SOMALILAND:

DEMOCRATISATION AND ITS DISCONTENTS

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SOMALILAND: DEMOCRATISATION AND ITS DISCONTENTS

EXECUTIVE SUMMARY AND RECOMMENDATIONS

Recent developments have made the choice faced by the international community considerably clearer: develop pragmatic responses to Somaliland's demand for self-determination or continue to insist upon the increasingly abstract notion of the unity and territorial integrity of the Somali Republic – a course of action almost certain to open a new chapter in the Somali civil war.

Somaliland's presidential election of 14 April 2003 was a milestone in the self-declared, unrecognised republic's process of democratisation. Nearly half a million voters cast ballots in one of the closest polls ever conducted in the region: when the last votes had been counted and the results announced on 19 April, the incumbent president, Dahir Rayale Kahin, had won by only 80 votes.

A former British protectorate in the Horn of Africa, Somaliland declared its independence from the rest of the Somali Republic in May 1991, following the collapse of the military regime in Mogadishu. Although unrecognised by any country, Somaliland has followed a very different trajectory from the rest of the "failed state" of Somalia, embarking on a process of internally driven political, economic and social reconstruction. Somaliland's democratic transition began in May 2001 with a plebiscite on a new constitution that introduced a multiparty electoral system, and continued in December 2002 with local elections that were widely described as open and transparent. The final stage of the process – legislative elections – is scheduled to take place by early 2005.

The electoral process has met with widespread approval from domestic and international observers alike, but has not been without problems. The enlistment of government resources and personnel in support of the ruling party's campaign, the disqualification of numerous ballot boxes due to procedural errors, reports of government harassment and intimidation of opposition supporters in the aftermath of the election, and the opposition's initial refusal to accept defeat all marred an otherwise promising democratic exercise.

The next phase of the democratic transition will be the most critical: until opposition parties are able to contest parliamentary seats, Somaliland will function as a de facto one party state. Somaliland's international partners can play a key role in assisting the National Electoral Commission to convene legislative elections with the least possible delay, while ensuring a level playing field. Constitutional and judicial reforms may also be required to ensure the integrity of the democratic process over the long-term.

Somaliland's increasingly credible claims to statehood present the international community with a thorny diplomatic dilemma at a time when southern Somali leaders are meeting under the auspices of the Inter-Governmental Authority on Development (IGAD) with the aim of establishing a new Somali government. Recognition of Somaliland, although under consideration by a growing number of African and Western governments, is still vigorously resisted by many members of both the African Union (AU) and the Arab League on the grounds that the unity and territorial integrity of member states is sacrosanct. Furthermore, the creation of a new Somali

government emerging from the IGAD process that claims jurisdiction over Somaliland threatens to open a new phase in the Somali conflict.

Diplomatic hopes for a negotiated settlement between Somaliland and a future Somali government, however, are unlikely to bear fruit. A hypothetical dialogue on Somali unity would have to overcome mutually exclusive preconditions for talks, divergent visions of what a reunited Somali state might look like and incompatible institutional arrangements. Failing a negotiated settlement, any attempt to coerce Somaliland back to the Somali fold would entail a bitter and probably futile conflict. The question now confronting the international community is no longer whether Somaliland should be recognised as an independent state, but whether there remain any viable alternatives.

RECOMMENDATIONS

To the Somaliland Government

1. Demonstrate a genuine commitment to pluralism by releasing remaining political detainees and reinstating any government employees dismissed from their jobs for political reasons.

2. Withdraw the proposed press law and invite the independent media to assist in drafting legislation more conducive to the development of independent yet responsible media.

3. Conclude the formal transition to a multiparty political system with the least possible delay, by setting the date of parliamentary elections within less than twelve months.

4. Introduce legislation providing for reasonable subsidies to all official political parties on an equitable basis.

5. Demonstrate a commitment to human rights by investigating past abuses, taking corrective action against those responsible and introducing new measures to strengthen the protection of human rights.

6. Initiate an independent review of the constitution, with particular attention to the three-party ceiling.

7. Undertake a comprehensive review of the electoral law, based on lessons learned.

8. Introduce legislation to strengthen the electoral process, including penalties for infractions of the electoral law.

9. Commission an independent judicial review, with a view to introducing reforms strengthening both the capacity of the judiciary and its independence from political influence.

To Donor Governments

10. Provide party building training and financial assistance to all three official parties in order to prepare them for legislative elections.

11. Offer technical and financial assistance to the National Electoral Commission in order to remedy problems encountered during local and presidential elections, and to assist in the design and implementation of an appropriate voter registration system.

12. Assist the government with other reforms intended to advance the process of democratisation.

13. Increase support for social and economic development in order to enhance the 'peace dividend' and preclude public disillusionment with the democratisation process.

14. Explore options for providing Somaliland with access to direct bilateral and multilateral financial assistance pending a resolution of the territory's legal status.

To the United Nations, African Union and IGAD

15. Adopt a more open-minded approach to the question of Somaliland's ultimate status, in particular by:

   a) dispatching fact-finding missions to assess the current situation and to recommend policy options, with leadership taken by either the AU's Peace and Security Council or the presidential troika (currently South Africa, Mozambique and Zambia) in view of the serious divisions within IGAD;

   b) taking Somaliland's demands under formal consideration, including a legal review of the territory's case vis-à-vis the current AU charter; and

c) granting Somaliland observer status pending
a final decision on its international status.

Nairobi/Brussels, 28 July 2003

SOMALILAND: DEMOCRATISATION AND ITS DISCONTENTS

I.   INTRODUCTION

On 14 April 2003, the people of Somaliland enjoyed an experience all too rare in the Horn of Africa: an election without a predetermined outcome. The re-election of the incumbent President, Dahir Rayale Kahin, came as a surprise for a number of reasons: First, because of the razor thin margin of his victory – just 80 votes out of nearly 500,000 ballots cast. Secondly, because he is not a member of Somaliland's majority clan. Thirdly, because the opposition was tipped to win.

Somaliland's presidential election was remarkable for other reasons as well: it was the second election since December 2002, after a democratic hiatus of 32 years, and the third time in as many years that Somalilanders had been given the opportunity to express their preferences at the ballot box. These first bold steps towards democratisation set Somaliland apart from the rest of the Somali Republic, which has become virtually synonymous with the term "failed state" since the collapse of Major-General Mohamed Siyaad Barre's dictatorship in 1991. At a time when the Horn of Africa has been described as home to some of the "world's worst regimes",[1] the achievements of this unrecognised 'republic' stand out in even greater contrast.

But elections alone do not make a democracy. Corrupt and authoritarian habits of governance, a legacy of Somalia's dictatorial and war-torn past, have encumbered Somaliland's democratic transition. The interlude between presidential and parliamentary elections (expected to take place before June 2005) will be a critical period in which the government faces a clear choice: to lay the ground for free and fair elections and a truly pluralistic political system or to exploit its incumbency to stifle real political competition. International engagement during this period could help to tip the balance one way or the other.

Somaliland's democratisation renders the prospects for reunification with the rest of Somalia increasingly improbable, not only because the aspiring state's political institutions have little in common with the kinds of interim, factional arrangements likely to emerge in the south, but also because its leadership is becoming more accountable to its electorate – the majority of whom no longer desire any form of association with Somalia. It is becoming apparent that if the international community continues to insist upon a unity and territorial integrity of the Somali Republic that may no longer be realistic and does not develop pragmatic responses to the demand for Somaliland's self-determination, the result could well be the reopening of the Somali civil war.[2]

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[1] "Eritrea, Somalia, Sudan among world's worst regimes, report says", IRIN, 15 April 2003. The citation refers to a report to the UN Human Rights Commission by the U.S.-based advocacy group, Freedom House.

[2] For thoughtful reflections on the nature of statehood and its relevance to Somaliland, see for example, Jeffrey Herbst, States and Power in Africa: Comparative Lessons in Authority and Control (Princeton, 2000), pp. 267-268 and Maria Brons, Somalia: From Statelessness to Statelessness? (Utrecht, 2001), passim.

II. BRIEF HISTORY OF SOMALILAND

The modern day Republic of Somaliland, which declared its independence from Somalia on 18 May 1991, is the third incarnation of the territory established by the British in the Horn of Africa towards the end of the nineteenth century. It spans a land area of 137,600 square kilometres, or roughly 22 per cent of the territory of the Somali Republic (637,540 square kilometres), most of which receives less than 300 millimetres of rainfall annually. The population is currently estimated at between two and three million (the lower figure is probably more accurate) out of some seven million inhabitants of the whole Somali Republic.

In June 1960, after more than seven decades as a British protectorate, the territory received its independence from Queen Elizabeth II. Once one of five Somali entities that aimed to unite under a single flag,[3] it was the only Somali territory actually to unite with Italian Somalia, which it did just five days after obtaining its own independence.

Following the collapse of the Somali government in 1991, Somaliland announced the dissolution of the 1960 union with Somalia, but its declaration of independence has yet to be recognised by a single member of the United Nations.

A. THE BRITISH SOMALILAND PROTECTORATE (1884 – 1960)

Britain acquired its Somaliland Protectorate by accident rather than by design. In 1884, the Mahdist revolt in Sudan necessitated the hasty withdrawal of Egyptian garrisons from much of the Horn of Africa, threatening a sudden vacuum. Anxious to secure the supply of meat for its garrison across the Red Sea at Aden and to pre-empt the territorial ambitions of rival powers in the region (the French to the west, the Italians to the east, and King Menelik of Shoa to the South), the British government entered into treaties of protection with the leaders of local Somali clans: namely the 'Iise, Gadabursi, Habar Garhajis, Habar

Awal and Habar Tol'ja'alo.[4] The territory represented by these treaties was ill-defined, and the extent of British control was eventually delineated by a series of protocols with the other main colonial powers in the region: France in 1888, Italy in 1894, and Ethiopia in 1897.

Within these borders resided some 650,000 ethnic Somalis belonging to three major clans: the Isaaq, the Darod and the Dir, representing roughly 66 per cent, 19 per cent and 15 per cent respectively of the total population.[5]

The British took little interest in their new protectorate: instructions were issued to the effect that "the occupation was to be as unobtrusive as possible. […] No grandiose schemes were to be entertained; expenditure was to be limited to a minimum, and was to be provided by the local port revenues".[6] By employing methods of 'indirect rule', the number of British colonial officials was kept to a minimum.

British plans to administer this "Cinderella of Empire" on the cheap were shredded by the eruption in 1899 of the Dervish (*Darawiish*) revolt led by Sheikh Mohamed Abdullah Hassan. Known to his followers as the Sayyid and to his British adversaries as the "Mad Mullah", the Sheikh challenged British rule in the protectorate for twenty-one years, tying down as many as four thousand imperial troops and three warships. He was ultimately defeated only by the dispatch of an experimental air force bomber squadron to Somaliland.

Although he was often described as the first modern nationalist leader among the Somalis, the Sheikh's uprising served to divide the people of the Protectorate rather than to unite them. The majority Isaaq clan tended to side with the British, while the Dervishes drew their support mainly from among the Dhulbahante branch of the Darod (the Sheikh's maternal lineage), with whom the British had no treaty of protection, and to a lesser extent from the Warsengeli clan (also a branch of the Darod). It

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[3] The five points of the white star at the centre of the blue Somali flag stand for Italian Somalia, British Somaliland, Djibouti, the "Ogaden" region of eastern Ethiopia, and the Northeast Province of Kenya.

[4] The history of this period is covered in depth in: I.M. Lewis, *A Modern History of Somaliland: From Nation to State* (London, 1965), pp. 35-49.

[5] Saadia Touval, *Somali Nationalism* (Cambridge, 1963), p.118. See Appendix A below for a depiction of Somaliland's major clans and sub clans.

[6] Ibid., p. 47.

was a schism that would prefigure Somaliland politics for much of the next century.

Between the end of the Dervish revolt and the advent of World War II, the British embarked on a modest expansion of their administration of the Protectorate, necessitating a shift of the administrative capital from the coast to the interior, first to the town of Sheikh and then to Hargeysa. Nevertheless, in comparison with Italian rule to the south, British administration of the Protectorate resembled a form of benign neglect. Unlike more favoured colonial possessions, such as Kenya and Nigeria, the British showed little interest in Somaliland's economic development beyond clearing rough roads between major towns. The British system of indirect rule left traditional systems of authority largely intact, employing clan chiefs ('*aqiilo*) as mediators between the government and the people. District courts, presided over by judges known as *qadis*, dispensed a familiar blend of customary and religious law.

In August 1940, British Somaliland fell into Italian hands and was briefly incorporated into the Italian East African Empire. Just seven months later the Protectorate was back under British control, where it remained until the end of the war, when, like other Somali territories (with the exception of the French Somali Coast), it was consigned to British Military Administration. In 1946, the British Foreign Secretary, Ernest Bevin, proposed that the de facto union of Somali territories under British rule be extended. His plan met with strenuous objections from other wartime Allies, as well as Ethiopia, who suspected the British of trying to extend their colonial possession in the Horn, and had to be abandoned. In 1948, the British decided to return Somaliland to its pre-war status as a Protectorate in preparation for eventual independence.

The failure of the Bevin Plan was by no means the last word on the unification of the Somali people. Since 1943, the Somali Youth League, a nationalist political association with branches in all of the Somali territories except Djibouti, had been working towards the unity of the Somali peoples throughout the Horn.[7] In the British Somaliland Protectorate, the Somaliland National League, the

result of a merger between two pre-war political associations, also began agitating for unification.

Economic and social development of the Protectorate failed to keep pace with the rapidly changing political scene. Unlike Somalia, which the United Nations General Assembly determined should become independent in 1960 after a ten-year period of Italian Trusteeship, no date had been set for Somaliland's independence. Events during the mid-1950s served to focus British and Somali attention alike on the process of Somaliland's decolonisation.

In late 1954, the British decided, without warning, to cede the Haud and Reserved Area to Ethiopian control. These traditional grazing lands of Somaliland's nomads had been arbitrarily awarded to Ethiopia by the 1897 Anglo-Ethiopian protocol, but had remained under British administration in order to ensure Somali grazing rights. Public outrage in the Protectorate found expression in political agitation and increasingly urgent demands for greater autonomy from British rule. A new national convention of associations, unions and political parties, known as the National United Front (NUF) was established specifically to demand the retrieval of the Haud and obtain independence for Somaliland as a member of the British Commonwealth.[8] The surrender of the Haud and Reserved Area gave added impetus to Somaliland's unification agenda since the merger with the other Somali territories (including Ethiopia's Ogaden region) would restore the grazing lands to Somali control.

In response to Somali pressure, the British government agreed in 1956 to an accelerated schedule for self-government, and Somaliland's timetable for independence became gradually synchronised with that of the Italian Trust Territory of Somalia, scheduled for 1960. In 1957 the first Somali Legislative Council was appointed by the British governor and in 1958, the process of replacing expatriate government officials with Somalis got underway. In early 1959, the Council was reconstituted to include twelve elected

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[7] Originally named the Somali Youth Club, it changed its name to Somali Youth League in 1947.

[8] The Front's pluralistic composition was short lived. Having failed to prevent the surrender of the Haud, the NUF went on to become a political party in its own right, drawing its support mainly from the Habar Je'elo sub clan of the Isaaq.

representatives, and the introduction of a new constitution in early 1960 permitted the formation of an executive branch. The 33 seats of the legislature were filled by elections and, with barely three months remaining until independence, a young politician named Mohamed Haji Ibrahim Egal, leader of the pro-unity SNL, emerged as Leader of Government Business.

In April 1960, a delegation of the Protectorate's new leaders travelled to Mogadishu, where they accepted without modification the constitutional arrangements that had already been prepared for the independence of the Italian Trust Territory. At a meeting in London less than a month later, the British formally agreed to grant independence to the Protectorate, on condition that the traditional clan leaders express their support for the decision. On 19 May 1960, the Somaliland Council of Elders gave its assent and the path was clear for Somaliland's independence.

B.   THE STATE OF SOMALILAND (1960)

Somaliland's second incarnation, as an independent and sovereign state, was short lived. A Royal Proclamation of Queen Elizabeth II granted independence to the Protectorate at midnight on 25 June 1960, and the State of Somaliland came into being on 26 June. The territory was, however, woefully unprepared for the challenge of statehood: the entire country could boast of only a handful of university graduates and two secondary schools. Not a single sealed road linked the major towns, and there was no industry to speak of.

