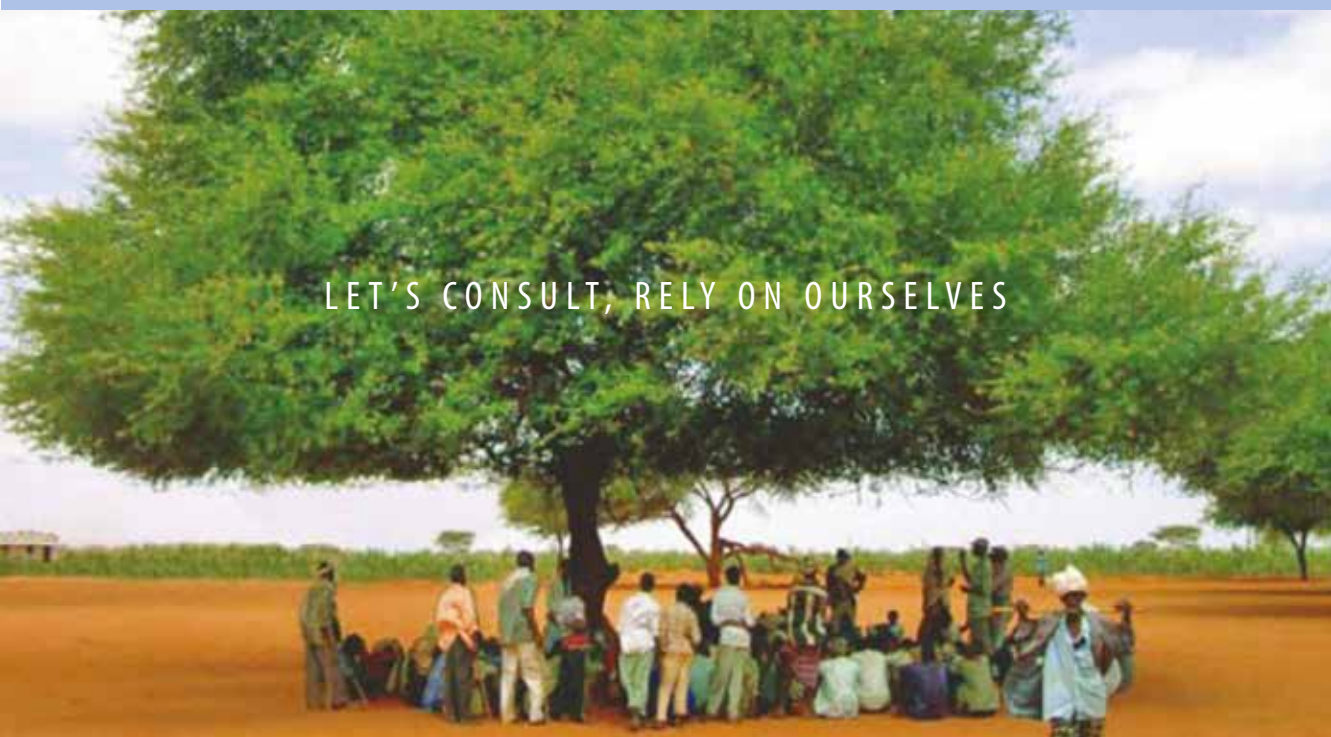


NATIONAL INDEPENDENT ELECTIONS COMMISSION  
Federal Republic of Somalia

# REPORT ON THE PUBLIC CONSULTATIONS FOR THE 2020 ELECTIONS

LET'S CONSULT, RELY ON OURSELVES



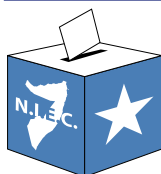
MOGADISHU, SOMALIA, MARCH, 2018



## REPORT ON THE PUBLIC CONSULTATIONS FOR THE 2020 ELECTIONS



**Photo: Consultations held by the Commission in Nairobi, Kenya**



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National Independent Electoral Commission (NIEC)

Report on the Public Consultations for the 2020 Elections

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## **Table of Contents**

**Appreciation ...7**

**Abbreviations ...8**

**Summary ...9**

### **Chapter I**

#### **1. Vision of the National Independent Electoral Commission and electoral standards ...11**

- 1.1. The vision and tasks of the Electoral Commission ...11
- 1.2. The electoral standards aspired to by the Electoral Commission ...12
  - 1.2.1. Elections in accordance with the law of the Country ...11
  - 1.2.2. Transparency of elections ...12
  - 1.2.3. Inclusivity ...12
  - 1.2.4. Security and accuracy of elections ...13
  - 1.2.5. Protection of information ...12
  - 1.2.6. Election timetable ...13

### **Chapter II**

#### **2. History of elections in Somalia ...14**

### **Chapter III**

#### **3. Current situation and the 2020 election ... 16**

- 3.1. Definition of the electoral legal framework ...17
- 3.2. National policy and election ...18
- 3.3. Security level ...19
- 3.4. Budget for election implementation ...19
- 3.5. Level of technology and infrastructure ...20
- 3.6. Political Parties ...20
- 3.7. Level of electoral awareness ...21
- 3.8. Cultural and social affairs ...22

## **Chapter IV**

### **4. Public consultations ...23**

- 4.1. Preparation for the consultations ...25
- 4.2. Consultation procedure ...26
- 4.3. The challenges faced during the consultations ...26
- 4.4. Budget sources for the consultations ...27

