mogadishu, Somalia, @US2Somalia, 9:50pm, 20 August 2020.

¹² Crisis Group interviews, regional diplomats focused on Somalia, October 2020.

¹³ For example, Puntland and Jubaland rejected allowing the NIEC to oversee the process in their respective localities, and instead advocated for state-level electoral commissions similar to what they had in 2016-2017. Dhusamareb III also proposed electoral colleges of 301 delegates and provided for four voting locations per member state, numbers that were reduced in the "Mogadishu model". Crisis Group interview, Puntland government official, October 2020.

make the process more inclusive.¹⁴ The processes for filling the upper house (selected by the state assemblies) and electing the president (selected by the two houses once the new members have been seated) remain unchanged. Furthermore, the agreement calls for the formation of a new federal electoral commission and separate state electoral commissions for each member state, in effect overriding the NIEC.¹⁵

Once this federal government-member state dispute was resolved, tensions over the elections between the upper and lower house leaderships in parliament subsided.¹⁶ Parliament approved the “Mogadishu model”, in effect legalising the ad hoc agreement and superseding the February electoral law as the framework for the 2020-2021 elections. This action allowed all parties to move from the design phase toward implementation of the agreement. The long, drawn-out process of achieving consensus, however, had eaten up much of the time needed to prepare for the elections.

B. *Another Indirect Election, but Maybe an Improved One*

The “Mogadishu model” represents a major compromise between the federal government and member states and, in the present circumstances, was a positive development. Still, by defaulting to key elements of the 2016-2017 model, it disappointed many of Somalia's Western partners and the UN, which had pushed the country to move toward universal suffrage.¹⁷ These partners have never been fully comfortable with the system of indirect elections, which they tend to see as a temporary fix allowing Somalia to select political leaders as it moves toward universal suffrage, a model they view as more compatible with democratic norms.¹⁸ Their concerns grew sharper following a welter of allegations that some candidates in the 2016-2017 contest were either bribing elders to select favourable electoral delegates or engaging the delegates directly, in order to secure their place in parliament.¹⁹

¹⁴ A further meeting between the government and member states on 1 October expanded on the details of the timeline, formation of the election commissions, voting locations and establishment of a dispute resolution committee, among other items.

¹⁵ After the NIEC announced that the vote could not be held on time, many opposition actors regarded it as partial to the federal government. “Somali party says poll body lost neutrality, urges resignation of NIEC officials”, *Somali Affairs*, 28 June 2020.

¹⁶ An intra-parliamentary leadership meeting in late September, attended by Farmajo and member state leaders, signalled a measure of reconciliation among the leaderships of both houses. “Hashi, Mursal resolve row in meeting with Farmajo and FMS leaders”, *Goobjoog News*, 22 September 2020.

¹⁷ The insistence from some of Somalia's international partners to hold universal suffrage elections continued well past the point where most observers felt this option was realistic with no extension of the government's mandate. Following the NIEC chairwoman's June presentation to parliament, both the UK and EU ambassadors to Somalia endorsed a March 2021 direct model, despite the implied delays. See tweet by Ben Fender, British ambassador to Somalia, @benfenderfcd0, 1:53pm, 28 June 2020; and tweet by Nicolas Berlanga, EU ambassador to Somalia, @NBerlangaEU, 1:19pm, 28 June 2020.

¹⁸ Crisis Group interviews, Western diplomats, September-October 2020; roundtable discussion with international partners focused on Somalia, August 2020.

¹⁹ “Domestic Election Observation Mission: Final report on Somalia's 2016-17 electoral process”, Saferworld, Puntland Non-State Actors Association and Somalia South Central Non State Actors, June 2017; “Somalia 2016-2017 Limited Election Process”, EU Election Expert Mission to Somalia, February 2017; S/2017/8924, UN Monitoring Panel Report 17-17136, 2 November 2017.