Despite its plans for imminent unification with Somalia, Somaliland's independence was received internationally as a welcome step in the process of African decolonisation, and consequently recognised by a number of foreign governments.[9] Five days later, on 1 July 1960, the Italian Trust Territory of Somalia also received its independence. The legislatures of the two territories met in joint session in Mogadishu and announced their unification as the Somali Republic. The State

of Somaliland was no more. But the process of unification was anything but smooth:

> Although officially unified as a single nation at independence, the former Italian colony and trust territory in the south and the former British protectorate in the north were, from an institutional standpoint, two separate countries. Italy and Britain had left them with separate administrative, legal and education systems where affairs were conducted according to different procedures and in different languages. Police, taxes, and the exchange rates of their separate currencies were also different. The orientations of their educated elites were divergent, and economic contacts between the two regions were virtually non-existent.[10]

These problems were exacerbated by perceived southern domination of the new government. Mogadishu became the national capital, while Hargeysa "declined to a mere provincial headquarters remote from the centre of things."[11] Representatives from the former British Somaliland, now known as the 'Northern Regions', received just 33 seats in the new 123-member national assembly. The posts of President and Prime Minister were both held by southerners, as were the principal ministerial portfolios such as Defence, Foreign Affairs, Finance and Interior. The command of the new national army was overwhelmingly drawn from former *carabinieri* officers from the south – a source of acute frustration for British-trained military officers from the north.

The precipitate nature of the union had also left a number of important legal questions pending. The two Acts of Union approved by the respective legislatures differed somewhat, and no single legal document actually bound the two territories.[12] The new national assembly recognised the error and passed a new Act of Union in January 1961, retroactive to the moment of independence, but

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[9] According to a former U.S. ambassador, David Shinn, 35 governments recognised Somaliland including the U.S. See David Shinn, "The Horn Of Africa: Where Does Somaliland Fit?", paper presented at a discussion seminar on Somaliland in Umea, Sweden, 8 March 2003.

[10] Harold D. Nelson (ed.), *Somalia: A Country Study* (United States Government: Department of the Army), p.35.
[11] I.M. Lewis, *The Modern History of Somaliland*, op.cit., p. 172.
[12] Anthony J. Carroll and B. Rajagopal, "The Case for an Independent Somaliland", *American University Journal of Law and Politics*, vol. 8, no. 653 (1993), p. 661.

some observers have argued that, since the two territories were not legally united, the new Act remained without force in the north.[13]

Public support for the merger was put to the test in June 1961 in the form of a referendum on the new unitary constitution. Whatever enthusiasm for unity had initially existed in the north seemed already to be fading. The SNL leadership campaigned for a boycott of the referendum and only 100,000 Northerners actually turned out to vote from an estimated population of 650,000. More than half of the Northerners who did vote rejected the constitution, reflecting "widespread discontent in the Northern Region over the economic decline there, and over the growing political influence Mogadishu".[14] In December the same year, Northern military officers in Hargeysa launched an unsuccessful coup on the platform of a separation between north and south.

Such expressions of discontent, however, did not amount to a serious challenge to Somali unity. Northern politicians continued to represent northern interests in both the executive and legislative branches of government, and in 1967 British Somaliland's independence leader, Mohamed Haji Ibrahim Egal, became the first northern Prime Minister of Somalia.

C.   INTERLUDE: DICTATORSHIP AND CIVIL WAR

Somali President Abdirashid Ali Sharmarke was assassinated by a disgruntled policeman on 15 October 1969, and less than a week later the military staged a coup d'état under the leadership of General Mohamed Siyaad Barre. Many Somalis were hopeful that the military takeover would represent an improvement over the decrepit civilian administration, which had become spoiled by corruption and nepotism. The military also embraced a "Greater Somalia" policy of political and military irredentism, which had lapsed in the late 1960s, reviving some of the popular enthusiasm that had underpinned the original union between north and south.

The honeymoon was short lived. The regime's disastrous defeat in the 1977-78 Ogaden War with Ethiopia, its dependence on select branches of the Darod clan for political support, and its increasingly brutal character all contributed to public disillusionment. An attempted coup by Majerteen officers from the northeast of the country triggered brutal government reprisals around the town of Gaalka'yo and led to the formation of the first Somali opposition group, the Somali Salvation Democratic Front (SSDF). But disaffection with the military regime was felt most keenly in the former British Somaliland: public expenditure in the northwest compared unfavourably with other regions (less than 7 per cent of development assistance was allocated to the north), and the government's economic policies seemed to be aimed at curbing the influence of the wealthy Isaaq trading community.

In the aftermath of the Ogaden War, approximately a quarter of a million refugees had been settled in the northwest by the Somali government, with the assistance of UNHCR.[15] Most were ethnic Somalis from the Ogaden branch of the Darod clan, although some were members of the Oromo and other Ethiopian ethnic groups. For several years, traditional competition between the Isaaq and the Ogaden for pasture and water in the southern Haud had been aggravated by the Somali government's provision of arms, ammunition and training to the Ogaden fighters of the Western Somali Liberation Front. Although intended for use against the Ethiopian government, this military assistance was often directed instead against Isaaq civilians in the Haud.[16] Government favouritism towards the Ogaden refugees, who enjoyed preferential access to social services (provided by UNHCR and its Somali government counterpart, the National Refugee Commission), business licenses and government posts, further fuelled Isaaq grievances.

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[13] Ibid., p. 661.
[14] Saadia Touval, *Somali Nationalism* (Cambridge, 1963), p.121.

[15] The total number of refugees settled throughout Somalia as a consequence of the Ogaden War has never been accurately determined. The Somali government's estimate of 1.5 million was contested by the UNHCR, which had arrived at a figure closer to 600,000 through its own surveys. A planning figure of 900,000 was finally agreed upon. For a discussion of the Somali government's refugee policies in the northwest, see Maria Brons, op.cit., pp. 187-189.
[16] Africa Watch, "Somalia: A Government at War with its Own People", Washington/New York, 1990, p. 31.

In 1981, a group of mainly Isaaq exiles meeting in London declared the formation of the Somali National Movement (SNM), an armed movement dedicated to the overthrow of the Barre regime. The SNM initially tried to cast itself as an alliance of opposition figures from different clans, but its core membership and constituency was principally Isaaq. The SNM established its first bases in Ethiopia in 1982, and by 1983 it had established itself as an effective guerrilla force in the northwest. In response, government pressure on the Isaaq population, whom it deemed sympathetic to the SNM, took the form of "extreme and systematic repression".[17] Summary arrests, extrajudicial executions, rape, confiscation of private property and 'disappearances' all became commonplace as the government sought to deprive the SNM of the support of the Isaaq public. The government also enlisted the support of the non-Isaaq clans of the northwest, attempting – with only partial success – to exploit traditional kinship affiliations.

In 1988, following a meeting in Djibouti between Siyaad Barre and his Ethiopian counterpart, Colonel Mengistu Haile Mariam, the Ethiopian government instructed the SNM to cease operations in Somalia and withdraw its forces from the border areas. The SNM, fearing the collapse of its long insurgency, instead attacked the major northern towns of Hargeysa and Burco, triggering the onset of full-scale civil war in the northwest. The government response was fierce: artillery and aircraft bombed the major towns into rubble and forced the displacement of roughly half a million refugees across the border into Ethiopia. Isaaq dwellings were systematically destroyed, while their settlements and water points were extensively mined.

The formation in 1989 (with SNM support) of the southern Somali factions, the Somali Patriotic Movement (SPM) and the United Somali Congress (USC), provided the SNM with allies and helped to relieve some of the pressure on its fighters. In January 1991, as USC advances in and around Mogadishu forced Barre to abandon the capital, the SNM staged its final offensive in the northwest. The remaining government forces disintegrated and fled, and the vestiges of civil administration collapsed.

D. THE REPUBLIC OF SOMALILAND

Within months of the SNM victory, Somaliland appeared in its third incarnation. On 18 May 1991, a self-proclaimed independent Republic of Somaliland was announced. Since then, it has followed a very different trajectory from southern Somalia. While the collapse of the Siyaad Barre regime plunged the south into civil war and the kind of institutional vacuum that has since come to epitomise the notion of "state failure", Somaliland embarked on a period of increasing political stabilisation and economic growth. Since 1991, roughly half a million people have returned to their homes, and tens of thousands of dwellings and businesses have been rebuilt from rubble. The majority of militia have been demobilised or incorporated into national armed forces and tens of thousands of mines and unexploded munitions have been removed from the ground.

Somaliland's social services are in less admirable shape, being heavily dependent on external support. With the help of Western donors, the United Nations and international NGOs, the government has been able to restore rudimentary education and health care services throughout much of Somaliland. All such funding, however, is channelled through international aid agencies since donors are unable to provide assistance directly to a government they do not recognise. Arab and Islamic donors have also played a part in Somaliland's reconstruction, though their funds are by-and-large directed towards the development of a parallel social service system, outside of the government. Most people, however, still depend on private service providers, such as medical clinics, pharmacies and private schools, which have mushroomed without standardisation or regulation.

Overall, foreign aid has played a minor part in Somaliland's reconstruction. The figures of the Somalia Aid Co-ordinating Body (the Nairobi-based body that co-ordinates assistance to Somalia in the absence of a recognised government) are imprecise, but suggest that less than 20 per cent of that donor aid is directed towards Somaliland, or roughly U.S.$30 million in 2002.[18] Moreover, this figure does not show the high proportion of donor

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[17] Africa Watch, "Somalia", op. cit., p.7.

[18] Based on Somalia Aid Coordination Body, *Donor Report,* Nairobi, 2002.

funding that is spent on overhead, Nairobi offices or international personnel. Probably less than half the total volume of aid is actually spent on the ground.

The real engine of Somaliland's recovery has been neither the government, nor international assistance, but rather the private sector. Livestock, much of it raised in southern Somalia and eastern Ethiopia, is the backbone of the Somaliland economy, accounting for roughly 90 per cent of export earnings or U.S.$175 million per year. Since 1998, however, a Saudi ban on Somali livestock has severely depressed the livestock trade.[19] The proceeds of the livestock trade are generally used to purchase foodstuffs and luxury items for import, an unknown proportion of which is destined for Ethiopia as both legitimate trade and contraband.

The Somaliland economy is also fuelled by the estimated U.S.$200 million that arrives each year from Somalilanders abroad via *hawaala* money transfer agents.[20] These remittances are almost entirely destined for private households and have played a vital role in the physical reconstruction of family homes and businesses – a critical function given the scale of devastation visited upon major towns like Hargeysa and Burco during the civil war. Since no international banks are present in Somaliland, the *hawaala* have come to offer a growing range of financial services, including interest-free accounts, cheque-cashing facilities and business loans.

The government's own accomplishments (basic civil administration across roughly 80 per cent of the territory, reasonably disciplined army and police forces and a relatively stable currency), although impressive achievements on a budget of roughly U.S.$20 million per year are, in absolute terms, quite modest. Since 2001, Somaliland has introduced a new and potentially decisive dimension to its quest for statehood: democratisation. In May 2001, a new constitution establishing a multi-party electoral system was approved by plebiscite. Local (municipal) elections followed in December 2002 and a fiercely contested presidential election was held in April 2003. With only parliamentary elections remaining until Somaliland's transition to multiparty democracy is formally complete, international interest in this would-be state has grown perceptibly.

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[19] The ban was initially imposed on the grounds that Somali were potential carriers of Rift Valley Fever (RVF), a haemorrhagic disease, following an outbreak in Northeast Kenya/Southwest Somalia, and subsequently among animals in Saudi Arabia. Since a UN report declared Somaliland free of the disease, however, many Somalilanders suspect that the ban remains in force for political rather than veterinary reasons: Saudi Arabia is strongly opposed to Somaliland's claim to separate statehood.
[20] Somaliland Centre for Peace and Development, *A Self Portrait of Somaliland: Rebuilding from the Ruins* (Hargeysa, 1999), p. 69.

III. GOVERNANCE AND DEMOCRATISATION

After more than a century of colonial administration, civilian misrule and military dictatorship, the people of Somaliland are yearning for freedom, justice and representative government. The problem is that Somaliland – like the rest of Somalia – has little experience of democratic rule. Political leaders have instead seemed intent on resuscitating centralised, patrimonial systems of political authority. The behaviour of the political elite often smacks of arrogance and paternalism; the rule of law is weak, corruption is endemic and nepotism still pervades political and administrative appointments. Civil society remains underdeveloped, and the Somaliland public remains by-and-large a passive "taker of government policy – not its maker".[21]

Such constraints have conspired to make Somaliland's pursuit of democracy a long, uphill struggle – a struggle all the more remarkable for its domestic, as opposed to donor driven, origins. Donors have been reluctant to provide even token support for Somaliland's democratic project on the grounds that it might be construed as support for the territory's independence.

Ironically, Somaliland's international isolation – past and present - has made a positive contribution to its political evolution. Benign neglect under British rule, and the decidedly less benign neglect of the Barre regime, left the territory's traditions of "pastoral democracy"[22] intact, conferring a vital degree of legitimacy and accountability upon the SNM and subsequent Somaliland administrations. The SNM's failure to obtain significant international sponsorship during the 1980s obliged the movement to develop a popular support base. Present day Somaliland's administrative arrangements are consciously modelled on the small, cost-efficient exemplar of the British colonial administration, reflecting the government's minute revenue stream and its extremely limited opportunities to incur debt.

It is unclear whether Somaliland's unique political system has evolved towards democracy because of the territory's poverty, historical neglect and international isolation, or in spite of them. Yet there is no denying that over the past decade, Somaliland has made significant progress towards a pluralistic political system, a free and critical press, rule of law, and an environment conducive to the respect and promotion of human rights.

Historically, Somaliland's democratisation process has unfolded in three phases: the first, which began with the cessation of hostilities, witnessed the establishment of an administration led by a clan-based military faction (the SNM); the second phase involved the transfer of power from the factional government to a more inclusive civil administration; and the third began with a constitutional referendum, which paved the way for multiparty elections.

A. FACTIONAL RULE (1991-1993)

In late January 1991, the SNM was engaged in the final stages of its "mopping up" operations against government forces in the northwest while General Mohamed Farah Aidid's forces entered the Somali capital, Mogadishu, over one thousand kilometres away to the south.. By the end of the month, Isaaq-populated areas, including the towns of Hargeysa, Berbera and Burco were in SNM hands. Several hundred Somali government soldiers captured by the SNM were subjected to summary trials: those found guilty of war crimes were executed on the spot. The majority, however, were released and given safe passage home. A garrison of several hundred southern soldiers and their families in Burco even chose to remain temporarily rather than face the anarchy and bloodshed that had consumed Mogadishu.

The key dilemma remaining was how to deal with the non-Isaaq clans who had aligned themselves, to lesser or greater degrees, with the Barre regime. To the west, SNM forces destroyed the largely Gadabursi village of Dila and entered the Gadabursi town of Boorama, but were withdrawn in less than 24 hours on the orders of the SNM command, which sought a speedy rapprochement with the Gadabursi leadership. In the east, the SNM leadership decided against entering Dhulbahante territory and opted for dialogue instead.

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[21] Carolyn Logan, "Overcoming the State-Society Disconnect in the Former Somalia", USAID/REDSO, Nairobi, September 2000.
[22] The term is borrowed from I.M. Lewis's seminal work on pre-independence Somaliland, *A Pastoral Democracy* (London, 1961).

Within weeks of its victory, in mid-February 1991, the SNM leadership met in Berbera for preliminary talks with representatives of the Isse, Gadabursi, Dhulbahante, and Warsengeli clans. All sides confirmed their common desire for peace and agreed to meet again during the month of April at a larger regional peace conference in order to conclude a formal peace. The conference was to be followed by a congress of the SNM's supreme decision-making body, the 99-member Central Committee.

In the meantime, the SNM attempted to consolidate its grip on the Isaaq regions of the northwest. The scale of destruction in Hargeysa, and the danger posed by tens of thousands of mines and unexploded munitions within the city limits obliged the SNM to declare Berbera the temporary capital. An administration, central bank and other basic institutions existed only on paper. Command and control had largely broken down and many of the SNM's militia were out of control, looting and settling old scores.