## **Chapter V**

### **5. Importance of elections ...29**

- 5.1. Public opinion on the solution to the challenges ...30

## **Chapter VI**

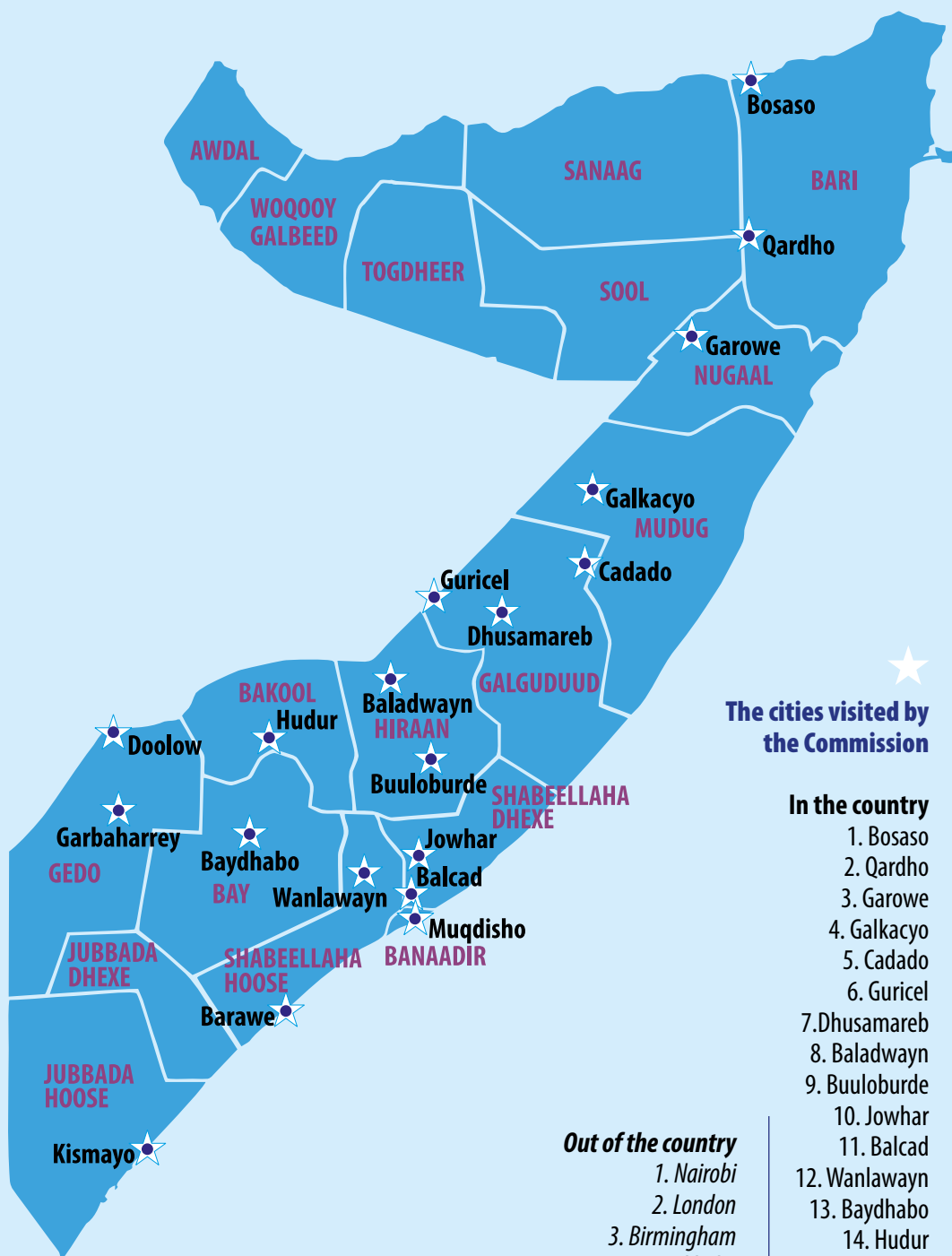
### **6. Outcome of the consultations ...32**

- 6.1. Security and public opinions ...32
- 6.2. Economic challenges ...33
- 6.3. Community awareness of the Election ...34
- 6.4. Corruption challenges ...35
- 6.5. Finalizing electoral legal framework ...35
- 6.6. Political challenges ...38
- 6.7. Levels of electoral challenges ...40

## **Chapter VII**

### **7. Recommendations of the Electoral Commission ...41**

- 7.1. To the Somali Federal Government...41
- 7.2. To the Federal Member States ...42
- 7.3. To the Federal Parliament of Somalia ...42
- 7.4. To the Civil Society ...42
- 7.5. To the Political Parties ...43
- 7.6. To the Somali people ...43
- 7.7. To the Diaspora ...43
- 7.8. To the Business people ...43
- 7.9. To the Media ...44
- 7.10. To the International Community ...44



### The cities visited by the Commission

#### In the country

1. Bosaso
2. Qardho
3. Garowe
4. Galkacyo
5. Cadado
6. Guricel
7. Dhusamareb
8. Baladwayn
9. Buuloburde
10. Jowhar
11. Balcad
12. Wanlawayn
13. Baydhabo
14. Hudur
15. Kismayo
16. Doolow
17. Garbaharrey
18. Muqdisho
19. Barawe

#### Out of the country

1. Nairobi
2. London
3. Birmingham
4. Stockholm
5. Ottawa
6. Toronto
7. Mennisota
8. Washington

## APPRECIATION

The National Independent Electoral Commission (NIEC) would like to thank leaders of the Federal Government of Somalia (FGS), the Houses of Parliament and Regional States who played a major role in the implementation of the public consultations. We particularly thank the Federal Government of Somalia (FGS) who supported the Electoral Commission on coordinating and securing the venues for the consultations.

Special thanks are also due to the various officials who welcomed us to the districts where the public consultation meetings took place. The Commission extends its thanks to the Integrated Electoral Support Group (IESG) consisting of UNDP and UNSOM, and Saferworld for their support and role in the areas of logistics, transportation, travels and communications during the consultations.

Finally, we would like to express our gratitude to all the Somali people who actively participated in these consultations, and generally contributed their views on the implementation of the 2020 universal elections in the country. Particularly, on providing solutions to the existing and potential challenges.

*National Independent Electoral Commission*

### **Abbreviations (to be in alphabetical order)**

National Independent Electoral Commission - **NIEC**

Federal Government of Somalia - **FGS**

United Kingdom - **UK**

United States of America - **USA**

Federal Member States - **FMS**

Federal Republic of Somalia - **FRS**

Integrated Electoral Support Group - **IESG**

United Nation Development Programme - **UNDP**

United Nation Assistance Mission in Somalia - **UNSOM**



## SUMMARY

This report embodies the essence of the public consultations that the Commission conducted with the Somali people in some of the regions and districts in the country and some of the Somali diaspora communities. These consultations were a recommendation from the national leaders' agreement reached at a meeting held in Mogadishu on 5 November 2017, which included, among the points, Article 9 that specifically related to the electoral issues. The leaders recommended to the Commission to conduct inclusive consultations in the country within 90 days as the outcome of the consultations is expected to pave the way for a political agreement on finding a solution to the challenges to the one-person one-vote election that is scheduled to take place in the country in 2020.

