

PARLIAMENTARY ELECTIONS

IN SOMALILAND

On Sept. 29th , 2005



Domestic Election Observers' Report

Funded by:

EU, through APD/NEC

Implemented by:

**NAGAAD and COSONGO
on behalf of local CSOs**

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Hargeisa, Somaliland

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ACRONYMS

SPE:	Somaliland Parliamentary Elections
NEC:	National Electoral Commission
REC:	Regional Electoral Commission
PSS:	Polling Station Staff
NAGAAD:	A Women Umbrella Organization of LNGOs
COSONGO:	Consortium of Somaliland NGO
LNGOs:	Local Non-government Organizations
INGOs:	international Non-governmental Originations
WFP”	World Food Program (a UN Body)
CSO:	Civil Society Organizations
APD:	Academy for peace and development
EU:	European Union

PREAMBLE

The brief report contained in the following pages is a combination of two reports earlier compiled separately by Nagaad and COSONGO to whom the task of domestic observers of the parliamentary elections was entrusted by the National Electoral Commission (NEC). The two organizations represented the civil society organizations in the country. Each was charged with the domestic observation task of 300 polling stations out of a total of 985 countrywide or nearly 60% of the total.

Nagaad took charge of Sahil (Berabara capital), Togdheer (Buaro capital), and Sanag (Erogavo capital) whilst COSONGO took W/galbeed (Hargiesa capital) Awdal (Borama capital) and part of Sool (Las'anood capital). Ahmed Dhagah district of Hargeisa with only 40 polling stations suphlimented Ngaad's component of 300 P/station.

Compiled on the basis of 600 observers of different Academic and experience backgrounds, the report can by no means claim to be absolutely objective or 100% free from bias of some sort. But given the circumstance presently prevailing in the sub region and the country's marginal experience in general elections, the observers' task was really daunting. Though not at all faultless, the elections ended peacefully and reasonable free and fair in the standards of the developing world.

Nagaad and COSONGO's domestic observer mandate was confined only to the polling station level of the election process; beyond is not the concern of this report.

Best regards

NAGAAD & COSONGO

0. EXECUTIVE SUMMARY

The introductory background highlights briefly the polarized atmosphere that surrounded the elections and the fear of many of lapse to chaos. It also touches on the apprehensions of the young men and women who were selected by NAGAAD and COSONGO to act as domestic observers and monitor the electoral process in mostly remote areas. Likewise women candidates contesting for parliamentary seats for the first time ever provided yet a new dimension to the polarized environment.

The paragraph concludes with the successful conduct of the elections and the sigh of relief after the successful end of the exercise and closed the cycle of Somaliland's' transition to democracy.

The next para gives a summary of the aim and objectives of the election observation task at the polling station level. In para 3 the methodology for data collection and the questionnaire that guided the domestic observers and major focus of that questionnaire are examined briefly. In that para too different approaches culminating to the same end for data collection are highlighted.

The few lines dedicated to data analysis are oriented to the achievement of the objectives of the observation task and the alignment of the data compiled by the two groups of domestic observers are presented in table #3 of this report.

In the para labeled as “finding” the sum up of the collected data is presented to impart meaning to the actual outcome of the election process in quantative terms. At the end of the report few concluding remarks and several recommendations are suggested.



President of Somaliland



1. INTRODUCTORY BACKGROUND

very few somalilanders remember the last parliament elections in what was then the Somali Republic in 1969 in those elections 78 political (or quasi political) parties contested for 123 parliamentary seats. The government then, headed by the late Egal, had only two options: win a majority or quit the leadership. So the government used all means at its disposal to realize the option: win! The government used the army, public funds, civil servants, and the clan system etc. to bring its SYL party members to the parliament. In the course of those highly polarized elections, 36 years ago, more than 10 people lost their lives, the president of the republic was assassinated immediately after it and that precipitated the bloodless coup of general Mohamed Said Barre and group.