In April 1991, elders from the various northwestern clans convened as agreed at Burco.[23] The original purpose of the meeting had been to cement the peace in Northwest Somalia, but as the assembled leaders debated how best to proceed, angry crowds gathered around the conference hall, demanding independence from Mogadishu, the Somali capital. SNM fighters joined the crowds in their tanks and Land Cruisers mounted with heavy machine-guns, taking up threatening positions around the conference venue. Independence was hastily declared and a Provisional National Charter followed about a week later. Article I of the Charter stated:

> The State formerly known as Somaliland, which secured its Independence from the United Kingdom of Great Britain and Northern Ireland on the 25th Day of June 1960, is hereby reconstituted as a full Independent and Sovereign State.[24]

The Charter also stipulated that for a transitional period of two years the government of the new 'Republic of Somaliland' would be the responsibility of the Somali National Movement, whose Chairman and Vice Chairman would become, respectively, the President and Vice President. Provision was made for members of other clans to join the new cabinet and Parliament (an enlarged version of the SNM central committee), but power remained firmly in the hands of the Isaaq. Upon conclusion of the transitional period, the Provisional National Charter would be replaced "by a Constitution approved by the people of Somaliland in a National Referendum."

The new President, Abdirahman Ahmed Ali "Tuur", was a shrewd but uncharismatic former diplomat, who had favoured federation over independence and assumed the Presidency of Somaliland through circumstance rather than conviction. He governed mainly from behind closed doors, and his impoverished administration exerted little real control, even of the capital city Hargeysa. Within a matter of months, the SNM began to suffer from the kind of factionalism more often associated with southern Somali political movements. As tensions within the SNM came to a head, even the illusion of control evaporated and in January 1992 the Movement went to war with itself.

The fighting pitted the loosely named 'national army' (in reality an alliance of clan-based militias aligned with the Tuur government) against opposition forces led by members of an SNM faction known as the 'Alan 'As (Red Flag). The belligerents were all members of the Isaaq; non-Isaaq clans chose to remain uninvolved. During the course of the conflict the towns of Burco and Berbera were heavily damaged and tens of thousands of recent returnees from Ethiopian refugee camps were again put to flight.

In October 1992, after nine months of sporadic, highly mobile warfare, a delegation of clan elders managed to bring the two sides to peace talks at the town of Sheikh. The conference, known as *Towfiiq*, concluded with a ceasefire and an agreement to reconvene for a more inclusive, 'national' conference at Boorama in January 1993.

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[23] For a concise, first hand account of the Burco conference, see John Drysdale, *Whatever Happened to Somalia?* (London, 1994), pp. 139-142.
[24] National Charter of the Somaliland Republic (unofficial translation), 1991.

B.   CLAN REPRESENTATION AND CIVIL ADMINISTRATION (1993-1997)

The 1993 Boorama Conference (properly known as *Guul Allah,* or 'God's Triumph'*)*, which lasted nearly five months and involved hundreds of representatives from all of Somaliland's clans, is considered to have been a milestone in Somaliland's evolution as a de facto state. Before they dispersed, the conference delegates managed to conclude a peace and security accord, formulate a new national charter, and establish a new government under the leadership of Mohamed Haji Ibrahim Egal, the former Prime Minister of Somalia.

The choice of Egal to lead the new government was significant, yet controversial. As one of the authors of Somaliland's independence in 1960, and arguably the most accomplished Isaaq statesman, there was no doubt about his ability to lead. But he had come up firmly against the 1991 declaration of independence, opting instead to take part in talks hosted by the Djibouti government aimed at setting up a national government in Mogadishu. Presumably on account of his objections to Somaliland's ambitions for statehood, between 1991 and 1993 he had chosen self-imposed exile in the United Arab Emirates. Upon his nomination to the Somaliland presidency at the Boorama conference, few Somalilanders believed that he had entirely abandoned his preference for a united Somalia.

The primary achievement of the Boorama Conference was the replacement of the factional rule of the SNM with a civilian administration. This new system of government, known as the *beel* system, was a hybrid of Western political institutions and the traditional Somali system of clan representation. Although only intended to function as a three-year stopgap measure, the *beel* system has underpinned Somaliland's peace and stability ever since.[25]

At the heart of the *beel* system is a two-chamber Parliament, comprising 82 members each, with seats distributed by clan. While the lower house serves as a legislature, the upper house (known as the *Guurti*) is charged with maintaining peace and security in the territory. Over time the *Guurti,* which was composed of traditional leaders or their representatives, has also emerged as Somaliland's supreme moral authority.

By designating the Parliament as the primary forum for clan representation, the *beel* system relieved some of the pressure on the executive branch and civil service to fulfil clan demands for representation – one of the causes of war under the Tuur administration. Although the new President remained mindful of the need for a broadly based cabinet, he enjoyed a certain degree of flexibility in ministerial appointments and was eventually able to embark, albeit in a very tentative way, on a course of civil service reform.

Likewise, the leadership role assumed by clan elders at the Boorama conference, as well as by the establishment of the *Guurti,* implied their direct responsibility for the success of the accord and thus helped the new government to secure their co-operation. For example, the authority of traditional leaders was to prove vital in the government's efforts to disarm and demobilise clan militia. Those who handed in their weapons were absorbed into a new National Army or promised demobilisation assistance. Those who declined the government's offer forfeited the protection of their clans if they disturbed the peace.

As uniformed police replaced the militia on the streets of the major towns, public confidence and pride in the new government grew. The improved security situation encouraged a surge in physical reconstruction: newly built homes began to rise above the rubble and new companies opened for business. Even the United Nations, which disapproved of Somaliland's claims to statehood and had therefore remained absent from the Boorama Conference, was forced to acknowledge that "the peaceful reconciliation process has moved forward impressively" and "noted the formation of a functioning administration under the leadership of Mr. Egal".[26]

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[25] For an in-depth examination of state structures in Somaliland and the *beel* system, see Cabdirahmaan Jimcaale, "Consolidation and Decentralisation of Government Institutions", Hargeysa, WSP-International/Academy for Peace and Development, 2002, pp. 29-43.

[26] Letter to Mr Egal from Jonathan T. Howe, Special Representative of the Secretary General, 1 October 1993.

The fruits of the peace process were not restricted to Isaaq areas of Somaliland. On the contrary, the Boorama Conference signalled the first modest step towards securing more equitable arrangements for the Dir and Darod groups in Somaliland and in broadening the new government's constituency beyond the Isaaq clan. The choice of Boorama, the principal town of the Gadabursi clan, as the conference venue was itself highly symbolic. Having long sided with the Barre government in its war against the SNM, the Gadabursi had made their peace with the Isaaq in 1991, then taken the lead in obtaining the October 1992 Sheikh ceasefire agreement, and finally hosted the peace conference intended to restore peace among their old adversaries. For their pains, the Gadabursi were rewarded with the post of Vice President.

Furthermore, unlike the 1991 Burco conference, where the Isaaq-dominated SNM Central Committee had held the real power, the Boorama Conference established a genuinely multi-clan Parliament. Taking the colonial period as their historical point of reference, the non-Isaaq clans demanded at Boorama – and received – a greater share of the seats than they had been assigned in the legislature under British rule.

The *beel* system, however, was no panacea: it succeeded in resolving some, but not all, clan grievances, and in some respects it gave rise to new problems. For example, under British rule, the Harti clans (Dhulbahante and Warsengeli) had been considered second only to the Isaaq in terms of importance. With the appointment of a Gadabursi Vice President, many Harti felt that they had been unfairly relegated to third place – a sleight for which the post of Speaker of the Lower House was considered to be inadequate compensation. Although the Harti representatives at the Boorama conference endorsed the new arrangements, the perception that they had been somehow marginalised at Boorama contributed to a broader Harti sense of alienation from Somaliland.

At the same time, the advent of the *beel* system complicated the delicate issue of power sharing within the Isaaq. The distribution of Isaaq seats in the new Parliament was a legacy of the SNM central committee, which since 1989 had employed an arcane formula based on the progeny of their celebrated ancestor, Sheikh Isaaq. Under this arrangement, the large and influential Garhajis clan received a disproportionately small share of seats,

but a Garhajis politician also held the post of SNM chairman. Although Egal, a member of the Habar Awal, assumed the Presidency in May 1993, the distribution of Isaaq seats in Parliament remained the same. The Garhajis political leadership felt cheated and refused to recognise the legitimacy of the new government.

Tensions came to a head in November 1994 when the Egal government tried to wrest control of Hargeysa airport from a group of clan militia from the Iidagale, a sub-clan of the Garhajis. Heavy fighting broke out first in Hargeysa, then in Burco, where government authority was challenged by militia from another Garhajis sub clan, the Habar Yunis. With the political legitimacy conferred by the Boorama process, the revenues of Berbera port at his disposal and a unified army under his command, Egal was in a far better position to enforce the writ of his government than Tuur had been in 1992. Nevertheless, by early 1996 fighting had ground to a halt with neither side able to impose its will decisively on the other. No comprehensive peace agreement was ever signed and hostilities were instead brought to a close by a series of local agreements between clans.

In December 1996 a National Conference was convened in Hargeysa to resolve Somaliland's divisions and to appoint a new government. Although generally considered to have been a follow-up to the 1993 Boorama Conference, the 1996-1997 Hargeysa Conference differed in important ways, shedding light on both the strengths and weaknesses of Somaliland's *beel* system.

When the Hargeysa Conference opened, Egal had already been in office far longer than the two-year term he had originally been appointed to serve. In May 1995, his mandate set to expire, Egal had used the ongoing civil war in Somaliland to justify a six-month state of emergency; in September 1995, with the war still unfinished, Parliament granted him an eighteen-month extension of his term, ending in March 1997.

In the lead up to the Hargeysa conference, Egal moved the goalposts once again. The conference would not be a "clan conference" (*shir beleed*) but rather a "national conference" (*shir qarameed*) because of the existence of a legitimate government. On these grounds, he lobbied for – and obtained – a concession that the members of Parliament should constitute half of the delegates to

the conference, while clan representatives would make up the other half. These new ground rules, combined with Egal's innate political genius and his deft use of a large political slush fund, won him a landslide victory and secured him a further five-year term at Somaliland's helm. But the credibility of the *shir* (assembly of elders) as a national political forum had been fundamentally damaged.

Egal's first term had been, in many respects, a failure. He had presided over a civil war; his government had made little or no progress towards a new constitution, a referendum or elections; and the self-declared republic was no closer to international recognition. Fortunately for Somaliland, Egal's second term would prove more fruitful. In the aftermath of the Hargeysa Conference, Somaliland experienced its most prolonged and dramatic period of reconstruction and growth. The sphere of activity of the administration was broadened to almost all parts of the territory; and the process of democratisation, which had essentially remained frozen since the 1991 Burco conference, finally went forward.

C.   TOWARDS CONSTITUTIONAL DEMOCRACY

One of the pressing tasks of Egal's second term of office was the development of a new, permanent constitution for Somaliland. Since 1994, Egal and the Parliament had been at odds over the question of who should draft it, with each side producing its own version. Not surprisingly, the Parliament's draft favoured a strong legislative branch, Egal's greater powers for the executive. The Hargeysa Conference attempted to break the stalemate by combining the two into a single document that would provide an interim basis for government pending endorsement by general referendum.

Egal was deeply dissatisfied with the compromise, and the constitution remained a bone of contention until 2000 when a 45-member committee, jointly nominated by the executive and the legislature, managed to come up with a mutually acceptable draft. The presidency retained most of the executive powers sought by Egal, while Parliament received additional powers of financial oversight and a role in the approval of administrative appointments.

With the last remaining obstacles resolved, the referendum originally envisioned by the 1991

Burco conference for 1993 was finally held on 31 May 2001.

1.   The May 2001 Constitutional Referendum

To the general public, the substance of the constitution mattered little beyond Article 1, which reaffirmed Somaliland's existence as a sovereign and independent state. Egal himself encouraged this perception by linking "the transition to a multi-party democracy with Somaliland's desire to gain international recognition, arguing that the international community would not recognise Somaliland's independent status unless it adopted such a system".[27] A report on the referendum by one team of international observers found the linkage to be unmistakeable: "A "yes" vote to the constitution was widely perceived as an endorsement of Somaliland's independence and a rejection of rule from Mogadishu and Somalia".[28]

In that context, the overwhelming endorsement of the new constitution (over 1.183 million "yes" votes out of nearly 1.19 million ballots cast, or 97 per cent) sent an unmistakeable message. Egal himself was unprepared for the landslide, which reportedly dispelled any lingering misgivings he might have felt about Somaliland's independence: "Whatever he may have believed previously," one of his Ministers later confided, "from 31 May [2001] onwards he was a Somalilander".[29]

In some respects the referendum results were misleading. The much lower turnout for subsequent elections casts doubt upon the turnout for the referendum. And the 97 per cent "yes" is not an accurate representation of support for independence among Somalilanders. In the Harti-inhabited parts

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[27] Mark Bradbury and Adan Yusuf Abokor, "Choosing Politics Over Violence: state formation in Somaliland", unpublished draft, forthcoming in *The Review of African Political Economy*, p. 9.
[28] Initiative and Referendum Institute (IRI), "Final Report of the Initiative and Referendum Institute's (IRI) Election Monitoring Team, Somaliland National Referendum – May 31 2001", Washington, D.C., Citizen Lawmaker Press, 27 July 2001.
[29] From an interview cited by Matt Bryden in "The Banana Test: Is Somaliland Ready for International Recognition?", forthcoming in *Les Annales de l'Ethiopie,* vol. 19, Addis Ababa: Centre Français des Études Ethiopiennes (July 2003).

of eastern Somaliland, the turnout was especially low – suggesting to one team of international observers (probably correctly) a local boycott of the referendum. But even so, the team noted that "even if one assumes that the 34 per cent of the Somaliland eligible voters that did not vote in the referendum were opposed to the Constitution, independence, or the current administration, nonetheless, there was nearly 66 per cent of the eligible voters who clearly supported the constitution and independence" – a respectable result in any representative democracy.[30]

Approval of the new constitution paved the way for multiparty elections, about which the Somaliland public remained deeply ambivalent. Although few contested the transitional nature of the *beel* system, many were apprehensive that the introduction of multiparty politics was being rushed and that Egal could not be trusted to establish a level playing field for electoral competition.

In August 2001, simmering discontent boiled over into open revolt when Parliament tabled a vote of no-confidence in Egal. The motion was defeated by just one vote. The same month, a group of traditional elders challenged Egal, calling for a *shir beleed* (clan conference) to be held to decide on the future of the country.[31] The challenge of the elders and the government's heavy-handed response threatened to bring Somaliland to the brink of civil conflict, but mediation by civic and religious leaders managed to defuse the crisis.

Time for completion of the political transition was now running short. Municipal elections were slated to take place in late December 2001, to be followed by presidential elections before the expiry of Egal's mandate in March 2002. But the legislative and administrative preconditions for elections did not yet exist. An Electoral Law was passed only in November 2001, and the National Electoral Commission (NEC) was formed a month later, just two days before the scheduled date of the elections. Confronted with a potential crisis if Egal's term of office came to an end without the election of a successor, Parliament granted the president one last extension of his mandate until March 2003.

2. Constitutional Transition: The Death of Egal

Egal did not live out his term of office: he died on 3 May 2002 while undergoing surgery in South Africa. Many observers, Somali and foreign alike, doubted that Somaliland could survive his death, and watched the transition for signs of disintegration. The greatest fear was that violence would undo the progress that had been made since the start of the democratisation process. Instead, his sudden departure from the scene served as a tonic to the political process, generating "an outpouring of nationalist sentiment".[32]

When the news of Egal's death reached Hargeysa, the leaders of Somaliland's three 'councils' (the two chambers of Parliament and the Council of Ministers) met to decide upon a course of action. Article 130 of the Constitution stipulated that in the event of the president's death prior to the adoption of a multiparty electoral system, the Parliament should elect a new president within 45 days. In the meantime, the speaker of the House of Elders should serve as interim chief executive. It was an arrangement some believed was intended to preclude the accession of the Vice President, Dahir Rayale Kahin, a Gadabursi, to the Presidency: "Egal wanted to replace Dahir and to establish a new team for the next government," a politician close to Egal explained to ICG. "He didn't want to leave the system as it was […] After the referendum he even called some Samaroon[33] elders and asked them who else they might suggest as a Vice President".[34]

The leaders managing the transition were less concerned with palace intrigues than with avoiding a political vacuum. Whether by accident or by design, they set aside Article 139 of the constitution and opted instead to apply Article 89 (intended to come into effect only after the first elections), which states that the Vice President shall assume the office of the Presidency for the remainder of the term. By sunset on 3 May, Kahin had been sworn in as interim president until March 2003, and Somaliland had successfully navigated its first constitutional transition.