The purpose for holding these consultations was to engage the Somali people inside and outside the country on the electoral process, particularly finding potential solutions to the challenges facing elections.

The Commission put in place a plan to allow the Somali peoples' participation in these consultations considering the different security and economic circumstances prevailing in the districts around the country.

The Committee made concerted efforts to obtain security information on the districts where the consultations could take place and also worked on obtaining a budget to conduct the consultations.

Having considered the security information, the budget that was obtained and the way that the districts of the country can be accessed, the Commission planned to conduct the consultations in 24 districts across the country's regions.

Also considering the countries where most Somali diaspora communities live and the limited budget for consultations, the Commission planned to involve the Somali diaspora, especially those living in Kenya, the United States, Canada, Sweden and the UK in these discussions, as the level of their electoral awareness is different from those who live in the country. The procedures to gather

the opinions of the people who participated in the consultations included presentation of opinions, focus group discussions, interviews and questionnaires.

The Somali people followed these consultative meetings through the media, social media and the website of the Electoral Commission. 150,000 people sent recommendations through websites and emails of the Electoral Commission.

The Commission met directly with more than 6,000 people, consisting of youth, elders and women from different sections of the community who attended 60 meetings held in the country and 12 meetings held outside the country. The Commission also held consultations with politicians from the Federal Government, Houses of Parliament and Federal Member States.

The most important issues that were discussed in these consultations included finding a solution to the potential challenges to the election comprising security, legislations, public awareness, political organizations, political issues and electoral funding which are detailed in the latter part of this report.

The outcome of the overall views of the people inside and outside the country is that the biggest challenge that could impact the elections is security. They agreed that there are other challenges, including the low level of public awareness on elections, corruption and political crisis, although they indicated that the economic situation in the country is the reason for many of the current problems. The people proposed valuable recommendations included in this report which affects the country as it prepares for universal elections and the efforts being made to find a solution to the challenges to elections.

## **CHAPTER I**

### **1. VISION OF THE NATIONAL INDEPENDENT ELECTORAL COMMISSION AND ELECTORAL STANDARDS**

The National Independent Electoral Commission was established under Article 111G of the Provisional Constitution of the FRS. The duties of the Commission include:

- a) The conduct of Presidential Elections;
- b) The conduct of Federal Parliament elections;
- c) The continuous registration of voters and revision of the voter's roll;
- d) The registration of candidates for elections;
- e) The delimitation of constituencies and wards;
- f) The regulation of the political party system;
- g) The settlement of electoral disputes;
- h) The facilitation of the observation, monitoring and evaluation of elections;
- i) The regulation of money spent by an elected candidate or party in respect of any election;
- j) The development of an electoral code of conduct for each candidates and parties;
- k) The monitoring of compliance with legislation and nomination of candidates by parties; and
- l) Voter education.

#### **1.1. The vision and tasks of the Electoral Commission**

The Electoral Commission is tasked with the above-mentioned constitutional duties and is committed to becoming an accountable and reliable Election Commission, that establishes an electoral model in which the Somali people have confidence and trust, which is transparent and inclusive. That can be possible by holding elections and public referendum which safeguard and promote the democratic aspirations of the Somali people.

## **1.2. The electoral standards aspired to by the Electoral Commission**

It is critical that every election in the country gains the confidence of the people as well as international standards by which elections in the world are measured. The main principles that elections must have include:

### **1.2.1. Elections in accordance with the law of the Country**

The Constitution of the FRS clearly defines the type of government that the country adopts as stated in Art. 1 of the Constitution which says, "Somalia is a federal, sovereign, and democratic republic, founded on inclusive representation of the people, a multiparty system and social justice".

It is also worth mentioning that Article 46 (1) of the Constitution clearly states that the power of self-governance begins and ends with the people, while Article 46 (2) gives everyone the opportunity to participate. Every level of government shall enjoy the confidence and support of the people, according to Art. 50 (a).

Every election that takes place in the country must be based on the electoral laws, procedures and all the operational regulations of the electoral process, such as the law and procedures of registration, dispute resolution, political parties, voters, candidates, public awareness, media and observers.

### **1.2.2. Transparency of elections**

The electoral processes that NIEC aspires to must be able to promote the confidence of the people and stakeholders in the elections, and must be protected from mistakes that could damage the reputation of the NIEC. The integrity and transparency of the elections procedures are among the international standards for assessing the quality of elections.

### **1.2.3. Inclusivity**

The NIEC ensures that all citizens have the right to register and vote and to have easy access to registration centres and polling stations during electoral operations. Issues including cultural norms and clan discrimination are prohibited during electoral operations, and no one shall be deprived of his or her right to vote due to his or her gender, clan, special needs, language and economic status.

### **1.2.4. Security and accuracy of elections**

Each election in the country must be based on the accurate information of voters and results that reflect the will of the people. The verification method of the accuracy of the electoral information must be presented to the people fairly. The electoral process must have integrity and transparency that give an opportunity to the stakeholders to know the electoral events, transparency of voter registration and to independent observers to participate.

### **1.2.5. Protection of information**

Electoral information is sensitive starting from personal data or political organization. NIEC protects this information in accordance with the law and sets methods and tools to protect all election information. For any information that people have the right to access, the Commission will set regulations that define the methods of protection of electoral information.

### **1.2.6. Election timetable**

Every election that is conducted in the country must have a clear roadmap with timeliness for all electoral operations. The electoral timetable must be shared with all election stakeholders. It is necessary that all election activities take place according to the identified schedule.

## CHAPTER II

### 2. HISTORY OF ELECTIONS IN SOMALIA

The establishment of the government in Somalia was based on elections in which many political parties competed and which was first conducted in 1953 and the last election was held in 1969. However, a military government took over the country after the death of President Sharmarke in 1969. The military abolished the system of political parties, and at the same time suspended the constitution that was based on the civilian government. They ruled the administration of the country for 21 years during which democratic elections were not held. In 1991, the country was plunged into a political crisis that caused the collapse of the state institutions. That brought the nascent hope of achieving a system of government through direct public representation.