The Democratization Process and Political Development of Somaliland

One of the fundamental rules of Good Democracy is “when people have civil and political rights, they are empowered to claim economic and social rights and vice versa”. Good democracy accords its citizens ample freedom, political equality, and control over public policies and policy-makers through the legitimate and lawful functioning of stable institutions. Such democratic regime allows citizens associations, and communities to enjoy extensive liberty and political equality. It also provides a context in which the whole citizenry can judge the government’s performance through a mechanism such as elections, while governmental institutions and officials hold one another legally and constitutionally accountable as well. More concretely, the dimensions of good democracy are: the rule of law, Participation, Competition, Vertical and Horizontal Accountabilities. This indicates that peoples’ empowerment is often demonstrated by the quality of their participation in decision-making processes affecting their lives. Precisely, democracy is a system through which all citizens have a right to choose their political leaders through a free and fair election system. Holding a free and fair election is basic human rights of a citizen. This is the sort of democracy plus its own cultural values that Somaliland has been striving to for the past several years.

After the long armed struggle led by SNM, during which the people of Somaliland sacrificed their blood and properties to detach from the ill-fated union with Somalia in 1960, which they finally reinstated their

nationhood in 1991 “in 1st Burao National Conference” where all clans and other communities were equally represented in proclaiming what is now the Republic of Somaliland, the democratization processes has been steadily taking its shape especially, ever since 1997 when the Constitution was drafted during the 3rd Somaliland National Conference to replace the 1993 National Charter. The Constitution was subjected to parliamentary and community consultations before putting to a national referendum then scheduled in 2001. However, the challenges to achieve were costly and tedious. In June 2000, the Somaliland Parliament ratified the political party’s law authorizing the formation of 3 political parties to context future elections. National Electoral Commission was established under the Presidential and Local Council Elections Law No. 20/2001.

To this context, the Consortium of the Somaliland Non-governmental Organization (COSONGO) and NAGAAD, representing the majority of the Somaliland Civil Society Organizations, has been actively promoting democracy and voter education in Somaliland.

Specifically, for the past 5 years, Somaliland has passed through remarkable challenges in its newly born but emerging democracy. Besides achieving the most perfect “bottom-up” nationwide community-based peace and stability, Somaliland has overcome the following notable and courageous democratic and political successes that have completed in its democracy cycle:

- 1) The Constitutional Referendum of 31st May 2001 in which 97% of the electorates expressed their desire for an independent and sovereign statehood,
- 2) The Local Council Elections held on 15 December 2002,
- 3) The Presidential Election that peacefully took place on 14 April 2003, during which the current first President and Vice President were elected for more 35 years,
- 4) The recent Parliamentary (House of Representatives) elections on 29 September 2005, during which 82 members of the nation’s lower chamber of parliament were peacefully and successfully elected, by far the major challenge that Somaliland has faced so far. Though there were 82 winners out of 246 3-party candidates, but the overall winners are the peace-loving people of Somaliland.

After recent parliamentary elections, the majority of the Somalilanders are strongly of the opinion that elections in Somaliland were more transparent than those held in many countries in Africa, and they hope that this will give this country's right to recognition. Somalilanders further believe recognition of Somaliland will undoubtedly promote democracy in Africa. The recent remarkable democratic success in Somaliland will hopefully make their case for international recognition very legitimate.

Therefore, It is felt necessary before we assess and avail the observations of this parliamentary elections, to briefly reflect Somaliland politics since its independence to give an insight, for better understanding, into the political development of the country at this point in time. The initiatives and the efforts made to achieve this political development by the people, government, the civil society and the international community at large.



Another factor which added more fuel to the potential fire was the emergence of women candidates contesting for seats in parliament for the first time ever in the history of Somalis, however small their numbers (7 only out of 246 seats contested), which sounded rather queer to some sectors of the community especially the uneducated elderly of both sexes.

Under these circumstances the people of Somaliland went to the polls. The domestic observers in particular were apprehensive more than anybody else. They were mostly young men and women from the civil society organizations some of whom were going to new, remote locations never seen or heard of before.