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[30] IRI, op cit., p. 58.
[31] Bradbury and Abokor, op. cit., p. 10.

[32] Ibid., p.10.
[33] Samaroon is another name for Gadabursi.
[34] ICG interview, Hargeysa, April 2003.

IV. ELECTIONS: "THE OLD WAYS DIE HARD"

Somaliland's democratisation process is incomplete, but it can already boast of some impressive achievements. Between December 2002 and April 2003, the people voted twice for their leaders: once in local elections and once in a presidential poll. All citizens over the age of 16, male and female, were eligible to cast their ballots, and nearly half a million of them did so each time. During the first round, they elected 332 district councillors representing six political associations; during the second, they voted in their first democratically elected head of government since 1969.

On the other hand, the process has revealed serious flaws in the constitution and electoral law, as well as grave inadequacies on the part of the Electoral Commission. It has also served to highlight regional differences, reinforced the urban bias in Somaliland politics and maintained the near-total exclusion of women from elected political office.

More importantly, however, elections have obliged Somaliland's political elites to confront their own profound ambivalence about the democratic process, and will yet demand tough choices of them that will test the depth of their commitment to genuine democratisation. "The old ways die hard," one of Somaliland's leading political figures told ICG, "but Somaliland has already crossed that bridge, and there is no turning back".[35]

The electoral system is a work in progress, an incomplete tangle of constitutional articles, legislation, and administrative procedures. Luckily for Somaliland, the whole has proven more coherent than the sum of its parts, which are often unclear, contradictory or simply missing.

The legal foundation of democracy is the 2001 constitution, which states that Somaliland's political system shall be based on peace, co-operation, democracy and plurality of political parties. The constitution guarantees the right of every citizen, male and female, to participate in political life, to be elected to political office and to vote. These are no trifling matters in a conservative society where women have traditionally been excluded from formal political participation.

These foundational rights are subject to a variety of restrictions. Article 9 of the constitution, following the Nigerian precedent, limits the number of political parties to three; it also forbids any political party to be based on regionalism or clanism. In addition, The Electoral Law requires political organisations to obtain 20 per cent of the popular vote in each of Somaliland's six regions. The purpose of these criteria is to ensure that all parties attract a "national" constituency, rather than a clan or regional base.

Together, these measures amount to a kind of political steeplechase that political associations must complete in order to be eligible to take part in elections. Prior to elections, critics argued that the hurdles had been deliberately arranged in such a way that only one party – Egal's – would ever qualify. But the electoral law has since proven to be a relatively flexible document, and the system ultimately did produce three official political parties. Whether or not they fulfil the desire of Somalilanders for political representation, however, remains to be seen.

The body charged with navigating Somaliland's previously uncharted electoral waters is the National Electoral Commission (NEC), which was formed on 18 December 2001, just two days before the scheduled date of the first local elections. Given the impossibility of organising elections within 48 hours, the NEC's first act when it convened on 19 December was to declare a postponement. The Parliament, and particularly the House of Elders, took umbrage at the commission's decision, since it implied an extension of the President's mandate. Since only the *Guurti* has the power to grant such extensions, the NEC's decision was initially attacked as being *ultra vires*, but Parliament could hardly object to the commission's argument that it required several months to prepare a successful election and eventually agreed to extend the president's term of office by one year.

The NEC's decision to postpone the elections pleased no one. The ruling *Ururka Dimograadiga Ummadda Bahoobey* (the Democratic United Peoples' Movement, or UDUB) party, stood to benefit from early elections, while the opposition was still relatively weak and disorganised. Opposition parties stood to gain from a delay of

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[35] ICG interview, Addis Ababa, May 2003.

several months, which would give them time for some fund raising and campaigning, but they were unsure whether they could find the resources to hold themselves together for a full year.

In such a polarised political environment, it was understandable that the neutrality and integrity of the electoral commission should be called into question. Although constitutionally an independent body, the NEC's composition had initially been perceived as favouring the incumbent government: three members had been selected by Egal, two by the *Guurti* and two by opposition political organisations. Since the *Guurti*, a conservative institution, typically aligned itself with the President, this arrangement was felt to give Egal an edge.

With Egal's death, the political allegiances of the commission's members seemed likely to cancel each other out and the NEC was largely liberated from charges of bias. The commissioners' evident dedication to their task and the presence among them of foreign experts, seconded by the European Commission, further bolstered public confidence in the NEC.

The NEC's work was not without difficulty or interference. None of the commissioners had prior experience in administering elections. The scale and complexity of the task alone might have overwhelmed them had they not received foreign technical assistance. Moreover the government's tardiness in releasing funds for the commission's work not only threatened to wreck the electoral schedule, but also gave the impression that the government sought to exert political influence over the commission's work.

V. LOCAL ELECTIONS: TOWARDS DECENTRALISATION

The local elections of December 2002 may have generated less excitement than the presidential election of April 2003, but they were arguably far more important in entrenching democracy. While the presidential contest offered voters little more than a choice of personalities, Somaliland's local elections represented the first real decentralisation of government authority since independence in 1960.

The political and traditional elders gathered at Boorama in early 1993 were no doubt mindful of the centralised, patrimonial political systems that had served Somalis so poorly since independence when they enshrined the principle of decentralisation in the new National Charter. Accordingly, regions and districts were assigned responsibility for the nomination of their own councils. But the intent of the Boorama elders was negated almost immediately by a decree from the Ministry of Interior, which waived this right if districts or regions failed to establish councils within 45 days. As a result, between 1993 and 2001, all regional and district administrations in Somaliland were nominated by (and accountable to) the central government, employing the same structure as the Barre regime.

During the course of the 1990s, with a handful of notable exceptions, local governments acquired a reputation for incompetence, indolence and corruption. Local officials were appointed for their pliability or clan connections rather than their capabilities. Land disputes, typically created by venal municipal authorities simultaneously issuing title to several different owners in exchange for bribes, became an endemic source of rancour and violence. Instead of opening a new chapter in governance, Somaliland's rulers seemed intent to repeat the errors of the past. The formation of locally elected councils offered the first real opportunity for Somalilanders to establish "a form of government that is more responsive to local needs and will prevent a return to authoritarian rule".[36]

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[36] Bradbury and Abokor, op. cit., p. 21.

A. POLITICAL ASSOCIATIONS

The 2001 constitution had legalised the formation of political associations, which would be eligible to compete for seats on local councils. But more was at stake than control of municipal governments: the three associations to obtain the highest percentage of the vote could then be registered as political parties and go forward to contest parliamentary and presidential elections.

Characteristically, Egal set the pace, forming UDUB in August 2001. Its symbol – the centre pole of the nomadic hut[37] – was ironically appropriate: UDUB was identified from its inception as the party of government, counting many cabinet ministers and parliamentarians among its members. Egal was both the chairman of the party and its presidential candidate. UDUB's identification with the Somaliland state was carefully calculated to suggest continuity and stability, but its relationship with government also enraged the opposition. In direct contravention of the political party law, UDUB activities were largely financed from state funds, and government officials at all levels were enlisted into working for the party. Although UDUB became widely referred to as the 'ruling party', it had yet to earn that privilege.

UDUB was soon joined in the field by eight more political organisations. Three were subsequently disqualified for failing to meet the criteria established by law, leaving six to contest the local elections. For the most part these organisations represented sections of Somaliland's urban political elite, and there was little to distinguish them from one another besides the personalities of their leaders and the degree to which they appealed to different clan constituencies. Kulmiye, the main challenger, was the brainchild of its chairman, Ahmed Mohamed Mohamud Silanyo, a veteran politician who had served two consecutive terms as SNM chairman.

Hormood had initially been formed by civic activists, and had acquired a reputation as a party of intellectuals, but its profile was drastically altered by the nomination of Omar Arteh Qalib as its chairman. Qalib, who had become closely identified with the Barre regime as Foreign Minister and had a reputation as an opponent of Somaliland's independence, appealed to very few voters beyond his own Sa'ad Muse sub-clan.

Sahan, which began by calling itself the Somaliland Islamic Party[38] attracted support mainly from within the clan of its chairman, the Habar Yunis. Although its use of the Qu'ran in its logo probably appealed to parts of the electorate, others perceived Sahan's religious pretensions as a cynical political device.

UCID, the Party for Justice and Democracy (*Ururka Cadaaladda iyo Dimoqraadiga*) presented the most ambitious – if implausible – political program. Led by a civic engineer from Finland named Faysal Ali Waraabe, UCID dedicated itself to the establishment of a means-tested welfare system of the Scandinavian variety. The platform appeared to be most persuasive among members of Waraabe's own 'Iidagale clan and other groups in the Hargeysa area.

Asad, led by Suleyman Mohamud Aden 'Gaal', stood apart for its radically anti-Egal rhetoric and its initial refusal to register as a political party on the grounds that the entire electoral exercise was corrupt. Gaal, who had unsuccessfully challenged Egal for the Presidency at the 1997 Hargeysa Conference, had initially argued that no election could be free and fair as long as Egal held office, calling instead for another national conference in place of elections (apparently forgetting how effortlessly Egal had engineered his own re-appointment to the presidency at a conference just a few years earlier). Following Egal's death, however, Asad registered itself as a political party and became closely identified with the 'Alan 'As faction of the SNM that had contributed to the 1992 ouster of then-president Abdirahman Tuur.

B. THE ISSUES

As Election Day approached, the contenders were less preoccupied with promoting party platforms than with the conduct of the poll itself. This was in part a reflection of the failure of the political associations to articulate meaningful party

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[37] In Somali, the forked stick that holds up the roof of the hut is known as the *udub*.

[38] The association was obliged to change its name since the exploitation of religion by a political party arguably contravened the Somaliland constitution.

platforms, but it was also a symptom of universal uncertainty and unfamiliarity with an unproven electoral system.

The question of voter registration, in particular, emerged as one of the prime areas of contention between UDUB and the opposition. UDUB argued that registration, although desirable, was neither necessary nor feasible, given the time and resources available. Opposition parties feared that the lack of registration would facilitate vote rigging and ballot stuffing by government supporters. In their view, the point of registration was not so much to prevent non-Somalilanders from voting, but rather to prevent multiple voting. When it became clear that registration was beyond the NEC's means, the parties agreed that the inking of voters would have to suffice. The hope was that the quality of the ink used to mark them would be of sufficient quality to prevent people from washing it off and casting multiple ballots.

Registration aside, the most persistent problem was the allegation by opposition parties that UDUB was making use of state funds for its campaign and that local government officials were being pressed into service for the party. Despite UDUB's flat denials, there was plenty of anecdotal evidence to suggest that this was indeed the case. However, the opposition parties failed to come forward with specific, verifiable grievances. Following Egal's death in May 2002, rumours circulated that the interim President, Dahir Rayale Kahin, might remove himself from the race and declare his government a neutral, caretaker administration capable of ensuring a level playing field. But he soon dashed such hopes by assuming the chairmanship of UDUB and declaring his intent to seek election. To the chagrin of the opposition, UDUB's pre-election behaviour remained unchanged.

At times, such problems threatened to derail the process. The Academy for Peace and Development, a local research organisation and think tank, took the initiative in bringing the political parties together to share their concerns and to seek common solutions. The inter-party dialogue, which began on a monthly basis but became an almost daily occurrence as Election Day neared, initially met with resistance, especially from UDUB. "They told us: 'You're not the government, you're not a party… Who gave you the authority to hold these meetings?'" the Academy's Director, Dr. Hussein Bulhan, told ICG. "So we told them: 'You're right, you don't have to come. This is an entirely voluntary civic initiative.' But since all the other parties were there, the Electoral Commission was there, the Chief Justice of the Supreme Court was aware of the process, they had no choice. They couldn't afford not to come".[39]

The Academy's efforts helped to produce two agreements between the political parties: a twelve-point 'Declaration of Principles' and a 'Code of Conduct' intended to optimise the prospects for free and fair elections, while minimising potential threats to Somaliland's peace and security throughout the process.

C. THE POLL

On 15 December 2002, Election Day dawned: in accordance with the law, campaigning had ceased 48 hours before the poll. During the course of the day, a total of 453,902 ballots were cast at 726 polling stations.[40]

International observers present found the process to have been orderly and transparent. Statements by international observers were generally congratulatory. One team, which witnessed voting at 81 polling stations, expressed the general consensus in its statement:

> In our view the electoral process and the day of polling were undertaken in line with internationally-recognised electoral norms. During the polling day we did not observe anything that would invalidate the electoral process.[41]

Irregularities were reported in a number of areas, including incidents of multiple voting, but nothing came to light that would have substantially altered the outcome of the vote. The same observer team expressed the opinion that most such problems "were due to lack of experience and capacity

[39] ICG interview, Hargeysa, April 2003.
[40] A total of 800 polling stations had been planned by the NEC. Of these, 74 remained closed because of security conditions in Sool and eastern Sanaag.
[41] Independent Observers' Statement, Somaliland Local Elections: 15 December 2002, ICD/CIIR and Royal Danish Embassy, Nairobi, p. 1.

among electoral officials and knowledge among voters".[42]

D. THE RESULTS[43]

UDUB's triumph in the local elections came as no surprise: the party machinery built by Egal was still robust enough to deliver the votes. But UDUB's margin of victory was far from comfortable: with just 41 per cent of the overall vote, the party found itself in the minority on many district councils. Nor had there been any real doubt that Kulmiye would take second place, although the party faithful were clearly disappointed at having obtained less than 20 per cent of the vote. But UCID's third place finish was unexpected, earning the association the official political party status that many had anticipated would go to Sahan.

Since only three political parties are permitted by the Somaliland constitution, those associations that failed to become approved political parties but gained council seats were obliged under Article 34 of the Electoral Law to join one of the three approved parties. In reality, the Hormood, Sahan and Asad immediately ceased to function as corporate entities, and their members joined the parties of their choice.

Despite the approval of domestic and international observers, voting patterns in the local elections revealed serious challenges to Somaliland's democratisation process. For example, although women reportedly turned out to vote in greater numbers than men, their representation on district councils remained close to zero. Only six women were actually presented as candidates (neither UDUB nor Asad fielded any women candidates at all), none of whom ranked higher than seventh place on party lists.[44] Only two women were ultimately elected to council seats.

Likewise, voting patterns indicated an important urban and regional bias. Western Somaliland (the regions of Awdal, Woqooyi Galbeed and Saaxil) accounted for 71 per cent of the total vote, with Hargeysa alone returning 43 per cent of the total.[45]

The three eastern regions together accounted for only 29 per cent. Although such disparities can be explained partly by demographics, they also bear witness to Somaliland's east-west divide and the dramatic post-war acceleration of urban drift.

What remained uncertain in the aftermath of the elections was exactly how much authority the new councils would possess. Articles 109-112 of the 2001 constitution describe the formation of regional and districts councils and award them specific administrative powers. But the constitution is ambiguous in its commitment to decentralisation, leaving much to the discretion of the legislature. For example, while district councils theoretically enjoy the "power to plan their economic and social affairs", the "demarcation of the administrative and tax levying powers between the central government and the regions/districts" remains undefined. In practice, the central government's continuing control of the public purse leaves little real power in the hands of local governments, and the Ministry of Interior has already begun to insist on nominating key local officials, although the constitution limits the executive's role to the nomination of regional chairmen and "assisting" local councils in their work.

Recent legislation on decentralisation is at best half-hearted, and in the short term the new district councils, being inexperienced and unfamiliar with their powers and responsibilities, are likely to find their authority trespassed upon by pushy central government politicians and bureaucrats. Over the long term, however, there seems little doubt that the pressures of electoral politics will gradually help shift the balance in favour of local governments, bringing about the type of decentralisation envisioned in the constitution.