During the 10 years after 1991, reconciliation conferences attempted to re-establish the Somali government. The Carta conference was successfully held in 2000 where the first transitional government was formed and a National [Transitional] Charter was agreed upon. The hope of rebuilding state institutions was revived and a transitional government ruled the country for the next 12 years.

In 2012, a formal government was put in place through a provisional constitution. Its core mandate was to deliver a democratic general election in the country in 2016. At the end of the government's term, the government announced that it was not possible to hold a general election in the country at that time. It organized a consultative conference to discuss how to manage the transitional phase. The outcome of the conference was to hold public consultations on the selection process of members of the houses of parliament in 2016 which was assigned to be implemented by technical committees consisting of the government, members of regional states and civil society.

In November 2015, consultations were held with different sections of the society mostly in the capitals of the existing regional states at the time and other meetings held in Banadir Region for leaders and the civil society from the northern regions.

The outcome of those consultations was that views on the type of election to select the House of the People were very different. However, a political agreement was made to hold an indirect election to select members of the two chambers. The current two houses of the federal parliament were elected through that indirect electoral process that came about as a result of a political agreement and based on a power sharing of the clans.

Although an election through universal suffrage has not yet been achieved, there are significant benefits gained from the indirect elections that can be described as a step indicating a positive change and progress on the election when seen from three aspects:

1. Selection of each member of parliament was given to 51 electoral delegates consisting of various sections of the community that was identified from the clan such as the youth, women and traditional elders.
2. The election was decentralized and took place in the capitals of regional states which enabled the delegates to participate.
3. For the first time, 30% quota was set aside for women only so that they could compete and also 16% of the electoral delegates was reserved for women although it was not fully implemented. This led to the biggest number of women to enter parliament.
4. The indirect election also made it possible for the candidates to compete in the election of the member of parliament, whereas previously the traditional elders used to select the members of parliament.

The most important measures implemented by that government included the endorsement of the electoral commission law and the establishment of the National Independent Electoral Commission. It also approved the political parties law.

The current FGS was mandated to implement the multi-party system in the country during its term and to finalize the necessary tasks for the electoral process that the country has been aspiring to for a long time.

## CHAPTER III

### 3. CURRENT SITUATION AND THE 2020 ELECTION

The current situation in the country indicates that there could be challenges, that could be overcome if addressed, regarding the holding of elections. The country went through a period of protracted violence that undermined national institutions which would form the basis for development and made democracy difficult to restore.

In elections held in post conflict countries, it is worth mentioning that they have a lower level of public participations in the electoral process

With this in mind, it is important for countries recovering from civil war to work on achieving the highest level of participation possible by providing a safe and secure environment for voters.

The current situation in Somalia is not different from those countries, and it is important to have a plan intended to reach the people who live in the regions of the country to ensure their participation in elections.

Although currently in Somalia, there is no process of identity cards for citizens which would have facilitated the designing of plans and implementation of voter registration and voting, yet there are other ways of registering voters without the need for a national identification system. Also missing is the mapping of voter registration centres and polling stations and identification of electoral constituencies. This crucial work is currently underway to compile the list of registration centres and polling stations around the country.

Good progress has been made in the process of restoring the government, yet there is a need to continue with and speed up the talks with regions in the north to achieve a lasting solution.

It is noteworthy that the collection of revenues in the country is low and it is not possible for the federal government to cover the entire budget for the 2020 elections.

On the other hand, the electoral commission is still at the stage of improving its capacity and working on expanding the commission's responsibilities to



all the regions of the country. The commission has a plan to accomplish the preparatory tasks of the election and public awareness campaigns before the end of 2018. The electoral commission is also engaged in setting up the departments such as the legal department which will start work soon. It is important to build the capacity of the NIEC staff before embarking on the major activities to conduct elections.

2018 is the most important year for the election activities. If there is no comprehensive preparation for voter registration and the electoral laws it will be difficult to have enough time for the election to be held according to the planned timetable.

There were agreements among the national leaders in 2016 which established a good preparation for the election activities as the initial steps for a general election to be held in the country in 2020 with inclusive participation. Issues essential for the electoral activities, such as the electoral framework, political map, security and federal power sharing will be prepared during the remaining period.

The FGS which was elected in 2017 was mandated to deliver the multi-party system in the country and promised to fulfill those obligations in many international conferences, such as the London Conference in May 2017 where the agreement between the International Community and Somalia was signed. Although there are promises and agreements that strengthen the political views of the elections, the implementation of the activities in preparation for the elections is surrounded by circumstances and conditions pertaining in the country.

### **3.1. Definition of the electoral legal framework**

Elections are based on laws which are the basis of governing the electoral process to ensure integrity and transparency. The constitution of the FRS stipulates that the multi-party system be established in the country and work is ongoing to complete the necessary laws before the end of 2018.

Similarly, the work has not yet started on the draft electoral law and the identification of the citizens law which are some of the laws that are necessary for the implementation of the election. The electoral disputes regulations are not in place. The constitutional court which would be the reference point for such disputes in the country has also not been established.

The country does not have an identification system for Somali citizens, although there are other ways that voters can be registered without necessarily having

citizens identification. The electoral system which the country will adopt and the boundaries delimitation of electoral constituencies and their sizes have also not been defined. All these activities are required to be conducted efficiently, accurately, inclusively, as well as transparently.

The promulgation of the electoral law and procedures is not yet completed since the electoral system has not been decided. Given the time remaining and the progress of the preparations of the electoral legal framework and the preparatory activities, it requires the responsible collaboration between the governmental institutions and the Somali people to ensure the strategy of the commission for completing the necessary tasks leading to elections.

### **3.2. National policy and election**

These days there is hope for the process of restoring peace in the country and the activities to prepare for the implementation of one person one vote elections. The agreement of the national leaders in November 2017 was one of many agreements signed agreeing to have a common view on finding a solution to the challenges of the election in 2020.

All election activities are only possible when there is full understanding and co-operation among the elections stakeholders such as FGS, FMS, the people and NIEC. Collaboration between stakeholders and the election commission is an opportunity for the country to move towards an agreed electoral process.

The constitutional review of the FRS will also clarify the electoral legal framework at the national and regional levels to avoid misunderstandings and disagreement.