Some partners also continue to argue that without more elements of a direct vote, Somalia's system of corrupt and unaccountable politics is unlikely to meaningfully improve, given the paucity of transparency and inclusivity in the election process.²⁰ Nevertheless, most of Somalia's partners are slowly coming around to the idea of another indirect election, given that it is backed by consensus and can be stood up more quickly than moving to a wholly new model.²¹

Moreover, the "Mogadishu model" responds to at least some of the concerns raised by Western partners in that it slightly widens citizen participation and includes measures to improve vote transparency. Although the selection process for the upper house is unchanged as noted above, the process for the lower house has been expanded. The electoral colleges responsible for selecting members now comprise 27,775 total delegates, up from 14,025. In addition to simply allowing more Somalis to participate directly in the election process, this expansion of the number of delegates may help discourage (though almost surely not eliminate) seat buying because it will require payoffs to more delegates.²² The agreement also provides for an additional voting location in each state outside the state's capital, which will make voting more accessible to constituents, and increases process transparency by creating the basis for civil society to play an oversight role in the selection of electoral college delegates.

III. Destabilising Factors

Despite the consensus achieved on the electoral model, various political fault lines remain wide open. Unless the parties find a way to temper their acrimony, disputes over electoral preparations or even a contested result could prompt violent fallout.²³ Opposition groups, including clan-based organisations, are poised to mobilise against any form of perceived electoral manipulation by the Farmajo-led government, while Al-Shabaab and the Islamic State in Somalia will almost certainly take advantage of any political instability to cause more disruption.

²⁰ Crisis Group interview, Western diplomat, August 2020; roundtable discussion with international partners focused on Somalia, August 2020. A universal suffrage contest should not be viewed as a panacea, however, as Somalia's electoral record as far back as the 1960s is riddled with episodes of corruption and state manipulation. Crisis Group interviews, Mohammed Issa Trunji, regional judge who served during 1969 elections, academic focused on Somalia, August 2020. Trunji is the author of *Somalia: The Untold History, 1941-1969* (Leicester, 2015).

²¹ Crisis Group interviews, senior UN official, Western diplomat, October 2020.

²² Crisis Group interviews, lower house representative, August 2020; Western diplomat, October 2020. In 2016-2017, a prospective lower house candidate could either bribe elders to select favourable individuals for at least 26 of 51 members in an electoral college to obtain a seat, or directly engage the delegates themselves. Expanding that number to 101 means that success will require commanding the loyalty of at least 51 individuals, which will require higher expenditure, making it more difficult, but not impossible, to secure a seat in this way.

²³ Disputed state elections have shown how readily this scenario can unfold. Riots in Baidoa in South West state after the controversial December 2018 election killed at least eleven, while federal and state security forces clashed in Gedo in Jubaland in the aftermath of its contested August 2019 election. Crisis Group Africa Briefing N° 158, *Ending the Dangerous Standoff in Southern Somalia*, 14 July 2020.

A. *The Shadow of Centre-periphery Divisions*

Notwithstanding the September agreement, many federal member states are still very much at odds with Mogadishu. Divergent visions of federal governance are at the heart of many disputes between the government and member states, which are particularly focused on power and resource sharing. These disputes contribute to persistent centre-periphery competition.²⁴

While the federal member states are frequently quarrelling with Mogadishu, in some cases, the newly installed leaders are likely to bend in Farmajo's direction.²⁵ For example, Farmajo's installation of compliant allies in leadership positions in the regional governments of South West state in December 2018 and Galmudug state in February 2020, in addition to his alleged attempts to do the same in Hirshabelle state's ongoing election process, could improve his prospects for re-election and thus his quest to centralise power.²⁶ Not only are these leaders already favourably disposed toward Farmajo, but the states they govern mainly cover territory in Somalia's hinterlands and are economically vulnerable, thus leading them to look to Mogadishu for financial support. Their leadership may try to use what influence they have over the process to usher Farmajo back into office, though their clout is not unchallenged, making the outcome far from guaranteed.²⁷

By contrast, other federal members states still smarting over the Farmajo administration's interference in their own regional elections, such as Puntland and Jubaland, see the national contest as an opportunity to thwart his re-election campaign.²⁸ The leaders of Puntland and Jubaland states, each of which controls a busy port and is economically independent, are very unlikely to support Farmajo. The tension between Jubaland and Mogadishu is particularly fraught and has already resulted in a military standoff in the Gedo region, where the federal government has deployed security units and appointed local officials loyal to Mogadishu.²⁹ While Jubaland President

²⁴ External rivalries have also contributed to Somalia's divisions. The Gulf Cooperation Council dispute, for example, pits Somalia's member states and federal government against each other, as the former gravitates toward the United Arab Emirates/Saudi Arabia bloc and the latter is wedded to Qatar. Crisis Group Africa Report N°260, *Somalia and the Gulf Crisis*, 5 June 2018.