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[42] Ibid., p. 1.
[43] See also the chart in Appendix B below.
[44] Bradbury and Abokor, op.cit., p. 20.
[45] Ibid., p. 18.

VI. PRESIDENTIAL ELECTIONS: THE COIN TOSS

On 15 April 2003, the United Nations information service carried a press item describing a recent publication of the Washington-based think tank Freedom House that concluded three of the "world's worst regimes" were to be found in the Horn of Africa.[46] That story provided a suitable coda to Somaliland's first presidential election, which had taken place the previous day. In a part of the world known for conflict, instability and authoritarian regimes, Somaliland's inelegant democratic experiment stands as a remarkable achievement.

The real challenge of presidential elections was the shift from the consensus-based *beel* system, in which every clan had its say, to a majoritarian democracy in which there would inevitably be winners and losers. Many Somalilanders feared that the time was not yet ripe for such a dramatic and potentially dangerous leap. "Many people were afraid that elections could disturb the peace", President Rayale admitted to ICG. "But I felt differently… I believe that the people were more ripe than many of their leaders".[47]

While the conduct of the voters was generally calm, peaceful and orderly – even after the announcement of the results – the same could not be said of Somaliland's political 'elite'. In contrast with their supporters, party activists often seemed determined to win at any cost, flaunting the electoral law, issuing inflammatory statements and – at times – threatening to scuttle the entire process of democratisation. Their 'no-holds-barred' approach to victory risked transforming a remarkably free election into a violent free-for-all. That they did not wreck the electoral process owed more to the maturity of the public than to the restraint of politicians.

A. THE CHOICE

Beyond the narrow arena of Somali politics, the candidates for Somaliland's presidency were essentially unknown. It was emblematic of international disinterest in the process that when the candidates' names were read out to contestants on a BBC quiz show a hapless respondent ventured that they were suspected terrorists.[48] Inside Somaliland, however, the election was a deadly serious business, largely because beyond the politics of personality and sub-clan loyalties, the election offered voters an opportunity to wage the last war all over again - this time with ballots instead of bullets.

Reliving the conflict that gave birth to Somaliland meant different things to different people: to some, it meant reaffirming to the international community Somaliland's determination to break with the past and go it alone as an independent state. To others, it represented an opportunity for the SNM's aging freedom fighters to prevent the return to power of their old foes from the Barre regime – and from Barre's once dreaded intelligence arm, the National Security Service in particular. To still others, it offered a way to prevent national leadership from becoming a perennial reward to the Isaaq for their victory on the battlefield.

In most other respects, there was little to distinguish the contenders: no ideological fireworks, no revolutionary appeal to the public imagination. If all three parties offered much the same formula for leadership – a commitment to Somaliland's independence, the pursuit of international recognition, and economic revival – it was because they knew that these were not the issues upon which the contest would be decided.

1. UDUB

By virtue of its victory in the December 2002 local elections, UDUB had further entrenched itself as the 'ruling party' and the flag bearers of the status quo. "We have been in government for some time", an UDUB spokesperson told international election observers at a pre-election briefing. "We have shown that we know how to lead this country responsibly and we will continue to do so if we win".[49]

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[46] The governments in question were identified as Eritrea, Somalia and Sudan. "Horn of Africa: Eritrea, Somalia, Sudan among world's worst regimes, report says" , IRIN, 15 April 2003.
[47] ICG interview, Hargeysa, May 2003.

[48] From a BBC World Service broadcast, 5 April 2003.
[49] From a briefing to international observers by a UDUB spokesperson, at Hotel Maansoor, Hargeysa, 12 April 2003.

As the de facto party of government, UDUB had indeed played a key role in Somaliland's peaceful transition from the late President Egal to his successor, building confidence in Somaliland's political institutions both at home and abroad. In his brief tenure as president, UDUB's chairman, Dahir Rayale Kahin, had started to mend relations with Djibouti, shaken up the judiciary, and become the first Somaliland president to visit Laas Caanood, in the contested Sool region of eastern Somaliland. But even these few successes were tainted by failure: Djibouti's diplomats continued to lobby against Somaliland; the judiciary remained mired in stagnation and corruption; and Rayale's visit to Laas Caanood had to be aborted when militia from Puntland opened fire on his guesthouse with anti-tank weapons.

Rayale himself was also an object of ambivalence. Having served for so long in Egal's shadow, his leadership skills were an unknown quantity beyond his being a good listener who speaks little and whose behaviour in public seems stilted. In the immediate aftermath of Egal's death, he played his cards close to his chest, announcing no policy changes, leaving the cabinet intact, and even preserving the arrangement of the furniture in the president's office. In the lead-up to elections, members of the public could only judge Rayale by the few hard facts they possessed: that he belongs to the Gadabursi clan and that he served as a colonel in Barre's National Security Service.

Being a Gadabursi has worked both for and against Rayale. Many Somalilanders are proud that their political system has produced a leader from a minority clan – something that no other part of Somalia, nor even Djibouti, has managed to do. Others believe that Rayale offers better prospects for Somaliland's peace and stability than an Isaaq president since the destructive intra-Isaaq power struggles of the 1990s can be set aside. But a significant number of Isaaq resent seeing a Gadabursi lead the country, and among the Harti of eastern Somaliland, the notion of a Gadabursi president is also unpopular (see below). Some simply feel that a Gadabursi president lacks the political clout to lead. "Rayale cannot run this country," a Kulmiye party activist told ICG. "He's

from a minority clan and cannot take tough decisions".[50]

Rayale's NSS background continues to haunt him, although it did not prove fatal to his bid for national leadership. The NSS was universally unpopular with Somalis and in the northwest its officers were implicated in a broad range of extra judicial disappearances, tortures and executions. Rayale himself is named in an Africa Watch report for his alleged role in abuses against Isaaq civilians.[51] But few Somalilanders seem eager to reopen old wounds, even in the interests of justice, for fear that it might unravel their hard won peace and security, and Rayale's suitability for the presidency is unlikely to be seriously challenged on such grounds

Many observers believe Rayale could turn out to be a strong leader. A confidential donor assessment of Rayale obtained by ICG describes the new president as "more sophisticated than the impression he gives", and Rayale's supporters are adamant that he is up for the job. "Rayale never expected to be President," a long serving Somali diplomat told ICG just prior to the election. "But here he is, a Gadabursi in an ocean of Isaaq. You can't get the measure of someone during a storm because he's taking cover, and the Isaaq are like a storm, so [in his capacity as Vice President] Rayale has been lying low, letting it all blow over. But if he wins, he will surprise us all".[52]

2.   Kulmiye

Kulmiye's public appeal is linked directly to its chairman's credentials as a leader of the SNM liberation struggle. The party's campaign strategy involved casting itself as the standard-bearer of the freedom fighters or *mujahidiin*, while painting UDUB leadership as holdovers from the Barre regime. "Kulmiye says: 'the people in government today are the people who drove you from your homes in 1988," a Burco businessman told ICG,[53] a perception that certainly prevailed among many

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[50] ICG interview, Burco, April 2003.
[51] Africa Watch, "Somalia"*, op. cit.,* 1990, p. 151. The allegations were included in an open letter to Somaliland's political letters by Rakiya Omaar, a respected human rights advocate and director of the organisation African Rights, just weeks before the presidential elections.
[52] ICG interview, Hargeysa, April 2003.
[53] ICG interview, Burco, April 2003.

Kulmiye supporters. In the highland town of Sheikh, reports of an early UDUB lead on the morning after the poll, elicited angry reactions from Kulmiye supporters at breakfast in a local teashop. "The *Faqash* are beating us",[54] said one, using the derogatory term once used to describe Siyaad Barre's forces during the civil war. No one in the teashop raised an eyebrow in disagreement, despite the fact that many senior UDUB figures are also SNM veterans.

Silanyo's credentials as a former chairman of the SNM certainly won him support among Somalilanders uncomfortable with Rayale's NSS past and with members of the Isaaq who object in principle to a Gadabursi head of state. But the Kulmiye chairman's SNM affiliation also worked against him: after the December 2002 local elections, Silanyo joined forces with some prominent 'Alan 'As (Red Flag) military commanders who had previously supported Asad; one them, Abdirahman aw Ali, became his vice presidential running mate.[55] Several of the newcomers had held key command positions during Somaliland's two civil wars, setting off alarm bells with Somaliland's gun-shy voters. "Silanyo fought a good campaign," a businessman told ICG on the eve of the poll, "but when people see all of the Red Flags have come together again, it reminds them of war".[56] "Asad's performance in the local elections should have been the clue," a Kulmiye supporter reflected after his party's defeat. "People had voted against the [Red Flags] and Asad lost".[57]

In other respects, Kulmiye's campaign platform differed little in substance from its rivals, but as the leading opposition party, it enjoyed an inevitable appeal as the 'party of change.' Its failure to make that promise explicit enough may have cost Kulmiye the presidency, but the party may still be able to translate the promise of change into political capital when campaigning for the upcoming legislative elections.

3. UCID

Faisal Ali Waraabe, the UCID Chairman and Finnish civil engineer, neither served with the SNM, nor held an official position with the Barre government.[58] Waraabe's party, which he dates from 1992, envisions a Western-style democracy and a means-tested welfare system for Somaliland. "We lost thirteen years working on a tribal consensus, a tribal understanding", he told ICG, "because that's the only way Egal knew how to run a country… Somaliland is not yet ready [for a multi-party system], the institutions are not ready, and law enforcement is weak. But we need to get away from the tribal system".[59]

UCID ostensibly based its bid for the presidency on grounds of policy rather than personality. "The ruling party has had all this time to do the things the country needs", explained an UCID spokesman. "But they haven't done it. Either they are unable to do it, or they lack the will to do it".[60]

UCID's election promises, which are laid out in considerable detail in its party program, were ambitious and undoubtedly expensive. But with his party trailing in a distant third place after local elections, Waraabe probably realised he was unlikely to have to fulfil any of them. Instead, he set his sights on pushing his agenda from within the next administration – an ambition he made no attempt to conceal when ICG interviewed him in Hargeysa after the election: "We will be an opposition within the government".[61]

B. THE CAMPAIGN

Officially, the electoral campaign opened 30 days prior to the election, as prescribed by law. In that period, the three political parties worked at getting out the message: organising rallies, handing out T-shirts, buttons and posters, and inviting elders to innumerable *qaad* chewing sessions.[62] Despite undercurrents of political tension, the campaigning

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[54] Overheard by an ICG researcher, Sheikh, 15 April 2003.
[55] Aw Ali, a Gadabursi, had served as vice president under Egal between 1993 and 1997.
[56] ICG interview, Burco, April 2003.
[57] ICG interview, Hargeysa, May 2003.

[58] Waraabe has been publicly accused, however, of close ties with General Mohamed Hashi Gani, one of Barre's most notorious military commanders in the northwest during the civil war.
[59] ICG interview, Hargeysa, May 2003.
[60] From a briefing for international observers by a UCID spokesperson at Hotel Maansoor, Hargeysa, 12 April 2003.
[61] ICG interview, Hargeysa, May 2003. Waraabe was subsequently disappointed: Rayale chose not to form a coalition government with UCID.
[62] *Qaad* (often spelt khat) is a leafy shrub containing a mild stimulant related to amphetamine.

was peaceful, disciplined and, for the most part, good-natured on all sides.

The real campaign had in fact begun many months earlier, even before the local elections, and it was less about getting out the message than raking in the money. Of the three, Kulmiye was the undisputed fund raising champion, its international offices reportedly attracting hundreds of thousands of dollars from supporters in the diaspora. UDUB tried to match Kulmiye's success, sending officials abroad to drum up support, but they were unable to reproduce Kulmiye's results.

What UDUB lacked in private donations, it made up for with public funds and assets – in direct contravention of the Political Parties Act. Brand new Somaliland Shilling notes began to appear on the streets prior to the December 2002 local elections, and continued to flow right up to the presidential poll, triggering the worst inflation to hit Somaliland for over five years: the value of the Shilling against the U.S. dollar dropped from 6,300 in December 2002 to 7,500 on the eve of the elections. Ministry staff and vehicles were, in some areas, pressed into service for UDUB; when the Minister of Public Works – a man of sufficient integrity to have attracted millions of donor dollars for the Somaliland Roads Authority (SRA) – was replaced just weeks before the election, SRA vehicles with UDUB stickers began to circulate in parts of rural Somaliland, including some clearly marked as donations of the United Nations. Other Ministers appointed in the lead-up to elections, were nicknamed 'ballot box Ministers', implying that their only purpose was to turn out the vote for UDUB by dispensing cash in their clan areas.

Both Kulmiye and UCID objected to UDUB's raids on the national coffers, but to no avail. "These elections may be free, but fair – there was never any question about it", Silanyo told ICG in the lead up to the presidential poll. "Last time was not fair, and this one won't be fair either. The word doesn't exist: Rayale set aside one million dollars for the last week before elections. Ministers descended on this place to spend money".[63]

The other two parties, however, pointed their fingers at Kulmiye for spending resources to unfair advantage. "Kulmiye is handing out money left and

right," complained Suleyman Gaal, the former Asad chairman turned UDUB activist, in the week before elections. "It's corrupting the people and setting a bad precedent".[64] UCID's chairman made similar observations in the election's aftermath: "We had been afraid of UDUB, but we found out that we had underestimated Kulmiye."

A member of the Electoral Commission was careful to distribute the blame more evenly: "It was wrong, unethical for the government to appoint new ministers with only days to go before the election, and they just distributed cash to party and government officials. It was no more ethical for the opposition to hand out cash, either, but at least they were not abusing public funds".[65]

Despite the heated claims and counter-claims, few people seemed convinced that the cash would actually alter the outcome of the election. "The money that was paid out on all sides never reached the voters," a cabinet member told ICG. "The ministers and the handful of elders closest to [the party leaders] got most of the money. Not a shilling reached the ordinary voters".[66] Kulmiye Chairman Silanyo agreed: "The only consolation is that people will take [UDUB's] money and do what they will with it […] and Ministers who get U.S.$10,000 to buy votes, most of them will spend U.S.$3,000 on handouts of *qaad* and keep the rest".[67]

Perhaps a more serious complaint involved the UDUB's monopolisation of the state-owned media – especially the radio. Unlike the local elections, during which Radio Hargeysa had provided exemplary coverage of all parties, reporting in the lead up to presidential elections was restricted almost exclusively to the ruling party. Journalists who aired stories about or interviews with the opposition – especially Kulmiye – found themselves censured and even threatened. On two occasions, government restraints on journalists involved physical violence.[68]

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[63] ICG interview, Burco, April 2003.

[64] ICG interview, Burco, April 2003.
[65] ICG interview, Hargeysa, May 2003.
[66] ICG interview, Hargeysa, April 2003.
[67] ICG interview, Burco, April 2003.
[68] For a detailed account of government restrictions on journalists both before and after elections, see African Rights, "Shadows of the Past", discussion paper no. 11, 26 May 2003, pp. 9-13.

There was little external interference in the lead-up to the elections. Rumours persisted that the Djibouti government had contributed cash to UDUB's campaign, but no evidence could be found to support the allegation. Ethiopia, which was rumoured to favour Kulmiye, denied separate requests from both Silanyo and Rayale for pre-election visits to Addis Ababa, each presumably seeking the Ethiopian government's endorsement. Instead, in early May 2003, the Ethiopian Minister of State for Foreign Affairs, Tekeda Alemu, met with all three party chiefs in Hargeysa to stress that Ethiopia would behave impartially in the election and was prepared to work with whoever emerged the winner.

C. THE POLL

On 14 April 2003, nearly half a million Somalilanders turned out to vote for a new president. The conduct of the poll was peaceful, orderly and transparent, and when the sun set, domestic and foreign observers alike expressed their approval at the free and transparent nature of the exercise.

For a state as impoverished as Somaliland, the logistics of the exercise were formidable: the 902 polling stations planned for by the NEC required 5,600 civilian employees and nearly 3000 security personnel. The total cost, estimated at U.S.$1 million, represented approximately 5 per cent of the government's annual budget. Fortunately for the NEC, whose finances were stretched to the limit by government foot-dragging in releasing the total budget, a small group of donors (the UK, Denmark, and Switzerland) came forward with an eleventh hour contribution of nearly U.S.$300,000.