But fortunately for all, not a bullet was fired or a stick was raised. The electorate turnout was comparatively greater in numbers and with undue enthusiasm. NAGAAD and COSONGOs' 600 polling stations in all the six regions of Somaliland were manned in time and the election process finished hectically and not at all without setbacks but generally peacefully and comparatively freely and fairly. Thus the cycle of

Somaliland's painful transition to representative democracy has at last been completed, much to delight of all:



- Constitutional Referendum
31st May 2001
- Local Council Elections 15th Dec. 2002
- Presidential Elections 14th April 2003
- Parliamentary Election 29th Sept. 2005

Out of the 246 seats contested, 1/3 or 82 candidates won their seats. Of that 82 parliamentarians emerged only two (2) were women or 2.43% of the total..

2. Aim and Objectives of the observation Exercise

The aim of the domestic observation assessment undertaken was to monitor how free and fair the parliamentary election were conducted at the polling stations level. Other objectives of the domestic observer's task included:

1. Determine the level of competence of the polling station staff (PSS): head of the polling station, the register, the ink-man, the security policy etc.
2. Determine the impact of the voter education (if any) on the voters or rather how voters understood the voting procedures where no voter education was provided.
3. On the basis of variables 1,2 and 3 assess how consistent the election process was with the electoral procedure provided by the law.
4. For NEC, NAGAAD and COSONGO as well it was necessary to observe how any lessons learnt from the previous elections were being implemented.
5. To check that whether free and fair is conducted.

3. METHODOLOGY

The following approaches were adopted for data collection:

- A. Questionnaire consisting of those forms (A, B, &C) each form concerned with a separate stage of the election process. I.e. opening the polling station and voting; closing the polling station and counting the votes and processing the vote's tabulation and documenting them which guided the domestic observers.
- B. Reports from international observers.
- C. Report from international regional coordination personnel
- D. Complaints fitted to regional and national Electoral commissions. The primary source of data collection was from the questionnaires which contained some 38 questions structured questions for the three (3) stages of 23, 11 and 4 for form A, Form B, and Form C respectively. At the end of each form there was an assessment tool that condensed the structural questions that preceded each of the 3 sections corresponding to the 3 stages of the election process. These assessment tools provided essentially the major focus of the questionnaire.

Please see the attached form

Sample Forms

- Form A:** Opening of the polling station(s) and the course of physical election process 23 questions.
- Form B.** Closure of the polling station(s) and counting the turned out votes -11 questions
- Form C.** Results tabulation and signing of relevant documents-4 questions.

3.1 Major Focus of the Questionnaire

The National Electoral Commission (NEC), the author of the questionnaire and the ultimate responsible for any wrongdoing in the election process laid strong emphasis on the three variables of the election process at the polling station level.

- A. **Competence of the electoral commission of the polling station** earlier in this report referred to as the polling station staff (PSS)
- B. **Comprehension level of voters or how aware the voters were of the election procedures and**
- C. **Observers personal assessment of A, B and C.** Assessment ratings given to each of them in every polling station was in fact was crux of the issue reflecting how freeness and fairness were observed or violated in each and every station. This is where the major focus of the questionnaire was.

3.2 Other Sources of Information

Apart from the filling of the questionnaire sample other sources of information resorted to in compiling, this report included:

- A. **Reports submitted by the regional coordination committees.** These were two to three (2-3) persons selected from the LNGOs in every region to monitor election processes in their respective regions and later dispatch evaluation reports.

- B. An International Election Observer Team comprising 76 members from four (4) continents brought together by the Catholic Institute for International Relations (CIIR) and funded by the British Embassy in Addis Ababa, Ethiopia.
- C. Others like MSN Hotmail-Message etc. Copies of the last two sources will be attached to this report.

4. DATA COLLECTION

Data collection had therefore to proceed in two directions:

- A. Filling a spreadsheet with answers to 43 questions (38+7) in 600 polling stations and process wall over 25 thousand data into YES, NO and don't know (600 x 43=25,800)
- B. Concentrate on the assessment tools provided at end of each questionnaire form there tabulate the assessment ratings only. That method presumes the questions preceding form as facilitating the domestic observers assessments in all the stages of the electoral process. But also required some 54000 ratings of the three (3) stages of the process in the three (3) variables presented in the objectives of the mandate. Both methods were employed and these proved the questionnaire to be not well thought of. For instance if answers to question #1 “where all members of the electoral commission of the polling station present? Turned as follows 390 observers or 65% say YES. 150 or 25% say NO and 60 or 10% says DON'T KNOW, how would one categorize those who said “didn't” know. Were they absent at the time of opening the polling station?, were they not given any training? Were they in disagreement with both other groups and chose to remain neutral or just taciturn?
That seemed a tedious exercise without much concrete results. The second method, though representing only the subjective opining of the observers was more concrete and better objectives-oriented. Both methods were presented in this report.