²⁵ In South West state in December 2018, security forces aligned with the federal government arrested a leading candidate just before the vote, allowing a Farmajo ally to emerge victorious. See Rashid Abdi, "Somalia's South West State: A New President Installed, a Crisis Inflamed", Crisis Group Commentary, 24 December 2018. In Galmudug state, the federal government undertook an intensive campaign to remake its political structure, which resulted in the election of a candidate close to Mogadishu in February 2020.

²⁶ Crisis Group interview, academic focused on Somalia, August 2020. Candidates aligned with Mogadishu did not emerge victorious during the January 2019 Puntland and August 2019 Jubaland elections. Hirshabelle state is selecting a new parliament and president in October-November, just ahead of the national elections, but opposition actors have accused Mogadishu of interference. See "Dowlada Soomaaliya Oo Lagu Eedeenayo Faragelinta Doorashada Hirshabelle", Radio Kulmiye, video, YouTube, 21 October 2020.

²⁷ In 2016, President Hassan Sheikh Mohamud was viewed as close to the leadership of South West and Galmudug, but both states counted many votes against him on election day. Observation by Crisis Group analyst present in Somalia during the 2016 election.

²⁸ Crisis Group interview, opposition politician, November 2020.

²⁹ This dispute has been festering since January. Crisis Group Briefing, *Ending the Dangerous Standoff in Southern Somalia*, op. cit.

Ahmed Mohamed Islam “Madobe” has engaged the federal government in discussions to resolve the standoff and has signed off on the “Mogadishu model”, the regional and national governments have not agreed on how to conduct elections in Gedo, which remains a tinderbox.³⁰

This problem could be significant. The “Mogadishu model” calls for the selection of sixteen of Jubaland’s 43 lower house seats to take place in Gedo’s capital of Garbaharey, where the federal government now exerts control. Holding the polls ahead of a political resolution risks inflaming these tensions further. The situation could get worse still if Madobe insists on federal troops leaving and Farmajo demurs – a circumstance that could lead to violence and prevent the vote from going forward in Jubaland.³¹ The leadership in Mogadishu and Kismayo should urgently come up with a plan for the elections to take place, including by following through with previous arrangements between Madobe and Farmajo to resolve the Gedo standoff.³²

Tensions between Mogadishu and Jubaland or other states could also play out in parliament if an election dispute comes before it. Because Somalia has no constitutional court, a disagreement over, for example, implementation of the electoral agreement could come before the two houses, which would struggle both to define their role in resolving the dispute and to reach consensus with each other. While Farmajo has developed working relations with many lower house representatives, who have looked at election issues through the same lens as the national government, the upper house, in part because it is chosen by state-level legislators, has remained largely out of his control. A provisional constitution that is at times unclear in delineating the roles of each house has encouraged them to compete for power (as they did in sparring over how and when to address gaps in the electoral law) and the absence of a court empowered to review such issues means that their differences can go unresolved.³³

Consequently, the best and (given the lack of institutional structures to adjudicate this relationship) only way for parliament to reach decisions about major election-related issues in a way that all the constituencies it represents can trust will be for both houses to agree. To this end, their respective speakers should maintain open lines of communication throughout the electoral cycle and avoid undertaking unilateral legislative moves that could shatter the delicate consensus agreement reached in September.

³⁰ During the opening of Jubaland’s parliament, Madobe stated that no election in Gedo would occur as long as federal troops remained there. “Jubaland demands for withdrawal of SNA from Gedo ahead of election”, Garowe Online, 7 October 2020.

³¹ Crisis Group interview, Jubaland parliament member, October 2020.

³² In June 2020, Farmajo agreed to recognise Madobe for a two-year term, and later also reportedly agreed to draw down federal forces from Gedo. There has been no subsequent indication to suggest that the latter has occurred. “Farmajo agrees to withdraw troops from Gedo”, Garowe Online, 9 September 2020.