There is also a need for finding a political solution to the northern regions. The people who live in those regions need to exercise their rights to vote when there is a general election. It is necessary to find an inclusive agreement and understanding on the current political situation in the country so that it does not curtail the conduct of an election to take place in all the regions of the country.

Efforts were made and national agreements were signed many times in support of the electoral process resulting in effective decisions being taken if implemented. The traditional challenges included lack of respect for what has been agreed upon or delaying the planned implementation times. Therefore, the conduct of the election is a collective responsibility that requires collaboration.

### **3.3. Security level**

The anti-government forces remain a threat to peace and stability in the country, as well as in the Horn of Africa in general, although the regions of the country differ in the degree of risk and stability. Elections in countries that suffered from prolonged conflicts such as Somalia need extra security forces to ensure the security of the elections. Many of the traditional elders and delegates who took part in the indirect election have been killed. This is one of a number of lessons to be considered for any electoral planning. The country should be alert to the potential security threats to its citizens or clans competing for domination resulting from the demarcation of boundaries and polling stations or registration centres.

There are potential threats to election activities such as roadblocks, civil unrest, intimidation and misinformation of voters. All the stakeholders including the NIEC need to be prepared for all these threats in a timely manner and establish a security plan to ensure the security and protection during the electoral process.

There is currently no real assessment on how to deal with security risks in the country. The fact is that the establishment of national forces to secure the safety of electoral constituencies requires sufficient time to plan and adequate resources. In terms of the current situation, there is no balance between the forces and available equipment and the security needs facing the government.

While there are many efforts to unify security plans, there is no comprehensive security plan for elections developed yet. There are currently efforts to establish integrated plans for election security operations.

### **3.4. Budget for election implementation**

NIEC has developed a budget plan for all electoral activities. The cost of the budget for electoral activities is based on the strategic plan of the commission and amounts to USD 129 million dollars. Due to the current circumstances, it appears that the FGS will not be able to provide the full amount. While the international community have made some financial pledges that may partially cover the budgetary needs of the electoral operations, there is a necessity for Somali people to contribute to the budget of the elections.

The performance of the duties of the NIEC must reflect the independence of the institution. Having its own headquarters is part of the commission's independence. Therefore, the construction of the commission headquarters in Mogadishu and its field offices in the regional states are required to be

completed by the end of 2019. Currently, the electoral commission operates from inside Villa Somalia which is difficult to be easily accessed by the political parties and other stakeholders. The electoral commission is planning to have its own headquarters by the end of 2019 but requires funding.

### **3.5. Level of technology and infrastructure**

The implementation of the electoral activities requires the electoral commission to operate in all the regions of the country to easily monitor and manage the activities in the various locations.

The electoral commission is now beginning to open the field offices to operate from the regions of the country as outlined in the NIEC's five-year strategic plan. These centres are important for expanding the capacity of the electoral commission, public awareness and monitoring the campaign of political parties.

Success in the electoral activities will depend on having regional infrastructure and public participation. Many parts of the regions have poor roads which will make it difficult to distribute necessary electoral materials. Technology plays a major role in facilitating the electoral process, such as collecting, storing and analyzing the voter information. NIEC can hold elections that meet international standards by the judicious use of technology to assist with the various aspects of electoral operations including vote counting and publication of the results.

The infrastructure and technology tools available in all regions of the country are very limited compared with the technology and infrastructure needed for the election. Somali Diaspora communities have the right to participate in the electoral process. To achieve this, technology would be required to provide an opportunity for voters who live outside the country and embassies of governments that would undertake the task are needed.

### **3.6. Political Parties**

Political parties are important for the democratization process in Somalia and they are central pillars for the process of transitioning from the election based on clan power sharing to the elections based on a multi-party system.

The electoral commission temporarily registered ten (10) political parties that can legally operate in all the regions of the country, by holding meetings to organize themselves.

Although the electoral commission temporarily registered the 10 parties, yet they are not parties that have legitimacy to participate in a competitive election until they receive the official registration in accordance with Article 6 of the law on political parties.

A party can participate in elections in the country and can be entitled to a budgetary allocation in the government's political parties fund when it obtains the formal registration certificate and fulfills requirements, including the total number of at least ten thousand (10,000) registered voters who are party members. It is also required that the members of a party come from at least nine of the 18 regions that existed in 1991, in accordance with Article 49, Paragraph (1) of the provisional constitution.

Also, the executive council of the party must show a balance of regions, clans, gender, minorities and marginalized groups, in accordance with Article 11 of the federal constitution and Article 4 (2) of the political party law.

However, there are some circumstances facing political parties in terms of the political situation in the country and the financial strength of the parties. These major issues are the identification of the citizens who would be members of the political party and the procedures of opening offices for organizing themselves in parts of the regions, while the laws have not been harmonized and security challenges remain.

### **3.7. Level of electoral awareness**

Since the end of 1969, Somalia did not have a general election in which all the people participated and based on one person one vote. This indicates the lack of awareness and knowledge related to electoral activities among the Somali society. To raise public participation and build their confidence, it is important to set up a curriculum of public education and extensive awareness campaign for the people. The knowledge and experience of the public awareness department of the electoral commission also needs to be enhanced to the level where they can raise the awareness of the Somali people about the elections. It is important that they adapt realistic messages that can challenge misleading views that may arise during the implementation of electoral operations in the country.

It is a fact that elections are a very difficult task if all the stakeholders do not effectively work together. It is the responsibility of the political parties, candidates, civil society organizations and voters to collaborate to ensure the inclusiveness of the process. To achieve that the NIEC has a responsibility to

engage all stakeholders involved in the activities and at the same time show transparency, integrity and co-ownership of the electoral process.

The stakeholders are required to fully participate in the election process and to educate citizens on the national responsibility of the election. The awareness campaign programme is required to reach all Somali people, including special consideration being given to those living in rural areas.

Without a full awareness, there can be a challenge to the progress and understanding of the benefits of the election. To avoid that, it is necessary to have full cooperation between all stakeholders in the elections, political parties, civil society organizations, traditional leaders, artists, the media, academic centres and religious leaders.