There were several important differences between the organisation of the presidential and local elections. Long queues and late closings during the local elections had persuaded the Electoral Commission to increase the number of polling stations by more than 100. Presiding officers, who had previously been appointed from the communities in which they worked, were cross-assigned. Perhaps most importantly, political parties had learned the significance of having responsible party agents present at all polling stations, and the NEC made provisions for a higher level of training for its staff and party agents just prior to the poll.

In addition to party agents, domestic and international observers were out in strength – 32 international observers representing various organisations and governments managed to visit roughly 300 of the 785 polling stations.[69] Observer reports were uniformly positive, and no major irregularities were noted, although there were credible reports in some areas of multiple voting. Several polling stations returned somewhat dubious counts unanimously in favour of one party or the other. But since party agents were present in all locations and signed off on the vote counts as accurate, allegations of cheating were difficult, if not impossible, to substantiate.

In the absence of voter registration, the 'indelible' ink used to mark voters was key to preventing multiple voting. Dissatisfied with the French ink used during the local elections, the NEC had arranged to procure British ink manufactured in Kenya for the presidential round. Unfortunately, the new ink turned out to be soluble in kerosene, mild bleach, and lemon juice – a deficiency that party agents were quick to exploit. In major towns, credible reports circulated of party offices equipped with buckets of bleach or kerosene relieving voters of their ink stains and sending them out to vote again. Although no party resisted the temptation to exploit the NEC's lapse, observers tended to agree that Kulmiye benefited the most. "They were simply better organised and more determined when it came to double voting", an NEC commissioner opined to ICG.[70]

On balance, the poll was tolerably fair, with all parties profiting more or less equally from procedural loopholes. Election observers unanimously reported their satisfaction with the exercise, and although all parties subsequently raised specific grievances, none complained of systematic rigging. The election also seemed to have surpassed popular expectations and the local press was full of glowing reports. "There was a huge sense of pride after 14 April", Rakiya Omaar, director of the respected human rights organisation African Rights, told ICG. "There was a sense of achievement. By definition we had entered a new

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[69] Annemieke de Wit and Riemke Rip, *Voting for Democracy: Presidential Elections in Somalilan.* (The Netherlands, April 2003).
[70] ICG interview, Hargeysa, May 2003.

era".[71] The glow of Somaliland's "new era" was almost extinguished by what followed.

D. THE RESULTS

Long before polling day, it was clear that the outcome of the presidential election would be a close call. But when, on the afternoon of 19 April, the NEC finally declared the preliminary results, the margin of victory was uncomfortably thin: UDUB had won by only 80 votes.[72]

Prior to the elections, party leaders on all sides had committed themselves to abide by the electoral outcome. But the NEC's wobbly calculations, which involved errors, omissions and the disqualification of over a dozen ballot boxes, invited controversy. Both Kulmiye and UDUB cried foul and began to prepare complaints for submission to the Supreme Court, which was scheduled to announce the definitive results on 8 May.

Kulmiye's initial challenge, which it presented at a Hargeysa press conference on 23 April, was deceptively simple: the NEC had simply botched its math and erroneously dropped 156 Kulmiye votes. Using the NEC's own figures, Kulmiye reckoned it had actually won the election by 76 votes. But the commission stuck by its figures, and argued that, even if mistakes had been made, only the Supreme Court could now revise the preliminary election results. Its final report on the process asserts:

> The preliminary results were just that….preliminary results. The final authority of [sic] declaring the winner of the election is the Supreme Court. The framers of the electoral law, the Parliament, recognised this need and had accordingly established this system which provides the parties with a legal forum to present their grievances in the event they decide to contest the preliminary results.[73]

Procedurally speaking, the Commission's position was solid, but its refusal to review its own figures in light of Kulmiye's allegations drew angry charges that the commissioners had just "passed the buck" and awakened suspicion of their motives.[74]

UDUB also contested the election results, aiming to enlarge its margin of victory and to ensure that it was not overturned by the court. The party argued that the NEC had improperly annulled a number of ballot boxes from pro-UDUB constituencies, representing over 10,000 votes. But the NEC's disqualification of certain boxes on procedural grounds had been decided in close consultation with local party representatives – including UDUB. And since both UCID and Kulmiye were in a position to lodge similar complaints, it was unlikely that the court would agree to reverse the NEC's decision, which would essentially require a complete recount.

When Kulmiye took its case to the Supreme Court during the first week of May, it took a different tack. Instead of contesting the NEC tallies, the party's main argument focused on the NEC's omission of a ballot box from the village of Balle 'Alanle, a pro-Kulmiye constituency. Kulmiye never explained why it chose to downplay its previous claims of NEC tabulation errors, leaving others to draw their own conclusions. "They realised they were wrong," one of the electoral commissioners subsequently told ICG. "It's true that there had been some typographical errors in transcription, but the totals were correct […] The votes Kulmiye claimed it had lost were in fact included in the Commission's totals".[75]

Whatever the reason, the Supreme Court was unmoved by the complaints brought by either side, and refused to open additional ballot boxes. But the final decision announced by Chief Justice Sa'id Farah on 11 May served to further mystify the outcome: according to the court, UDUB had won not by 80 votes but by 217.[76] "[The Supreme Court's] judgement has confused the picture further for many in Somaliland, by presenting a whole new set of figures and failing to provide any convincing

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[71] ICG interview, Hargeysa, May 2003.
[72] See Appendix C below for the complete returns announced by the NEC.
[73] National Electoral Commission, "Report of the Presidential Elections", Hargeysa, 2003, p. 14.

[74] ICG interview, Hargeysa, May 2003.
[75] ICG interview, Hargeysa, May 2003.
[76] No explanation was given for the revised figures, although sources close to the court told ICG that NEC tabulation errors were to blame. ICG interview, Addis Ababa, July 2003.

legal argument to justify its decision", charged a highly critical report of the process.[77]

On 16 May 2003, Rayale was sworn in as Somaliland's president in a low-key ceremony at State House from which opposition leaders were absent. UCID, satisfied with its unexpectedly robust third place finish, quickly announced its acceptance of the results. But when Kulmiye rejected the outcome and declared the court's decision illegitimate, Somalilanders at home and abroad held their breath, fearful of the worst. "There is a real danger of conflict," a close observer of the process told ICG just days after Rayale's swearing in. "People don't want to go back to [war], but there are also those who see no alternative".[78]

E. RECRIMINATIONS

Kulmiye was not alone in questioning UDUB's electoral victory. "Everyone, including the cabinet, thought Kulmiye had won," an NEC member told ICG. "They had a stronger campaign, better propaganda, and they were gaining momentum".[79] Even UDUB's leaders anticipated defeat: "They were furious… they felt they'd been robbed of victory," stated a Parliamentarian who visited the presidency the night before the NEC's decision.[80] "I first heard that Kulmiye had won," Rayale told ICG, "and I was preparing to step down".[81]

Predictably, UDUB's surprise victory invited accusations of foul play. As African Rights noted: "The fact that Kulmiye was widely tipped to win, and the perception, rightly or wrongly, that political pressure had been exerted on the NEC on the very day the results were announced, initially led to suspicion and political tension".[82] But ICG found no evidence to substantiate claims that the outcome was rigged or that the electoral commission bowed to political pressure. On the contrary, the NEC asserted its independence and neutrality with growing confidence throughout the electoral process.

Some of the commission's decisions clearly damaged UDUB's prospects more than Kulmiye's. For example, despite the NEC's decision that voting would not take place in part of Sool and eastern Sanaag regions, "The Minister of Sports, a Warsengeli from Dhahar district [eastern Sanaag region] called us to say that everything was ready and we should send the ballot boxes," a commissioner told ICG. "We told him that the decision of the commission had been taken and that no one could change it, not even the president. And the president himself was unhappy about it".[83] Similarly, when the commission learned that the president and the vice president were campaigning with the national flag, it notified UDUB in writing that this contravened the electoral law and made statements to the press and television. Instructions were then to local governments and the police explaining that vehicles bearing the national flag could not be used for the campaign.[84]

Even more damaging to UDUB's prospects was the commission's decision to rotate personnel between polling stations in order to prevent ballot stuffing. During the local elections, "we discovered that the polling station was the key to a clean election. […] We realised that if the presiding officers and staff were all from the same area, it was a problem. We didn't have the money to change them all so we just shifted them around".[85] The results were dramatic: despite an increase of 58,572 in the overall number of voters, some regions experienced a precipitous drop-off – a difference that many observers attributed to controls on ballot stuffing. In Hargeysa's rural Salaxaley district, a UCID stronghold, where reports of ballot stuffing in the local elections had been rife, the total number of votes cast fell from roughly 23,000 in December 2002 to just over 13,000 in April 2003. As one Commissioner put it, "ten thousand people just evaporated".[86] In Rayale's home region of Awdal, where over 100,000 votes had been cast in local elections, just 68,396 votes were cast in the presidential poll; UDUB's vote count in Awdal fell by more than 15,000.

The most serious allegation levelled at the NEC is that it actually doctored the election results in order

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[77] African Rights, "Shadows of the Past", op. cit., p. 2.
[78] ICG interview, Hargeysa, May 2003.
[79] ICG interview, Hargeysa, May 2003.
[80] ICG interview, Addis Ababa, May 2003.
[81] ICG interview, Hargeysa, May 2003
[82] African Rights, "Uncertain Times in Somaliland", London, 1 May 2003, p. 1.

[83] ICG interview, Hargeysa, May 2003.
[84] ICG interview, Hargeysa, May 2003.
[85] ICG interview, Hargeysa, May 2003.
[86] ICG interview, Hargeysa, May 2003.

to award victory to UDUB. Between the evening of 18 April and mid-day on the morning of the 19th, when the preliminary results were announced, a delegation led by the speakers of the two houses of Parliament (known as the *shirguddoon*) shuttled several times between the presidency and the NEC offices. Since the Parliament had no mandate to intervene in the electoral process, its last-minute activity raised eyebrows: "If [the NEC] had wanted to avoid any suggestion of political interference, they would have refused to see the *Guurti*," Rakiya Omaar told ICG.[87]

Abdulqadir Haji Ismail Jirdeh, the Deputy Speaker of the House of Representatives and a member of the parliamentary team, concurred that the *shirguddoon* lacked a mandate to become involved, but argued that on the eve of the NEC's announcement the political temperature had reached the boiling point. Kulmiye's leadership had already declared victory, and while Silanyo's supporters celebrated late into the night of 18 April, Rayale called the *shirguddoon* to the presidency to denounce the NEC's conduct. Fearing that events might spin out of control, the parliamentarians decided to head off a crisis: "We had no legal basis on which to intervene," Jirdeh told ICG, "but in the interests of peace and security we felt we had a moral obligation".[88]

The *shirguddoon* visited the commission late in the evening of the 18th and proposed a meeting with party representatives the following morning in order to defuse some of the political tension. The Commission agreed and the meeting went ahead the following morning with senior party representatives from each in attendance. Of the issues raised, the most sensitive was the NEC's seemingly arbitrary disqualification of ballot boxes. "There was no discussion of numbers at all," Jirdeh told ICG. "We didn't ask and they didn't volunteer it. Who was leading, who wasn't leading… the issue didn't come up".[89] The meeting concluded with the NEC's reiteration of its decision not to open any previously disqualified ballot boxes.

Kulmiye was delighted with the outcome of the meeting, since the disqualified ballot boxes came mainly from pro-UDUB constituencies, but UDUB was incensed. When the *shirguddon* returned to the presidency to brief Rayale, "Some of [the UDUB leaders] became hysterical," Jirdeh told ICG. "They told us: 'This issue is leading to conflict. Can't you stop the electoral commission? Annul the results? Postpone the results?' We answered them point blank: 'Forget about it. If you have any complaints, get them ready for the Supreme Court. The only person who was calm was Rayale. He told his people to leave him alone to get some rest and to prepare the complaints for the court".[90]

Given the circumstances, the NEC's announcement, just hours later, that UDUB had won the election, came as a surprise to all concerned, and there are excellent grounds upon which to question the authenticity of the outcome: thousands of valid votes remained uncounted in sealed ballot boxes because of procedural errors by inexperienced NEC staff. Errors in the NEC's tabulation of the results raise doubts about whether they got their sums right. As African Rights later observed:

> A multiplicity of miscalculations – some favouring Udub, others Kulmiye – cannot, as the Commission seems to believe, create a balance of political misfortune. Rather they undermine the political system as a whole, leaving ordinary Somalilanders perplexed about whether and how their vote was counted.[91]

The NEC's errors had earned such criticism, but inexperience and incompetence do not necessarily amount to rigging. Instead, NEC's fumbling of the tally reduced the election essentially to a game of chance – a coin toss. Had just one ballot box more or less been opened, UDUB and Kulmiye might have traded places. Whether or not more voters actually cast their ballots for UDUB or Kulmiye will probably never be known. But games of chance can be fair, as long as all players face the same odds, and there is no evidence to suggest that, for all its flaws, the conduct of Somaliland's presidential poll on 14 April 2003 was anything but fair.

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[87] ICG interview, Hargeysa, May 2003. The *Guurti* is the upper house of Parliament.
[88] ICG interview, Addis Ababa, May 2003.
[89] ICG interview, Addis Ababa, May 2003.

[90] ICG interview, Addis Ababa, May 2003.
[91] African Rights, "Uncertain Times in Somaliland", op. cit. p. 2.

F. THE SUPREME COURT

The responsibility for passing final judgement on the election fell to the highest organ of Somaliland's judiciary: the Supreme Court. Both Kulmiye and UDUB presented their grievances in writing to the court, which then sought clarification from the NEC. On the basis of this information, the court then conducted open hearings with representatives of political parties and the NEC lawyers.

In arriving at a judgement, the court essentially faced two options: either to uphold the figures announced by the NEC on 19 April, or to order a recount. A third option, to assess whether specific ballot boxes had been justly or unjustly disqualified, would have been fairer to Somaliland's voters by ensuring that no vote was unnecessarily wasted, but it also threatened to open a Pandora's box of claims and counterclaims, probably requiring a delay of weeks, if not months, before a final decision could be reached. The court, however, identified an unexpected fourth option: to present, without elucidation, a different set of figures: UDUB had won the election not by 80 votes, but by 217. Since the court offered no explanation for the change, its 11 May verdict raised more questions than it answered and opened the court to accusations of political bias.

Indeed, Somaliland's judiciary has spent most of the past decade mired in incompetence, corruption and political interference. A recent report by a local research organisation found the judiciary to be "the most neglected and under-funded of the three orders of government",[92] and described its application of the law as "ad hoc, non-uniform, and highly subjective".[93]

In mid-2002, soon after taking office as Somaliland's interim president, Rayale declared judicial reform as one of his top priorities, and ordered a bold shake-up of the justice system. This initiative was unpopular with sitting judges, but was warmly welcomed by a public exasperated by the judiciary's deterioration to the state of "an open market where 'Justice' is sold to the highest bidder".[94]

As part of the reform effort, Rayale appointed a new Chief Justice, Sa'id Farah Ahmed and established an Advisory Committee on the Judiciary, which six serving judges described as unconstitutional and subsequently resigned.[95] Rayale then dismissed the four remaining members to the Supreme Court and named six new judges to the bench. Therefore in April 2003, when the Supreme Court was called upon to hand down judgement on the NEC's decision, there were seven justices on the bench, all of them appointed by Rayale. Not surprisingly, many Somalilanders concluded (to paraphrase the American columnist Thomas Friedman's assessment of the 2000 American presidential election) that the justices voted twice for president – once in April and once in May.[96]

As with the electoral commission, no evidence has been brought forward to suggest that the Supreme Court acted improperly in any way. But the appearance of partisanship, reinforced by the court's reluctance to explain its decision, has probably done more harm than good to the already battered reputation of Somaliland's justice system.

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[92] Academy for Peace and Development, "The Judicial System in Somaliland", Hargeysa, August 2002, p. 10.
[93] Ibid., p. 3.
[94] *Somaliland Times*, Hargeysa, issue 25, 6 July 2002.