³³ The vote to remove Prime Minister Khaire highlighted the alignment between Farmajo and the lower house of parliament, with an overwhelming 170 of the representatives present voting in favour of Khaire’s removal, compared to just eight saying no. “Somalia: prime minister ousted after resounding vote of no confidence”, Deutsche Welle, 25 July 2020. Crisis Group interview, deputy speaker of upper house, August 2020.

B. *Clan and Political Party Mobilisation*

Powerful clans are coming together to voice concerns about the election and mobilise against Farmajo, a sign that if electoral contestation takes off, it will involve not just disputes between Mogadishu and the states but possibly also widespread mobilisation of grassroots clan militias. A large conference of the powerful Mudulood clan in Mogadishu in August where clan leaders called for a timely election, placing additional pressure on Farmajo to come to a consensus agreement, was perhaps the most striking indicator of this possibility to date.³⁴ Residents of Mogadishu have expressed worries to Crisis Group about some clans' preparations to arm themselves in the event of an electoral dispute.³⁵ While September's agreement has dampened some of these anxieties, a contested electoral process would surely reinvigorate them.

Leaders of national political parties have also warned that they will not accept an election they perceive as illegitimate. Major parties like the Forum for National Parties, led by two former presidents, and Wadajir have been outspoken in expressing their concerns about the elections – among other things weighing in about the prospect of a delayed timeline prior to agreement on the “Mogadishu model” and expressing concern that Farmajo may try to use the security forces, whom they perceive to be polarised, to influence the electoral process.³⁶ These parties are defined more by clan affiliation than ideology. If they signal strong objections to the conduct of the vote, clan-based discontent is likely to follow.

C. *Jihadists*

While neither Al-Shabaab nor the Islamic State in Somalia violently disrupted the actual vote in 2016-2017, both present a potentially greater challenge this time around.

The Islamic State, associated with an Al-Shabaab splinter group that has developed over the years in the northern tip of Puntland, has been infiltrating the north-eastern port city of Bosasso, one of the new voting locations for 2020-2021.³⁷ Al-Shabaab has also stepped up suicide and mortar attacks in Mogadishu.³⁸ These insurgents are likely to deploy intimidation tactics that may affect the outcome, reprising their playbook from 2016-2017, when they assassinated elders and electoral college candidates, but

³⁴ Crisis Group interviews, analyst focused on Somalia, politician, October 2020. Asad Abdullahi Matan, “Muddulood conference releases sensitive statement”, Caasimada, 6 August 2020.

³⁵ Crisis Group interviews, academic based in Mogadishu, residents, August 2020.

³⁶ They have also complained about interference from the federal government in state-level election proceedings. Crisis Group interviews, Somali political actors, October 2020. “Qalalaasaha ka aloonsan Gobolka Gedo”, Forum of National Parties, 15 February 2020; “XW/44/20”, Wadajir, 10 July 2020.

³⁷ Crisis Group analyst's interview in a previous capacity, humanitarian official, Garowe, August 2019. See also S/2019/858, UN Monitoring Panel Report 19-16960, 1 November 2019. Though the frequency has slowed in 2020, the Islamic State has claimed over 100 attacks by its Somali affiliate since April 2016, with the vast majority occurring in the Bari region of Puntland, where Bosasso is located, or in Mogadishu and its environs.

³⁸ After a lull, there have been at least nine suicide attacks in Mogadishu since June, including the siege of the Elite Hotel on 16 August – the first complex attack in Somalia's capital in 2020. The militants have also launched more than half a dozen mortar attacks in the capital in 2020 as well, including several targeting the Halane airport complex. Al-Shabaab has attacked the Dhusamareb airport area three times between September-October.

later extended an “amnesty” to others if they sought forgiveness for participating in the polls.³⁹

Such tactics may not only cause some elders or delegates to opt out of the electoral process, but also hand the militants an opportunity to seize on post-election grievances that could emerge if groups feel disenfranchised, and channel these into anti-government sentiment.⁴⁰

IV. Protecting the Vote

The federal and state governments, with support from international partners, should focus on technical steps to mitigate the risk that large groups of Somalis lose confidence in the integrity of the electoral process. A federal-level electoral commission, in coordination with state level commissions, will be responsible for overseeing the vote, and should be given the space to pursue the implementation of technical procedures freely.⁴¹ These commissions will have their work cut out for them, but should pay particularly close attention to the following areas.