### **3.8. Cultural and social affairs**

Somalis describe themselves as some of the nations who have a superior culture in terms of family links, hospitality, religious unity and language, but there are situations that may adversely affect social progress such as tribalism and discrimination. Traditionally, men have been the backbone of the leadership of the community which often times undermines the role of women in participating in community leadership. To promote the role of women and ensure democracy, it is necessary to have full cooperation among election stakeholders, raise community awareness and plan for a special policy.

## CHAPTER IV

### 4. PUBLIC CONSULTATIONS

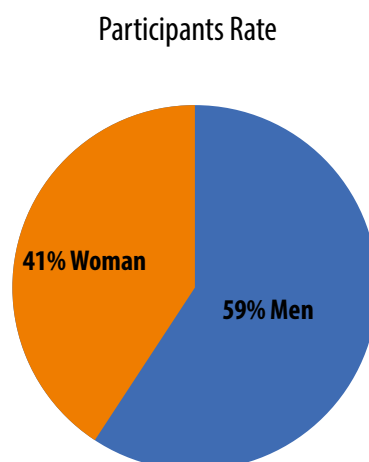
The agreement by national leaders on 5 November 2017, recommended that inclusive consultations be held within 90 days with the people on finding a solution to the challenges facing the 2020 universal elections. Members of the NIEC decided to undertake public consultations by engaging all the Somali communities, and to have a unified vision and guidance to find a solution to the election challenges.

The commission held meetings with different sections of the Somali people who live inside the country and abroad. In parallel with the consultations, the people were given briefings on the plans of the electoral commission, its performance to date and the levels of previous elections in the country.

All the people who were consulted have shown that they are satisfied with the NIEC's plan and the level of preparation of the electoral commission regarding the 2020 election process. All the people hoped that there will be no going back to the process of indirect election of 2016, which was used to select the House of the People, and which did not give an opportunity to the Somali people to express their vote.

The consultative meetings became an opportunity for the Somali communities to present their views on election to be held in the country and find solutions for potential challenges. 41% women and 59% men participated in the meetings held both inside and outside the country.

The following table shows the districts where meetings were held by the NIEC and the participants:



No.	Districts	Number of meetings	Number of participants
1	- Kismayo	4	416
	- Doolow	1	71
	- Garbaharrey	4	101
2	- Baidoa	5	176
	- Hudur	4	160
	- Barawe	1	167
	- Wanlawayn	1	130
3	- Baladwayn	3	161
	- Buuloburde	3	168
	- Jowhar	4	524
	- Balcad	1	612
4	- Cadaado	3	250
	- Dhusamareb	3	249
	- Cabudwaq	3	106
	- Galkacyo	4	207
5	- Garowe	5	400
	- Bosaso	4	329
	- Qardho	4	279
	- Galkacyo	3	185
6	- Hodan	1	62
7	- Waberi	1	92
8	- Xamarjajab	1	78
9	- Xamarweyne	1	210
<b>Meetings of the Diaspora Communities Abroad</b>			
10	- Nairobi	2	150
11	- Minnesota	1	100
	- Washington	1	83
12	- Toronto	1	127
	- Ottawa	1	123
13	- London	1	87
	- Bermingham	1	113
	- Stockholm	1	106
14	- Social Media	Facebook	From all the Somali people
		Twitter	
		Website	
		TV and livestream	



## 4.1. Preparation for the consultations

In order to work on the recommendations of the national leaders, the NIEC developed a plan to implement the proposed consultations. Among the first plans that the electoral commission focused on, included how to achieve the largest number of Somali people to participate in the consultations, while considering the security situation, available budget, logistics and limited time allocated for the discussions.

Following the survey conducted on the security level in the districts of the country that could be reached and where consultative meetings could be held, the electoral commission planned to reach 24 districts in the different regional states, Banadir Region and the communities of the northern region who live in Mogadishu during the 90 days period. The electoral commission also planned to reach out to the Somalia diaspora communities who live in Kenya, England, Canada, Sweden and USA.

The electoral commission planned to meet with various sections of the society, youth, women, elders and religious leaders and to organize 3 to 4 meetings for each area with at least 80 to 100 people attending each meeting. NIEC held preliminary meetings with the leaders of state governments regarding implementation of consultations, ensuring security at the consultation venues and mobilizing the people.

The media played an active role in reporting and linking the consultative meetings by making some of them special programmes that give an opportunity to the people around the world to participate.

### Areas where consultations were held:

No.	Districts	Dates
1	- Kismayo, Dolow, Garbaharey	Dec 17 -29, 2017
2	- Baidoa, Hudur, Barawe, Wanllawayn	Dec 30 – Jan 7, 2018
3	- Baladwayn, Buuloburde, Jowhar, Bal'ad	Jan 8 <sup>th</sup> , - 15 <sup>th</sup> , 2018
4	- Adado, Guriel, Abudwaq, Galkaio	Jan 16 <sup>th</sup> -23 <sup>rd</sup> , 2018
5	- Garowe, Bosaso, Qardho, Galkaiyo	Jan 24 <sup>th</sup> – Feb 6 <sup>th</sup> , 2018
6	- Muqdisho: Howlwadaag, X/weyne, Hodan, Waberi	Feb 10 <sup>th</sup> – 15 <sup>th</sup> , 2018
<b>Consultations with Diaspora Communities:</b>		
8	- Nairobi, London, Brimingham, Minnesota, Washington DC area, Ottawa, Toronto, Stockholm	March 1 <sup>st</sup> – 20 <sup>th</sup> , 2018

## 4.2. Consultation procedure

In order to get the views of the various sections of society that the electoral commission wished to meet and to collect their views on the election challenges and its resolution, the electoral commission used the following methods:

- Information Sharing
- Group discussions
- Interviews
- Written questionnaire
- Recommendations

The NIEC organized a discussion to guide the information collected from the public consultations. This provided a general idea about the elections including previous election operations that the country went through, the electoral benefits to the citizens, the rights and obligations to implement a fair election in the country and finally the basic pillars of implementation of the elections.

The consultations focused on issues including the role of the community, electoral security, electoral laws, public awareness, political parties, political affairs and the electoral funds.

## 4.3. The challenges faced during the consultations

Equipped with information, NIEC conducted many consultations in the most accessible locations. Yet, during the implementation of the consultations various challenges were experienced including finance, security, communications, travels and limited time allocated to complete these consultations.