[95] For an incisive analysis of the current state of the Somaliland judiciary, see Ibrahim Hashi Jama, "The Somaliland Supreme Court and the Presidential Elections", www.somalilandforum.com, April 2003.
[96] Friedman was commenting on the U.S. Supreme Court's decision to uphold George W. Bush's November 2000 election victory. Thomas L. Friedman, "Medal of Honour", in *Longitudes and Attitudes.*(New York, 2002), p. 10.

VII. SOOL AND EASTERN SANAAG REGIONS

On the eve of the presidential election, the NEC decided that voting would not take place in much of Sool and eastern Sanaag regions, and parts of Buhoodle district (Togdheer region) for security reasons. The closure of polling stations in those areas meant that a total of 785 polling stations were actually functioning on Election Day out of 902 stations planned - equivalent to 87 per cent of the total.[97] Although widely perceived as a setback to the political process, democracy in Somaliland probably would have suffered a far greater blow had voting in those regions gone ahead: elections in Sool and eastern Sanaag would have almost certainly featured fraud and bloodshed on a large scale.

A.   SOMALILAND AND THE HARTI

Somaliland's eastern border regions, inhabited mainly by the Harti clans (Dhulbahante and Warsengeli), have long been problematic. Despite having signed both the 1991 declaration of independence and its reaffirmation at the 1993 Boorama conference, the Harti leadership remains ambivalent about Somaliland's claim to separate statehood. Like the Gadabursi, key members of the Harti clans were identified with the leadership of the Siyaad Barre regime during the civil war (although a handful chose to align themselves instead with the SNM). Unlike the Gadabursi, however, the Dhulbahante and Warsengeli negotiated separate ceasefires with the SNM without the latter's forces having to enter their areas.

Since the mid-1990s, the Warsengeli relationship with Somaliland's leadership has been mediated largely by the clan's senior elder, Suldaan (Sultan) Sa'id Suldaan Abdiselam Mohamud Ali Shire. Together with some influential Warsengeli political figures, the Suldaan has kept the Warsengeli closely tied to Somaliland – a task in which history has worked in his favour. Despite their Darood affiliation, the main Warsengeli trading centre has

historically been Ceerigaabo, a town in which members of the clan intermingled freely with the Isaaq and developed enduring social and economic ties. Only from 1989 onwards, when the Barre regime completed the tarmac road from Garoowe to Bosaaso, did the latter begin to rival Ceerigaabo as the focus of Warsengeli social and commercial activity. Suldaan Sa'id has faced a persistent challenge from his uncle, a former rival for the Suldaan's traditional title, who has worked with only modest success to associate the Warsengeli with Puntland and Mogadishu.

The chief architect of the Dhulbahante relationship with Somaliland has been another traditional elder: *Garaad* Abdiqani. An SNM sympathiser during the 1980s, Abdiqani's offer to form a united front with the Isaaq against the Barre regime was rebuffed by the SNM, although he retained close ties with the Isaaq rebels and played a key role in securing the 1991 ceasefire. Abdiqani went on to lead the Dhubahante delegations to the 1991 Burco conference and the 1993 Boorama conference, but became progressively disaffected following the appointment of a Gadabursi to the post of Vice President and a subsequent dispute with President Egal over the 1996 Hargeysa conference arrangements.

Having abandoned the Somaliland cause, Abdiqani was instrumental in shifting much of Dhulbahante political and public opinion behind the establishment of the Puntland administration, where the clan received the post of Vice President and a large share of parliamentary seats. The honeymoon with Puntland did not last long, and in 2001 a new focus for Dhulbahante loyalty emerged with the formation of a Somali Transitional National Government (TNG) at Arta, Djibouti.

Garaad Abdiqani, however, shares the leadership of the Dhulbahante with several other key traditional figures, notably *Garaad* Suleyman and *Garaad* Isma'il, who represent different lineages within the Dhulbahante, and who have been more consistent in their support for Somaliland. No less than eight other senior 'traditional' leaders, many of them created by the Barre regime, also compete for Dhulbahante loyalties, preventing the clan from adopting a unified position on any major issue.

At present, Harti loyalties are split at least three ways, with members of the clan's political and traditional elite scattered between Somaliland,

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[97] Of 156 polling stations in those areas, 29 stations in Sool region were able to function normally and 10 stations were relocated from Laas Qoreh district to Ceerigaabo district.

Puntland and Mogadishu. Some have sampled all three. "The people are divided," an intellectual in Laas Caanood explained to ICG. "Even brothers: one is here, one is there. The same with cousins, clans, sub clans… one is here, one is there".[98]

The process of democratisation in Somaliland has generally aggravated these divisions: what some Harti leaders perceive as an opportunity to advance their own interests and those of their clan, others perceive as an Isaaq Trojan Horse, intended to co-opt the Dhulbahante through subterfuge. The conduct of the 2001 referendum reinforced these misgivings, since many 'yes' votes returned from Harti areas were obtained by ballot stuffing (over 6,000 presumably genuine 'no' votes were also cast) by pro-Somaliland officials.

Rayale's visit to Laas Caanood in December 2002, which ended in a shoot-out between his bodyguard and militia sent by Puntland leader Abdillahi Yusuf to assassinate him, reinforced the Dhulbahante sense of alienation. After the visit, Rayale imposed a state of emergency on Sool region, only to lift it in time for the local elections. "It became clear that he just wanted to create problems", a former member of the Guurti told ICG. "When he lifted the state of emergency [to allow voting to go ahead] it could only mean that the man wanted to create trouble, for people to kill each other".[99]

Following his abortive visit to Laas Caanood, Rayale gave orders that certain Somaliland officials should be withdrawn to the nearby town of Caynabo, ostensibly in order to avoid provoking a further clash. The resulting vacuum permitted the Puntland leadership to expand its presence in the town and for at least a week before the presidential poll, militia loyal to Abdillahi Yusuf had been pouring into the eastern regions with the aim of disrupting the election. "Puntland has brought a lot of forces here", a Laas Caanood resident told ICG. "They want to prevent a single ballot being cast, and there are insufficient Somaliland forces here to prevent that".[100]

A senior Dhulbahante traditional leader believed the Puntland leader's motives were even more sinister: "Abdillahi wants to bring the Puntland war here to Laas Caanood, sending so many vehicles here, so many troops".[101] Tension was running especially high in Las Caanood. With some Dhulbahante leaders determined to hold the election and others equally determined to prevent it, many residents expected violence. None expected a free and fair poll. "The only two choices are for people to kill one another at polling stations, or to carry the boxes on their backs to a safe place and stuff them with ballot papers. At this time we cannot have a free fair and clean election here".[102]

The NEC was well aware of the problem, having sent several missions to Harti areas in the weeks before the poll. With less than 72 hours remaining before the election was scheduled to take place, the commission reached the decision that there would be no voting in Harti areas. A local electoral official explained the reasoning to ICG: "Someone who votes has the right to vote in security. He must know that he can cast his vote independently and freely. For that, there must be administration and police. There are 87 polling stations in areas where there is no administration and no police, so the preconditions for voting do not exist".[103]

Not all Somaliland's leaders approved of the NEC's decision. Just days before the election Kulmiye chairman Silanyo was adamant that voting should go forward: "Voting is a right that people of a country have, that every citizen has. It's one matter to deny people that right. It's another matter if people chose whether to exercise that right or not".[104] But even though the NEC decision effectively disenfranchised the majority of the Harti, many still managed to vote: in Burco and Ceerigaabo districts, election observers witnessed Warsengeli and Dhulbahante turning out to vote en masse.

The NEC's decision not to force the issue and to suspend polling in disturbed areas probably spared the region much bloodshed. It also curtailed efforts by UDUB supporters to rig the vote: just weeks prior to the election, Rayale created five new ministerial posts for Dhulbahante and Warsengeli supporters and sent them campaigning to the east. "The government doesn't want the vote here, just

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[98] ICG interview, Laas Caanood, April 2003.
[99] ICG interview, Laas Caanood, April 2003.
[100] ICG interview, Laas Caanood, April 2003.

[101] ICG interview, Laas Caanood, April 2003.
[102] ICG interview, Laas Caanood, April 2003.
[103] ICG interview, Laas Caanood, April 2003.
[104] ICG interview, Burco, April 2003.

rigging and ballot stuffing", a local official told ICG at the time. "People are hungry. It's *jilaal* [the long dry season]. If you give some money, even the polling station staff can be persuaded".[105] The Somaliland public made light of the matter, referring to Rayale's new appointees as "ballot box ministers", but the ploy did little to burnish UDUB's democratic credentials. "No election under such circumstances could be free and fair," one of the commissioners later told ICG. "Like the [2001] referendum, ministers just wanted to take boxes and stuff them".[106]

B.   WHERE NEXT?

With electioneering now behind, the new Somaliland administration must decide how to address the problem of eastern Somaliland. "We have got to look into this problem seriously," says Rayale. "We need a plan about what to do this coming year. The masses there are divided in their views […] They decided to be part of Somaliland in 1991 and 1993. We were all there together. But their leaders are still looking around for the best deal… they haven't yet reached a decision".[107] Rayale says he's determined that the "best deal" will only be achieved by some hard bargaining: "If they want to take part [in Somaliland] then they will have to work for it. We didn't just sit back and wait for someone to give us something. We worked for it".[108]

Many Dhulbahante would probably respond to Rayale's challenge by arguing that they don't want to be part of Somaliland anyway. We don't want to be part of secession," says *Garaad* Abdiqani. "I have received the Isaaq elders and Suldaans here. We told them 'If you want to go well with us, then abandon this idea of secession. If you insist on that, we can't work with you".[109]

But others say the problem lies less with the issue of secession than in Somaliland's approach, a Laas Caanood businessman told ICG:

> Just saying 'Come with us!' (*soo raac*) is not a solution. We'd rather die. But if we discuss

things first, we can find a solution. We are not just followers or disciples. Somaliland should make a peaceful invasion. They will not get want they want by force, or tricks or lies. But they should send the parties, the elders, the women and the youth here to talk to us … If they bring the good things like services, health, jobs and salaries, then opinion here could swing in the other direction … The door is still open.[110]

Rayale's election to the presidency will not help to open the door any wider. Many Harti believe that they are numerically superior to the Dir, and therefore deserve a larger share of Somaliland's government. But with a Gadabursi president and an Isaaq Vice President, the Harti see themselves symbolically relegated to third place, and some even believe that Rayale is deliberately trying to marginalise the clan. The fact that, historically, most Harti representatives in the Somaliland cabinet and Parliament have been clan placeholders rather than respected representatives has not helped matters, and Harti public opinion will be sharply attuned to whether or not Rayale maintains this pattern.

By suspending polls in Harti areas, the NEC avoided tainting its electoral achievement with the kind of egregious rigging and violence that so often attends African elections. It also bought Somaliland's leaders some additional breathing space in which to revisit their approach to the east within the context of the democratic transition that is taking root elsewhere in the territory.

Somaliland's leaders also need to be mindful that any solution will be traumatic for the Harti clans, since they straddle one of the deepest fault lines in contemporary Somali politics. If Somaliland ever does obtain the international recognition it seeks, it will have to find a way of dealing with reluctant groups among the Harti without compromising its fledgling democracy. Striking that balance will not be easy but it is a relatively straightforward proposition compared to shoehorning a reluctant Somaliland back into union with the south.

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[105] ICG interview, Laas Caanood, April 2003.
[106] ICG interview, Hargeysa, May 2003.
[107] ICG interview, Hargeysa, May 2003.
[108] ICG interview, Hargeysa, May 2003.
[109] ICG interview, Laas Caanood, April 2003.

[110] ICG interview, Laas Caanood, April 2003.

VIII. COMPLETING THE DEMOCRATIC TRANSITION

Somaliland has travelled far along the path to democracy, but arrival at that destination, and even its progress to date, are far from secure. Some of the obstacles are external, such as the antidemocratic ambitions of various Islamist groups, whose power and influence derive primarily from their access to foreign funds, or from the siege mentality fostered by an international community determined to see Somaliland ruled from Mogadishu.

The principal obstacles to Somaliland's democratisation, however, are internal: a winner-takes-all style of political leadership, manipulation of clan loyalties for political purposes and a brazen disregard for the rule of law. In the aftermath of the presidential election, these objectionable features of the political landscape threatened to transform Somaliland's democratic triumph into a victory for autocracy. "Everything that has happened since [election day] has been a step back for democratisation", judged Rakiya Omaar one month after the presidential poll. "All of Somaliland's institutions have suffered".[111]

The blame initially fell upon Kulmiye, whose leadership steadfastly refused to accept defeat. "The problem is that this is a system that only knows one way to work, it's not ready for pluralism," one party activist told ICG, justifying the party's position. "This was a government that chose its own Parliament, named the Supreme Court and the Electoral Commission, then became a political party and arranged its own re-election. It was the judge, jury and executioner. Where's the democracy in that?"[112] Kulmiye's chairman, Silanyo, however, seemed anxious to downplay fears that the party's truculence might turn to violence:

> I am a reasonable man and a man of peace. If I were alone and it were my decision alone, I could afford to say "Fine, that's the way it happened and let's move on". But I am not alone … Some of my supporters say "Why don't you just form a [parallel] government?"

But I won't go down that road, because no one can guarantee that we won't end up like Mogadishu.[113]

Silanyo's reassurances made little impact on the many Somalilanders who feared that Kulmiye's hesitation itself represented a breach of democratic principles and a threat to Somaliland's peace and stability. Deputy Speaker of Parliament Abdulqadir Jirdeh spoke for many when he urged Silanyo to acknowledge his party's defeat:

> Under the electoral law, one vote is enough to win. The parties knew that and the whole process was based on that … Kulmiye should accept the result. They are doing a great disservice to their supporters, to the Somaliland people who have done their duty – voted – and done it well ... It will be a shame if the political elite mess this up.[114]

But it was soon UDUB's turn to come in for criticism. According to human rights observers, opposition supporters – including women and children – were harassed, beaten, detained or dismissed from their jobs. Journalists were also reportedly singled out for government intimidation, and two reporters from the independent daily *Haatuf* were jailed in separate incidents. Rayale appeared to condone these acts when he reappointed the man responsible, Ismail Adan Osman (who is reportedly sought by the Swedish authorities on criminal charges), as Minister of Interior in the first post-election cabinet reshuffle.

Tensions appeared to ease following Kulmiye's official acceptance of Rayale's victory in early June 2003, and both sides flirted briefly with the possibility of a coalition government. By early July, the crisis seemed to be over. Activists across the political spectrum reconciled themselves to the notion that democracy would neither be won, nor lost in a single election, and began shifting their attention from Rayale's controversial victory, to the evident flaws in the system that produced it.

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[111] ICG interview, Hargeysa, May 2003.
[112] ICG interview, Hargeysa, May 2003.
[113] ICG interview, Hargeysa, May 2003.
[114] ICG interview, Addis Ababa, May 2003.

A.   STRENGTHENING THE MULTI-PARTY SYSTEM

Ironically, the presidential election has – at least temporarily – entrenched one-party rule in Somaliland. Neither of the two losing parties is represented at the national level, and even were they to be offered cabinet posts, they would serve at the pleasure of an UDUB president. Parliamentary elections are needed as a matter of urgency, in order to restore a measure of genuine plurality to the political system.

Unfortunately, there is no guarantee that parliamentary elections will happen any time soon. In early 2003, the sitting Parliament granted itself an extension of two years for the lower house and three for the upper house. Parliamentarians justified the move by citing the need for a reasonable delay between elections. Sceptics argue that they are just trying to cling to their seats as long as possible, in the fear that they will be ousted in a fair contest. Unfortunately for the opposition, a significant majority of parliamentarians in both houses are UDUB supporters.

Before legislative elections can in fact take place, a number of basic issues must first be addressed by the current Parliament:

❑   Agreement must first be reached on the number of parliamentarians to be elected from each administrative region. In the absence of a census, the formula must reflect clan perceptions of proportional representation rather than objective population distribution, and is therefore highly sensitive. Articles on this subject were withdrawn from previous debate on the Electoral Law when they triggered a walk out of Gadabursi MPs.

❑   The demarcation of district and regional boundaries has yet to take place. This will prove tricky where it is perceived to favour or disadvantage certain clans.

❑   Hargeysa's status as national capital has yet to be defined.