A. Clan Elder Selection

The process for selecting clan elders who in turn choose the electoral colleges for the lower house is scheduled for November and will be a closely watched affair. The federal and state-level electoral commissions are responsible for verifying the elder lists, in consultation with the clans. Disputes have previously emerged when the selection of elders became politicised, with federal and state-level political leaders attempting to manipulate the lists. This matter has become a major source of contention between the federal government and member states in state-level elections in recent years.⁴²

Given how crucial this process is in determining the outcome of lower house elections and, ultimately, the presidential election, elder selection could again become a flashpoint between the federal government and member states. The 2020-2021 process should preferably rely on elders whom clans have agreed should represent them in previous electoral cycles, which can help reduce the risk of a politicised replacement process. Opening up the process beyond that would allow for manipulation by either the federal government or member states, likely resulting in additional contestation. Already, several elders with whom Crisis Group has spoken have accused the federal

³⁹ “New Statement from Harakat Al-Shabab al-Mujahidin: ‘A Call to Repentance to the So-called Apostate Somali Tribal Elders’”, *Jihadology*, 14 July 2019.

⁴⁰ Crisis Group interviews, elder participant in Al-Shabaab amnesty program, elder participant in 2016-2017 election, August 2020.

⁴¹ At the time of writing, a dispute held up formation of the state election committee for Somaliland, with some politicians originally from Somaliland objecting to federal involvement in this process. XG/468/B-10/20, Upper House Office of the Speaker, 1 November 2020.

⁴² Crisis Group interviews, Somali elders, August-October 2020. In Galmudug’s 2020 election, Mogadishu rejected elders who had participated in the 2016 election, viewing them as too close to the ex-president and current opposition leader, Hassan Sheikh Mohamud. Crisis Group interview, Galmudug elder, October 2020. In Jubaland, divergences over the elders list led to Mogadishu rejecting the outcome, contributing to a year-long standoff.

government of identifying favoured elders in some areas.⁴³ While it is impossible to fully insulate the process from interference by political actors, the election committees should confirm that the elders selecting electoral college delegates conform to previous electoral lists, and to the extent that new names must be added due to death or other circumstance, ensure that these nominations come directly from the clans.

B. *Upholding the Role of Civil Society*

A major change the “Mogadishu model” makes in the electoral process compared to 2016-2017 is that it grants Somalia’s civil society organisations an expanded role in the voting process. That role gives them an opportunity to work with clan elders in selecting electoral college representatives. Somalia’s civil society is led primarily by umbrella organisations already active in mediating among electoral stakeholders.⁴⁴ Their inclusion in the “Mogadishu model” likely reflects efforts by Somalia’s political leaders to respond to international pressure, particularly from Western countries and the UN, for a more inclusive selection process that is less concentrated in the hands of clan elders.⁴⁵ The specifics of civil society organisations’ involvement, however, have yet to be formalised and will need to be worked out once the federal and state level electoral commissions – which will be responsible for managing their involvement – have been fully set up. One task for civil society might be helping develop a set of common standards to guide the elders’ selection of electoral college delegates in all the federal member states.⁴⁶

Somalia’s international partners should offer technical assistance to assist civil society organisations in taking on this monitoring role and, where feasible, providing financial and logistical support to help ensure that they are fully engaged in the process. International partners should also urge that each state-level election commission confirm with the civil society organisations that electoral delegates have been chosen in a fair manner consistent with guidelines they have put in place, prior to the commencement of voting.⁴⁷

C. *Setting Up a Dispute Resolution Mechanism*

The “Mogadishu model” calls for the establishment of a 21-member dispute resolution body, consisting of nine federal government and twelve member state representatives, which will have the authority to review and decide on all election-related cases brought to it by candidates and electoral delegates, subject to payment of a legal fee.⁴⁸

⁴³ Crisis Group interviews, Somali elders, former intelligence official, lower house representatives, August-October 2020.

⁴⁴ These include Somalia Non State Actors and Puntland Non State Actors Association. Crisis Group interviews, Somali civil society leaders, August 2020.

⁴⁵ Crisis Group interviews, Western diplomat, UN electoral official, October 2020.

⁴⁶ Such standards could include ensuring that a particular number of women or youth are included from each sub-clan. Crisis Group interviews, civil society leaders, clan elders, September 2020.