Security is part of the challenges in the country and has a major impact on every activity that is being conducted. It similarly affected the plan that the NIEC put in place to access the locations where the consultations were planned to be held which forced the consultations to be limited to 24 districts inside the country. But it became a challenge to reach some of the districts because of difficult access and limited time available. Security also affected the process of bringing participants together in the locations where the consultative meetings were taking place in some districts and the concerns expressed by many participants about appearing on television and social media sites.

Some of the districts where the NIEC held consultations were isolated for a long period of time and there was no reliable security resulting in a risk to the lives of the participants and the staff of the electoral commission.

Security in those areas was mostly in the hands of the local population in cooperation with a few forces of the Somali National Army and AMISOM forces.

#### **Limited time:**

Consultations were also supposed to be completed within 90 days starting from November 6, 2017, which was a challenge for the NIEC due to insufficient time to prepare materials, budget, security map and the consultation procedure. It took the electoral commission more than 30 days to complete the planning and prepare the materials necessary for the consultations.

#### **Movement between the districts:**

Some of the districts where consultations were held were very difficult in terms of land transportation. Apart from Puntland and Galmudug, NIEC traveled to the other districts by aircraft or helicopter. The security threats facing the people in some areas also had an effect on the NIEC staff who were targeted at the airport in Buulobarde when a device exploded resulting in the deaths of Somali National Army and AMISOM forces.

#### **Contacts and Networks:**

The changes that took place after the collapse of the state include the networks and contacts made at the regional, district and central government levels, particularly the military commanders and the administrations in the locations that NIEC planned to visit.

Although there were security and financial concerns in the country, the NIEC succeeded to reach areas including those districts that are more insecure.

### **4.4. Budget sources for the consultations**

The electoral commission was provided significant financial support to implement the consultations by the Federal Government of Somalia, IESG and Saferworld.

1. The Federal Government of Somalia paid for the expenses of the NIEC's travels abroad to meet the Somali diaspora and obtain their views.
2. IESG paid for NIEC staff travel expenses by air, transportation between districts, hotel accommodations and refreshments of participants.
3. Saferworld supported the electoral commission with assistance in media and communications.

We would like to thank again the Somali federal government and all the partners who contributed to the financial costs of the consultations.

## CHAPTER V

### 5. IMPORTANCE OF ELECTIONS

The people who participated in the consultations while dealing with different issues expressed their views on the importance of elections for the country and for the people of Somalia. Although they had similar views, many of them said that election is the only way to get a government that comes through the will and representation of the people. They specifically mentioned that the multi-party system of election is an opportunity for the citizen and would give him or her their constitutional right to vote.

The people argued strongly that they can hold their officials accountable when they are elected by the people. They will get a chance to elect the best candidates to represent them by considering the campaign promises and performance programme presented by candidates during the election campaign.

The participants in the consultations were convinced that the candidate can demonstrate his role in the community's performance if one person one vote election is implemented in the country. The people who participated in the meetings criticized the lack of accountability of officials who come to office through the process of clan power-sharing. All the people that NIEC met inside and outside the country agreed to move out of the clan power-sharing system to the multi-party system of one person one vote election. They blamed the current system for all the problems in the country, including widespread corruption, injustice, civil wars and political crisis based on the longstanding disease of tribalism.

Intellectuals and politicians who attended the meetings have hope that the country will achieve a political change if one person one vote election is implemented. They see it as hugely significant for the country to elect leaders who can lead the nation to political stability.

The participants expressed concern over the practice of vote buying which is contrary to the international standards of elections. They see that universal elections can reduce or eliminate the impact of bribery on the election.

The growing awareness of the Somali community can lead to an end to the widespread corruption and instead candidates should be elected through credible competition.

The process of good governance includes competition over promotion of justice and giving rights to the citizens. NIEC infers from the views of the people that the implementation of one person one vote election in the country could end repression and deprivation of the right to vote of every person.

The youth who participated in the consultations believed that it would be a great opportunity for them to participate in a general election held in the country. They will begin mobilization to take part in the leadership of the country. Concerns remain about the risk youth may face during such process which could result in their non-participation.

Democratic elections would restore the good faith of the youth for their country and will encourage them to mobilize their friends and participate in awareness-raising programs towards elections through social media. Elections have also another significance for the youth when it comes to job creation. It will be a great opportunity for the young people to work at the voter registration centres and polling stations during the electoral process. The Somali community believe free and fair elections will eliminate the discrimination and marginalization among their society. It is an opportunity for minorities to cast their votes in the election of their national and regional leaders.

Conducting the election reflects political maturity by which the country transitions from the clan power-sharing system. The country will achieve a legal framework that is inclusive and can bring about political self-reliance. Women also see one person one vote elections implemented in the country as a valuable opportunity for them. Somalia is described as one of the countries that do not protect the political rights of women. The leadership of the country has traditionally been led mostly by men who have undermined the role of women in participatory leadership. Women see a general election that takes place in the country as a great opportunity through which they can achieve their role in politics.

### **5.1. Public opinion on the solution to the challenges**

The people who had the opportunity to attend discussions gave different descriptions of the challenges to the 2020 election, although most of them agreed that a one person one vote election can take place in the country.

The different communities in the areas where the consultations took place saw that generally there are challenges that are similar throughout the country. But there are some challenges that they highlighted which need to be given priority. Some of specific challenges mentioned seem to be related to local, social and cultural issues, while others focused on political, legal and technical challenges.

The views that the people presented showed that most of them had never participated in an election or were born after the collapse of the state.

In summary, the essence and perception of the people on finding a solution to the challenges is their belief: that unified stance to be adopted and to give priority to the laws, security, politics and economy.

## CHAPTER VI

### 6. OUTCOME OF THE CONSULTATIONS

#### 6.1. Security and public opinions

From the people's views NIEC understood that citizens believe that the security of the country is gradually making tangible progress. They are hopeful that the government will fulfill its promises to strengthen and maintain a security level that would allow elections to take place in most parts of the country. The people also see as a good sign the national agreements by national leaders to prepare the security map and stabilization of the country.

Some of the districts where the consultations took place had various levels of insecurity. The people in the areas where there is a very low level of security said that the residents contributed to secure and strengthen the security by showing local self-reliance in their areas.