In addition, many Somalilanders argue that electoral laws and procedures must be improved before the next round of elections, and that a degree of voter registration is indispensable. The NEC officially advocates the issuance of voter identity cards, but some of its members privately believe that since full-scale registration would be impracticable, a combination of identity cards and more durable ink would probably suffice.[115] According to UCID leader Faysal Ali Waraabe: "We need registration of voters in order to prevent multiple voting and fraud. If not, if we hold parliamentary elections under the same conditions [as the presidential election], we will be in trouble".[116] There is also a need for new legislation imposing penalties for transgressions like multiple voting and vote buying.

The timing of parliamentary elections will also be critical, since political parties – especially those in opposition – are likely to find it hard to sustain themselves in the interim. "The problem is that there are no genuine political parties, no UDUB, no Kulmiye, no UCID," according to a senior activist from one of the parties. "These are simply campaign organisations, and they have no durable structure".[117] While UDUB, in the absence of effective oversight, seems likely to continue to avail itself of state resources, opposition parties will have to persuade their supporters to reach into their pockets for hard cash. But as Rakiya Omaar observes, "To give money to build up a party is an entirely new experience for Somalilanders",[118] and parties are likely to find themselves stretched until campaign time comes around again. Fortunately, all parties, together with the electoral commission, agreed at a meeting in early July 2003 that legislative elections should tentatively take place just after the next *gu'* season (spring) rains – probably in either April or May 2004.[119]

B.   THE CONSTITUTION

Given the many issues requiring urgent attention prior to the next round of elections, a constitutional review can probably wait. But public debate on one article of the constitution should not be postponed: Article 9.2, which limits the number of political parties to three. Unless allowance is made for

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[115]   National Electoral Commission, "Report of the Presidential Elections", op. cit., p. 16.
[116]   ICG interview, Hargeysa, May 2003.
[117]   ICG interview, Hargeysa, May 2003.
[118]   ICG interview, Hargeysa, May 2003.
[119]   The purpose of holding the election after the rains is to ensure that nomadic pastoralists can take time off from tending to the needs of their families and animals to vote.

deregistration of parties that fail to meet certain minimum criteria (e.g. a degree of public support, internally democratic procedures, transparent finances etc.), there is a risk that, once registered, political parties will become complacent, calcified and – to a certain degree – unaccountable.

The main purpose of Article 9 – to ensure that political parties have a national base – is better and more sensibly served by those portions of the electoral law requiring parties to obtain a specified percentage of votes in a given number of regions. The 20 per cent threshold has actually proven excessive: only UDUB managed to meet that criterion during the 2002 local elections. By employing a more realistic threshold rather than a constitutional limit, provision could be made for the registration of successful new parties and the deregistration of old, failing ones.

However, once the three existing parties are comfortably ensconced in Parliament, they are unlikely to enact legislation that threatens their privileges. Better for this issue to be examined by an independent body and brought to the existing Parliament before parliamentary elections close the window of opportunity for objective review for the foreseeable future.

Over the long term, a more general constitutional review is undoubtedly called for. The separation of powers has already proven to be one area in which the constitution is deficient. Despite having approved their constitution in a referendum, few Somalilanders were ever consulted on its contents and only a small minority actually understands the document. A more public process of consultation and review would serve not only to educate the public, but also to endow Somaliland's constitutional democracy with a legitimacy it currently lacks.

C.   HUMAN RIGHTS AND PRESS FREEDOM

Reports of human rights violations after the presidential election raise serious doubts about the government's commitment to the rule of law and its tolerance of political competition. The government's assertions that it has simply responded to opposition provocations conflicts with eyewitness testimony that women and youths have been beaten by security forces, and rings hollow in the face of government failure to restrain its own supporters. "There have

been provocations from both sides", observes Abdulqadir Jirdeh. "The tragedy is that only Kulmiye supporters have been punished for the provocations".[120]

It is not only Rayaale's reappointment of his interior minister that has observers worried. The reappearance of former National Security Service officers among the president's advisers and at lower level administrative appointments is also a source of public comment. "The old ways die hard", one observer told ICG. "Rayale is gathering a lot of people from his old service around him, and that worries a lot of people".[121] Somaliland's own security service, which Rayale inherited intact from his predecessor, is also believed to have gained in influence in recent months. Known to Somalilanders as the *mukhabaraat* after the Egyptian intelligence arm, it is accountable only to the president and is governed by no known legislation. Its purpose and powers remain unknown and it exercises its powers in the absence of public oversight.

In the run-up to elections, UCID advocated reform of the security services, while Kulmiye's leader simply vowed to dismantle the service. But Rayale has so far been silent on his plans for the *mukhabaraat*.

In early July 2003, the government tabled a new press law that, among other things, would proscribe media 'interference' in politics, religion or culture; impose an annual tax on journalists; assign responsibility for the admission of foreign journalists to an inter-ministerial committee, and permit the courts to order temporary suspension of journalists' licenses. The draft law, which clearly contradicts the spirit of the democratisation process, arguably violates several provisions of the Somaliland constitution, notably Article 32, which declares the press and other media to be "part of the fundamental freedoms of expression" and states that "all acts to subjugate them are prohibited".[122] Not surprisingly, the bill has been vigorously opposed by the Somaliland Journalists Association. Whether or not it is approved by Parliament in its

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[120] ICG interview, Addis Ababa, May 2003.
[121] ICG interview, May 2003.
[122] Revised Constitution of the Republic of Somaliland: Unofficial English Translation, Ibrahim Hashi Jama, June 2000.

present form, the fact that the government has even put it forward suggests a distinct lack of enthusiasm for the implications of democratisation.

IX. CONCLUSION: THE SOMALI PEACE PROCESS AND THE PROBLEM OF RECOGNITION

As Somaliland struggles to produce a home-grown democracy, international efforts to end the conflict in the rest of Somalia continue at Mbagathi, Kenya, under the auspices of IGAD. Whether or not the conference is successful, conventional wisdom within the diplomatic community holds that once an interim Somali government is established, negotiations on some kind of association with Somaliland will follow. As ICG has argued in previous reports, there are a number of reasons why this approach is unlikely to bear fruit:[123]

❑ *Mutually exclusive preconditions for dialogue*: Somaliland's leaders cannot afford to flaunt public opinion (and their own constitutional responsibilities) by engaging in any dialogue from which the possibility of independent statehood is excluded. Conversely, Somalia's leaders cannot afford to engage in a dialogue that might oblige them to concede the official break up of the Somali Republic.

❑ *Incompatible perspectives on possible forms of association:* Even if a dialogue between Somaliland and Somalia were possible, it is likely to falter over the options for association. Somaliland would demand a bilateral confederation between equal parties. The kind of federal structure currently under discussion for Somalia envisions a federation of four or five provinces, including Somaliland. This would be perceived in Somaliland as even less favourable than the failed 1960 union and therefore unacceptable.

❑ *Divergent paths of political development:* Somaliland has already laid the foundations of constitutional democracy: the current leadership is elected by universal suffrage and derives its authority from a constitution that stipulates Somaliland's sovereign and independent statehood. Somalia, on the other hand, appears destined for a lengthy period of interim government dominated by factional interests – an arrangement of uncertain

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[123] See ICG Africa Report No. 59, *Negotiating a Blueprint for Peace in Somalia*, 6 March 2003.

stability, durability or democratic conviction. Furthermore, Islamist influence is likely to be considerably more important in a southern authority than it is in Somaliland's current government. Conditions for a merger in the near future between these two, largely incompatible systems are not auspicious.

Other variables must also be taken into consideration in assessing the prospects for a productive dialogue: the quality of leadership on both sides, and the readiness of statesmen to take political risks will be key factors. International dynamics will either help or hinder the process. Time is also critical: as the years pass, demographics are gradually changing, and an entire new generation of Somalilanders has already emerged with no meaningful memories of a peaceful, united Somalia.

Forcible reunification of the two territories is not a realistic alternative. A future Somali government would possess only a fraction of the military capacity of the former Barre regime, which failed to quell the SNM insurgency. The Somaliland government possesses much greater military means than the SNM did during the 1980s, while its supporters are wealthier and more determined than ever to defend their achievements of the past decade.

Under present circumstances, the prospects for a negotiated settlement – either before or after the declaration of a new Somali government – are negligible. Indeed, the declaration of a new government at Mbagathi, or as a result of some future peace initiative, would polarise the relationship between Hargeysa and Mogadishu so dramatically as to be tantamount to a Cold War, if not worse. In other words, a 'successful' peace process leading to a southern government would likely only displace the locus of the Somali conflict, not resolve it.

Granting Somaliland some kind of increased international profile but without formal recognition – for example, observer status at the UN, the African Union and IGAD – could help to prepare the ground for eventual negotiations between two equals, Somaliland and Somalia. Access to international loans and grants would provide a long-awaited 'peace-dividend' in support of social and economic development, while reinforcing for Somalilanders the notion that democracy has its

rewards. But any upgrading of Somaliland's profile is as just as likely to fuel popular aspirations for independence as it is to mitigate them, and risks producing an intractable partition of Somalia akin to the situation in Cyprus.

The final option – Somaliland's recognition as an independent state – would be the most expedient, though diplomatically contentious, solution. Since Somaliland was once, however briefly, an independent state within internationally recognised boundaries, its recognition would not constitute a violation of the AU charter's insistence on the respect for borders received at the moment of independence. Recognition would establish Somaliland as one of the few genuinely democratic states in the region. And, as David Shinn, former U.S. ambassador to Ethiopia has pointed out, Somaliland's recognition might in fact improve the prospects for a more equitable, durable Somali union at some point in the future, since "it does not rule out the possibility that an independent Somaliland accepted by the African Union could propose unification at a later date with a Somalia that finally achieves its own peace and unity".[124]
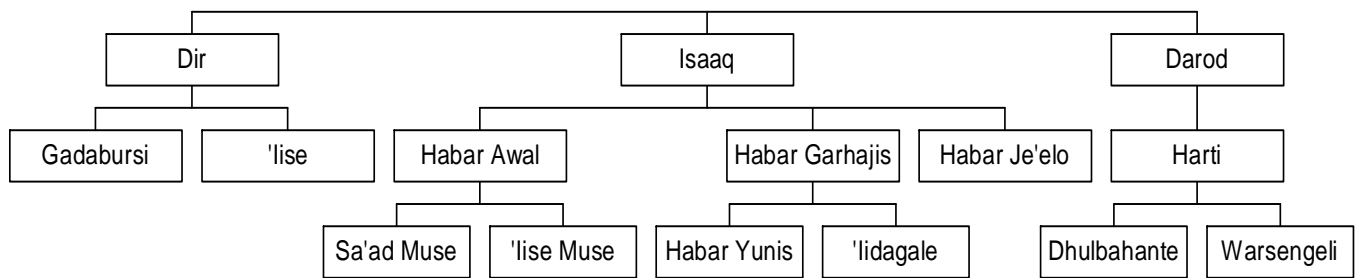
Nairobi/Brussels, 28 July 2003

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[124] David Shinn, *The Horn Of Africa: Where Does Somaliland Fit?* Paper presented at a Discussion Seminar Introducing Somaliland in Umea, Sweden, March 8, 2003.

APPENDIX A

MAJOR CLANS AND SUB CLANS OF SOMALILAND

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        ┌─────────────────┬─────────────────────────────────┐
      ┌─┴─┐            ┌───┴───┐                        ┌────┴────┐
      │Dir│            │ Isaaq │                        │  Darod  │
      └─┬─┘            └───┬───┘                        └────┬────┘
    ┌───┴────┐       ┌─────┼──────────────┐              ┌───┴──┐
┌───┴────┐ ┌─┴────┐ ┌┴─────────┐ ┌────────┴───┐ ┌───────┐ │ Harti│
│Gadabursi│ │'lise │ │Habar Awal│ │Habar Garhajis│ │Habar Je'elo│ └──┬───┘
└─────────┘ └──────┘ └────┬─────┘ └──────┬─────┘ └───────┘    ┌──┴───────┐
                   ┌──────┴────┐   ┌─────┴──────┐     ┌────────┴──┐ ┌─────┴─────┐
              ┌────┴───┐ ┌─────┴──┐ ┌──────────┐ ┌───┴────┐ │Dhulbahante│ │Warsengeli │
              │Sa'ad Muse│ │'lise Muse│ │Habar Yunis│ │'lidagale│ └───────────┘ └───────────┘
              └────────┘ └────────┘ └──────────┘ └────────┘
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The chart shows:

- **Dir**
  - Gadabursi
  - 'lise
- **Isaaq**
  - Habar Awal
    - Sa'ad Muse
    - 'lise Muse
  - Habar Garhajis
    - Habar Yunis
    - 'lidagale
  - Habar Je'elo
- **Darod**
  - Harti
    - Dhulbahante
    - Warsengeli

APPENDIX B

LOCAL ELECTION RESULTS

December 2002

1.1. *Ranking*	1.2. *Association*	Number of Votes	Percentage of Total Vote
1.	UDUB	179,389	40.76
2.	Kulmiye	83,158	18.90
3.	UCID	49,444	11.24
4.	Sahan	47,942	10.89
5.	Hormood	40,538	9.21
6.	Asad	39,596	9.00
	Sub total	**440,067**	**100.00**
	Spoiled ballots	**13,835**	
TOTAL		**453,902**	

Source: CIIR, 2003.[125]

PRESIDENTIAL ELECTION RESULTS
April 2003

Party	Number of Votes	Percentage of Total Vote
UDUB	205,595	42.08
Kulmiye	205,515	42.07
UCID	77,433	15.85
TOTAL	**488,543**	**100**

Source: National Electoral Commission

[125] Adan Abokor, Mark Bradbury, Pippa Hoyland, Steve Kibble and Deborah Ossiya, "'Very much a Somaliland-run election' A report of the Somaliland local elections of December 2002", CIIR (2003), p. 31.

APPENDIX C

MAP OF SOMALIA

Sources: United Nations, ICG interviews, February 2002.

APPENDIX D

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (ICG) is an independent, non-profit, multinational organisation, with over 90 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

ICG's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, ICG produces regular analytical reports containing practical recommendations targeted at key international decision-takers.

ICG's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made generally available at the same time via the organisation's Internet site, *www.crisisweb.org*. ICG 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 ICG Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring ICG reports and recommendations to the attention of senior policy-makers around the world. ICG is chaired by former Finnish President Martti Ahtisaari; and its President and Chief Executive since January 2000 has been former Australian Foreign Minister Gareth Evans.

ICG's international headquarters are in Brussels, with advocacy offices in Washington DC, New York, Moscow and Paris and a media liaison office in London. The organisation currently operates twelve field offices (in Amman, Belgrade, Bogota, Islamabad, Jakarta, Nairobi, Osh, Pristina, Sarajevo, Sierra Leone, Skopje and Tbilisi) with analysts working in over 30 crisis-affected countries and territories across four continents.

In *Africa*, those countries include Burundi, Rwanda, the Democratic Republic of Congo, Sierra Leone-Liberia-Guinea, Somalia, Sudan and Zimbabwe; in *Asia*, Indonesia, Myanmar, Kyrgyzstan, Tajikistan, Uzbekistan, Pakistan, Afghanistan and Kashmir; in *Europe*, Albania, Bosnia, Georgia, Kosovo, Macedonia, Montenegro and Serbia; in the *Middle East,* the whole region from North Africa to Iran; and in *Latin America*, Colombia.

ICG raises funds from governments, charitable foundations, companies and individual donors. The following governments currently provide funding: Australia, Austria, Canada, Denmark, Finland, France, Germany, Ireland, Japan, Luxembourg, The Netherlands, Norway, Sweden, Switzerland, the Republic of China (Taiwan), Turkey, the United Kingdom and the United States.

Foundation and private sector donors include Atlantic Philanthropies, Carnegie Corporation of New York, Ford Foundation, Bill & Melinda Gates Foundation, William & Flora Hewlett Foundation, Henry Luce Foundation Inc., John D. & Catherine T. MacArthur Foundation, John Merck Fund, Charles Stewart Mott Foundation, Open Society Institute, Ploughshares Fund, Ruben & Elisabeth Rausing Trust, Sasakawa Peace Foundation, Sarlo Foundation of the Jewish Community Endowment Fund and the United States Institute of Peace.

July 2003

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[*] The Algeria project was transferred from the Africa Program to the Middle East & North Africa Program in January 2002.

APPENDIX F

ICG BOARD MEMBERS