⁴⁷ Crisis Group interview, senior UN official, October 2020.

⁴⁸ A \$3,000 fee will be charged per complaint. The fee is substantial, both to ensure that the mechanism is financially solvent and to keep it focused on major violations. But the expense may also be a barrier, making it more likely that candidates with access to greater financing, rather than delegates, will lodge complaints. Crisis Group interview, UN electoral official, October 2020.

Given the impending timelines, the federal and state governments must staff and train this body as quickly as possible, in order for it to be fully operational in time for election proceedings.⁴⁹ But they must also be careful not to cut corners, as this body's credibility will hinge on selecting impartial, vetted and trained personnel. Somalia's international partners may be able to help with some aspects of setting up this mechanism – for example, by providing training and logistical support.

At the same time, the dispute resolution mechanism can be effective only if political actors agree to abide by its decisions.⁵⁰ Somalia's international partners should press the country's political leaders to publicly commit to respecting its findings in advance of the electoral proceedings, sustain their support for the mechanism in the event it becomes seized with high-profile matters or issues decisions to which certain actors may object, and create space for it to do its job by calling for outstanding cases to be resolved before the swearing-in of any winner of a seat where the outcome was contested.⁵¹

D. *Securing the Vote*

The 2020-2021 elections will place additional strain on Somalia's already-stretched police and security forces. With little time to prepare for the challenge, they will be required to protect nearly twice as many voting locations as in 2016-2017.⁵² While voting centres have generally been chosen with security in mind, in theory reducing the need for lengthy preparations, some – like Barawe in Lower Shabelle and Dhushamareb in Galmudug – have experienced significant Al-Shabaab violence in their environs. Police may need to take extra precautions at these locations.⁵³

Who should take the lead in providing security will require careful thought. The African Union Mission in Somalia (AMISOM), which has seen its troop numbers drop by 3,000 since the 2016-2017 elections, will have less capacity to assist than it did during the last round, when it played a major role in securing the vote.⁵⁴ Unilat-

⁴⁹ The federal government appointed the committee's 21 members on 5 November 2020. Creating the committee goes beyond nominating members, however, and includes logistical steps such as establishing a presence at all voting locations and providing adequate orientation for members, all of which is time-consuming. Clear terms of reference for the committee also need to be developed. Crisis Group interviews, UN officials, October 2020.

⁵⁰ This lesson emerged from the 2016-2017 elections, when candidates submitted 98 complaints to the interim election dispute resolution mechanism, which annulled eleven elections. Somalia's political leaders, however, judged only five of the races worthy of a rerun. A group of losing candidates also sought redress with the Supreme Court. In May 2017, the court agreed to rerun eight of eleven major races, but the lower house overruled this decision in July, arguing that the election results were irreversible. Crisis Group interview, former electoral official, August 2020. See also "Domestic Election Observation Mission: Final Report on Somalia's 2016-17 Electoral Process", op. cit.

⁵¹ As one interlocutor noted of the 2016-2017 experience: "If politicians do not want to implement the decisions of the dispute resolution mechanisms, then why set them up in the first place?" Crisis Group interview, electoral official involved in 2016-2017 process, September 2020.

⁵² Crisis Group interviews, security actor involved in 2016-2017 vote security and preparations for 2020-2021, security expert, August-September 2020.

⁵³ Crisis Group interview, senior UN official, October 2020.

⁵⁴ The drawdown represents a reduction from 22,626 troops in 2016 to 19,626 at present. The federal government had biometrically registered 16,000 soldiers by April 2019. "We can now account for 16,203 soldiers", Goobjoog, 2 April 2019. An operational readiness assessment also from 2019

eral deployments by the government to make up the ground could generate friction with the opposition, which sees parts of the Somali National Army and the National Intelligence and Security Agency (NISA) as biased actors and worries that they could manipulate polls in favour of the incumbent administration.⁵⁵ Security of election venues should therefore remain the primary responsibility of state police on election day to further reduce potential avenues for, or perceptions of, manipulation by federal authorities, while military arrangements to secure overall locales should be done via a consensus arrangement relying on local and international forces first, and national forces only where necessary.