Data collection by the assessment tool method turned out the following matrix



S/N	Polling stations code #	RATINGS			
		FORM A	FORM B	FORM C	Polling Station Enrage
1	2	3	4	5	6
	XXX	3+2+3= 3	2+1+2= 2	1+3+2=2	2
Total per Region		xxx	xxx	xxx	Xxx
Total Group B		xxx	xxx	xxx	Xxx
Total Group A		xxx	xxx	xxx	Xxx
GRAND TOTAL		Average Form A	Average Form B	Average Form C	Average for 589 Polling Station



5. DATA ANALYSIS

Data analysis was done in two ways by the two groups (contingents of observers). Group A, COSONGO relied more on the spreadsheet and produced two sets of responses to the questionnaire. One set of responses regards the sum up of answers to the structured questions as an average to each leg of the election process:

FORM A: Opening of the polling station of the 300 locations

- % Responded **YES** to all the identical questions **82%**
- % Responded **NO** to all identical questions **6%**
- % Responded **DON'T KNOW** **12%**

Voting Process

- % Responded **YES** **54%**
- % Responded **NO** **39%**

□ % Responded DON'T KNOW	<u>7%</u>
TOTAL	100%

FORM B: Closure of Polling Station

□ % Responded YES	62%
□ % Responded NO	33%
□ % Responded DON'T KNOW	<u>5%</u>
TOTAL	100%

Counting the Ballots

□ % Responded YES	69%
□ % Responded NO	26%
□ % Responded DON'T KNOW	<u>5%</u>
TOTAL	100%

FORM C: Tabulation of Results

□ % Responded YES	38%
□ % Responded NO	59%
□ % Responded DON'T KNOW	<u>3%</u>
TOTAL	100%

The other set of data produced by Group A is the same as that produced by group B (NAGAAD) and regards the sum up of the ratings the observers gave in the three (3) stages of the voting process at the polling station level.

Yet another difference between the two group is that group B (NAGAAD) tabulated the data along regional lines and later added similar data for the coverage area. This has the advantage of comparing regions if need be.

6.0 FINDINGS

Of the 600 polling Stations observed by NAGAAD and COSONGO's domestic observers, data from 589 polling stations turned out for analysis. 6 questionnaire samples were discarded for either being unreadable or were not marked totally. Another 5 questionnaires didn't reach the hands of the analyzing team. All eleven questionnaire samples were from group B (Sahil and Sanag in particular). This means that 289 of NAGAAD's and 300 of COSONGO's, making 589 together had been observed and assessed by the observers.

❖ Here is it is not clear when No is positive or negative



6.1 Sum up of the Assessment Ratings for 589 Polling Stations

By NAGAAD and COSONGO

On Sept. 29th 2005

S#	Polling Observetin Ares	PSS Competence (Form A)				Voter Understanding (Form B)				Observers' Assessment (Form C)			
		Ratings				Ratings				Ratings			
		3	2	1	0	3	2	1	0	3	2	1	0
1	Sahil 60-6=54	32/ 59.26%	18/ 33.33%	1/ 1.85%	3/ 5.56%	26/ 48.15%	18/ 33.33%	10/ 18.52%	0/ 0%	28/ 51.28%	21/ 38.89%	5/ 9.26%	0/ 0%
2	Sanag 70-5=65	41/63.07%	20/30.77%	3/4.62%	1/1.54%	22/33.84%	32/49.23%	9/13.84%	2/3.00%	30/46.15%	33/50.77%	1/1.54%	1/1.54%
3	Togdher 130	112/86.15%	8/6.15%	10/7.70%	0/0%	130/100%	0/0%	0/0%	0/0%	100/76.92%	10/7.69%	20/15.40%	0/0%
4	W/Galbed B	40/100%	0/0%	0/0%	0/0%	40/100%	0/0%	0/0%	0/0%	0%	8/20%	0/0%	2/5%
Sub-Total B		225/77.86%	46/15.91%	14/4.85%	4/1.38%	218/75.43%	15/70.30%	19/6.57%	2/0.69%	188/65.05%	72/24.91%	26/9%	3/1.04%
Sub-Total A 300		159/53%	100/33.33%	19/6.33%	22/7.34%	122/40.67%	121/40.33%	53/17.67%	4/1.33%	170/56.67%	96/32%	28/9.33%	6/2%
GRAND TOTAL		589/ 65.19%	146/ 24.79%	33/ 5.6%	26/ 4.4%	340/ 57.72%	171/ 29.03%	72/ 12.24%	6/ 1.02%	358/ 60.78%	168/ 28.53%	54/ 9.16%	9/ 1.53%