V. The Benefits of a Short Delay

As elections rapidly approach, Somalia's political leaders, including in both the federal government and member states, share responsibility for the lack of preparation to date. The decision to go forward with indirect elections makes the burden considerably lighter, but the federal and state governments still have a great deal of work to do before the election can credibly proceed. In addition to technical elements of the "Mogadishu model", security preparations also need to be completed. In the politically charged atmosphere, it would be advisable for Somalia's stakeholders to explore a short-term extension of the electoral calendar of one to three months. Extending the timeline any further would risk straying past the point where the opposition sees the move less as an attempt to improve the integrity of the vote, and more as an extension of Farmajo's rule.

Given the high level of contestation, Somalia's major partners, including the U.S., UK, EU and UN, all of which have interests in seeing the election go as smoothly as possible, could serve a third-party role. They should quickly work out which among them can explore whether Somali political actors would be amenable to such an extension. The explicit aim of any delay would be to avoid rushing with the "Mogadishu model" and, in turn, lessening prospects of post-vote contestation. This path would require the parties to develop a more detailed roadmap for the elections, including benchmarks for the training of civil society and full establishment of the dispute resolution mechanism in advance of the polls. If there is consensus among Somali political actors, international partners should help them draft the more detailed roadmap and commit to working with them to reach its milestones.

found a total of 19,000 soldiers across the state level (excluding Hirshabelle), but with various levels of capacity. "Operational Readiness Assessment of Somali Regional Forces", AMISOM, February 2019.

⁵⁵ NISA's neutrality – or lack thereof – is a recurrent concern of opposition parties. See Wadajir party statement, 9 September 2020; and "Secret and Confidential Letter from the Forum of National Parties", 19 April 2020. Crisis Group interviews, former intelligence officials, political actors, official involved in election security, September-October 2020. Election security concerns include the limited details on the training of Somali units in Eritrea and the potential for them to return ahead of the elections in support of the federal government. Some units have already returned and reportedly deployed to Gedo and Mogadishu. Crisis Group interviews, Western defense official, March 2020; former NISA official, October 2020; and AU official, October 2020. Federal security forces were deployed to South West state in 2018 and Galmudug in 2019-2020 ahead of elections. Crisis Group interviews, Galmudug ex-minister, former NISA official, September-October 2020.

In private, some Somali politicians have indicated to Crisis Group that they would be open to slight adjustments in the timeframe as long as the overall electoral process makes progress and delays are not used to achieve a longer-term extension of Farmaajo's mandate.⁵⁶ Many view the current timetables as ambitious in any case and expect a degree of slippage.⁵⁷ There is also precedent in Somalia for short-term technical delays, including an agreement that allowed the 2016-2017 polls to kick off four months behind schedule.⁵⁸ Today's environment is more contentious, of course, and any delay will need to be rooted in consensus, limited in duration and aimed at bolstering the vote's integrity, while demonstrating that the overall process is moving forward. Perceptions of unnecessary stalling or unilateral decisions would exacerbate tensions.⁵⁹ It will also be important for the federal government to commit in advance to put major policy decisions on hold; opposition concerns likely would abate if it is clear the government is operating in a caretaker capacity.

If the parties agree to an extension, Somalia's international partners – including the UN, AU, Intergovernmental Authority on Development, EU, U.S. and UK – should help make the most of it. They should lend technical and material support to the electoral process and, in particular, press federal and state authorities to allow the electoral commissions to compile elder lists free from manipulation; help train civil society representatives to perform their duties pursuant to the “Mogadishu model” with respect to electoral college delegate selection; and stand up the dispute resolution mechanism.

If the parties cannot agree on an extension for the “Mogadishu model”, there will be little choice but to proceed; imposing a delay on an already suspicious opposition would be a recipe for renewed unrest. In that scenario, Somalia's international partners should still offer assistance in the above-mentioned areas, mobilising quickly in accordance with the short timetable. Their focus may thus be uneven, but zooming in on quickly attainable elements (such as assisting civil society organisations in areas where they already are well developed) may be necessary.

⁵⁶ Crisis Group interviews, member state official, opposition leaders, foreign and regional diplomats focused on Somalia, October-November 2020.

⁵⁷ Crisis Group interviews, member state official, opposition leader, foreign and regional diplomats focused on Somalia, October 2020.

⁵⁸ Parliament's term expired on 20 August 2016 and that of the president on 10 September 2016, but parliamentary and presidential voting did not occur until November 2016 and February 2017, respectively.

⁵⁹ Crisis Group interviews, opposition politician, Puntland government official, September 2020. Prior to the September agreement, the Forum of National Parties had threatened to form an alternative government if elections were not held on time. “Madasha xisbiyada oo sheegtay iney dhiseyso xukuumad haddii Farmaajo ku tagi waayo muddo xileedkiisa”, Goobjoog, 16 September 2020.

VI. Conclusion

A breakthrough agreement between Somali politicians in September removed a stumbling block that looked as if it would stall the prospect of elections entirely, with the potential to drag the country into conflict. Somalia's stakeholders and its international partners should take advantage of September's reprieve to make the indirect election now planned another step toward democratisation, even if it does not get all the way to universal suffrage as some had hoped. The vote's success, however, will depend on how far the parties go in following the "Mogadishu model" and nailing down the last technical requirements that must be in place to bolster the polls' credibility and diminish prospects of violent confrontation in their wake. Time is running out, but it is important to get these elections right. The benefits of a very short consensual extension, even if it leaves the current federal government in office beyond its mandated term for that limited period only, would likely outweigh the costs and be a better option than a rushed process.

Nairobi/Brussels, 10 November 2020

Appendix A: Schedule for Somalia's Parliamentary and Presidential Election

10-20 October 2020

Appointment of electoral committees and establishment of dispute resolution mechanism

20-31 October 2020

Formation and training of committees

1-30 November 2020

Selection of delegates and preparation of election stations

1-10 December 2020

Upper house elections

10-27 December 20

Lower house elections

1 January-8 February 2021

Selection of parliamentary speakers and president

Appendix B: About the International Crisis Group

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 120 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes *CrisisWatch*, a monthly early-warning bulletin, providing a succinct regular update on the state of play in up to 80 situations of conflict or potential conflict around the world.

Crisis Group's reports are distributed widely by email and made available simultaneously on its website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board of Trustees – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policymakers around the world. Crisis Group is co-chaired by President & CEO of the Fiore Group and Founder of the Radcliffe Foundation, Frank Giustra, as well as by former UN Deputy Secretary-General and Administrator of the United Nations Development Programme (UNDP), Lord (Mark) Malloch-Brown.

Crisis Group's President & CEO, Robert Malley, took up the post on 1 January 2018. Malley was formerly Crisis Group's Middle East and North Africa Program Director and most recently was a Special Assistant to former U.S. President Barack Obama as well as Senior Adviser to the President for the Counter-ISIL Campaign, and White House Coordinator for the Middle East, North Africa and the Gulf region. Previously, he served as President Bill Clinton's Special Assistant for Israeli-Palestinian Affairs.

Crisis Group's international headquarters is in Brussels, and the organisation has offices in seven other locations: Bogotá, Dakar, Istanbul, Nairobi, London, New York, and Washington, DC. It has presences in the following locations: Abuja, Addis Ababa, Bahrain, Baku, Bangkok, Beirut, Caracas, Gaza City, Guatemala City, Jerusalem, Johannesburg, Juba, Kabul, Kiev, Manila, Mexico City, Moscow, Seoul, Tbilisi, Toronto, Tripoli, Tunis, and Yangon.

Crisis Group receives financial support from a wide range of governments, foundations, and private sources. Currently Crisis Group holds relationships with the following governmental departments and agencies: Australian Department of Foreign Affairs and Trade, Austrian Development Agency, Danish Ministry of Foreign Affairs, Dutch Ministry of Foreign Affairs, European Union Emergency Trust Fund for Africa, European Union Instrument contributing to Stability and Peace, Finnish Ministry of Foreign Affairs, French Development Agency, French Ministry of Europe and Foreign Affairs, Global Affairs Canada, Iceland Ministry for Foreign Affairs, Irish Department of Foreign Affairs, Japan International Cooperation Agency, the Principality of Liechtenstein Ministry of Foreign Affairs, Luxembourg Ministry of Foreign and European Affairs, Norwegian Ministry of Foreign Affairs, Qatar Ministry of Foreign Affairs, Swedish Ministry of Foreign Affairs, Swiss Federal Department of Foreign Affairs, United Nations Development Programme, UK Foreign, Commonwealth and Development Office, and the World Bank.

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