Horizontal sum up of these figures gives you the picture of polling stations. Vertical sum up of them gives you the picture of the three different stages of the election process.

From the table above we can extract the following facts as findings:

1. On PSS Competence:

Out of 589 observers

- | | |
|---|---------------------|
| 2. 384 of them (65%) rate PSS Competence as | Excellent |
| 3. 146 of them (25%) rate them as | Good |
| 4. 33 of them (6%) grade them as | Satisfactory |
| 5. Only 26 of them (4%) rate them as | Poor. |

6. On Voter Understanding of Voting Procedures:

Figures are a bit less but are also impressed:

- | | |
|---|--------------|
| □ 340 observers (50%) grade the voters as | Excellent |
| □ 171 (29%) grade them as | Good |
| □ 72 (12%) rate them as | Satisfactory |
| □ and only 6 (1%) class them as | Poor |

7. On Observers Assessment of 1, 2 and 3

- | | |
|-------------------------------------|--------------|
| □ 358 out of 589 (61%) rate them as | Excellent |
| □ 168 (28%) rate them as | Good |
| □ 54 (9%) rate them as | Satisfactory |
| □ 9 (less than 2%) rate them as | Poor |

From the above we can deduce that

The parliamentary elections in Somaliland, held on 29th Sept, 2005 were free and fair as the above figures show

As can be seen in the conclusion, the sponsor organization received reports underscoring several in-discrepancies in the voting nearly in every region of the country, which were not even noticed by the polling station staff or deliberately feigned ignorance. There were double votings in some places; in others children less than 16 years were said to have been allowed to cast their votes.

For some of the above said reports please refer to the annexes at the end of this report. In particular please see the International Observer Team's preliminary report. From the local reports we can deduce the following:

- ◆ Insufficiency of the security police;
- ◆ Some double votings in more or lesser quantities in nearly most polling stations
- ◆ Earlier closures of some polling station while people were still in the queues to cast their votes due to a finishing of voting papers
- ◆ Over zealous public for voting to the extent of troubling the few police available.

Apart from these setbacks the election went smoothly and peacefully conducted, contrary to the expectations of many.



7. CONCLUSION

The observers did achieve their objectives generally successfully. They documented their observations on Election Day. Elections were, by and large, conducted peacefully and generally fairly and freely. There were, frankly speaking, some limitations on the part of some observers, which included;

- Academic or experience deficiencies which somehow escaped the attention of selectors;
- Lack of sufficient training for some otherwise good ones;
- Tangible carelessness of some in filling the questionnaire or even not marking it at all.
- Election complaints were not given due considerations.

Constraints

- ❖ There were reported traffic movement in certain regions in the country
- ❖ Some double voting were also reported

8. RECOMMENDATIONS

- i. Political parties need to be institutionally capacitated
- ii. Voter registration should be made with immediate effect, otherwise it is difficult to get absolutely free and fair elections.

- iii. Adoption and use of a standard protocol for logging election complaints.
- iv. Setup mechanisms for review of election violation with effective disciplinary actions against those found guilty of fraud.
- v. Launch extensive public awareness programme on civic education like;
 - 1. Citizen rights and obligations
 - 2. Voter education and political education
 - 3. Core function of state organs in election times
 - 4. General political development programmes



Aerial view of
Hargiesa city

MAP of Somaliland