As outlined in the chart below, the public data collection indicates that security is 30% of the challenges in the country. The people underscored that security is the main challenges that faces the 2020 one person one vote electoral process. Their view is that security in the country should be given the priority to ensure inclusive participation during the election.

The people who live in the districts mentioned above, expressed concern about how they would participate in the emerging political parties and electoral activities. The insecurity in those areas is preventing them from achieving their full constitutional rights.

Conflicts between clans are often fueled by the widespread availability of weapons throughout the country which threaten the peaceful atmosphere that the election requires. They see it as necessary to find a solution to the threat of weapons in the hands of the public which can easily create instability.

Also, they pointed out that the biggest challenges to the election include killings and intimidations by anti-peace groups against the people who participate in the elections.



### Summary of the participants views on security solutions.

Security Level	Ensure a security level that could allow elections
Security Plan	Setting the security plan for the election
Collaboration	Cooperation between the security forces and citizens
Weapons	Collecting illegal weapons
Clans	Peace-building in areas where there are clan conflicts
Laws	Finalizing and implementing security laws

## 6.2. Economic challenges

As stated in the NIEC's five-year strategic plan, the budget allocated to cover the process and the 2020 electoral activities is approximately USD 129 million dollars. The budget is intended to cover voter registration, voting in the election, registration of political parties, community awareness and all the related electoral activities.

The people who participated in the consultations expressed strongly their views on the resources needed for the implementation of the election in the country. When they saw the presentations of the NIEC and the electoral information on the budget, they felt that the amount of the resources needed to cover the activities of the elections does not match compared with the economic conditions in the country.

The results of the data collected showed that lack of financial resource is 15% of the challenges presented by the people.

They recommended that the FGS, FMS and the Somali people play a key role in providing the election budget in order to avoid a delay in the scheduled timetable of the elections. They see it as important to mobilize the Somali people and establish a resource fund for the election so they play their role. Likewise, it is important to have the support of the international community in funding the election, although some participants think that the funding that comes from the international community and used in the election may affect the independence and decision making of the electoral process.

### Summary of the participants views on economic solutions.

FGS	FGS to play its share in supporting the election budget
FMS	FMS to support their share of the election budget
Public	Citizens to support their share of the election budget
International Community	International Community share is also required

### 6.3. Community awareness of the election

Most of the participants in the consultative meetings held by the NIEC were from the generations who have not participated in previous elections in the country or have no awareness or knowledge on the electoral process. They indicated that they were happy to interact with the electoral commission for the first time and express their views on the election and welcomed the government's goal to respect citizens' rights to participate in the electoral process.

They saw it as a golden opportunity to witness an election held in the country. However, they recommended that a lot needed to be done to raise awareness of the citizens, especially the youth so they can mobilize themselves to participate in the democratic governance of the country. They also advised the NIEC to open regional offices in the country and make extra efforts to prepare the civic education curriculum for the election, and ensure cooperation with all stakeholders including media, educational institutions and religious leaders to raise the awareness in the community. They underlined that there is a need to have consultations with the Somali people to raise their awareness and gain their support.

### Summary of the participants views on awareness.

Curriculum	Preparation of educational curriculum and voter awareness
Publish	Campaign of electoral education for the public
I cooperation	Electoral stakeholders to cooperate on awareness raising
Youth	Role of the youth in election and awareness
Offices	Opening of NIEC offices in districts

## 6.4. Corruption challenges

The people who participated in the consultations pointed to the corruption that marred the previous systems through which the past governments in the country were formed. They were concerned that the matter might have an impact on the next elections in 2020, which could cause the country to go backwards by creating mistrust between communities. The participants said that the NIEC needs to be clean of bias, corruption and injustice during the elections and practice good governance and ensure integrity in its work that would give the people the confidence to participate in the elections.

Many of the participants indicated that tribalism is the basis for marginalization and political bias in Somalia. They see that the system of clan power-sharing was a transitional solution that needs to be changed. They described tribalism as the tool used by corrupt individuals and the door of corruption to any good work that could develop the country. They recommended that strong action be taken against those who are involved in corruption and to enact the anti-corruption law and to establish the Anti-Corruption Commission. Many of the participants warned against the consequences of the negative effects of corruption on the electoral processes.

### Summary of the participants views on the solution to corruption.

Law	To enact the anti-corruption law
Commission	To establish the Anti-Corruption Commission
Regulation	To define the anti-corruption system
Transparency	The commission to present the activities transparently
Punishment	To take proper action against corrupt individuals

## 6.5. Finalizing electoral legal framework

The participants recommended the electoral laws and procedures required to ensure the integrity and transparency of the electoral process should be enacted. They stated that it was necessary to review the draft constitution as it is the basis for all electoral laws and regulations.

The participants also discussed the type of election the country is going to adopt and the system of representation of the people in electoral competition. They recommended that all these issues should be clearly stated and clarified in the laws including the electoral law which is the most important one, and that all laws should be enacted before the end of 2018.

The participants had very rich deliberations on the emerging political parties. They presented the quality of the parties that country needs and their characteristics. They were impressed by the fact that the registration office of some political parties has been opened and temporarily registered a limited number of political parties. The people see the political parties as the basis for the system of holding the election.

The participants saw that it was necessary to enact laws for the process of formation of political parties and their official registration. They think that our country cannot afford to have many political parties to compete in the political arena. The people recommended that the number of political parties be limited.

They also recommended that the regulations of the parties such as the constitution of the party and its regulations be closely monitored. They think that the principles on which its policies are based, structure and its councils/bodies be scrutinized. They expressed concern that parties that carry negative ideologies and based on views against nationalism and unity of the country are being formed.

They see that all these recommendations are solutions to the challenges facing parties that are being formed in the country, while learning from the history of political parties. The parties are required to operate in all regions of the country and act in accordance with the laws of political parties.

The federal system that the country adopted is required to assist in the general tasks of democratization of the country and the participation of the Somali people who have the right to participate in the elections and who live in the areas where the regional states were established. They said that the regional states should give an opportunity to the national parties being formed in the country and at the same time respect the political freedom of opinion.

Looking back on the stages that the country went through and the chaos created by the factions that fought over the country and carried ideas that most of the people see as serving foreign interests, it is important

to maintain that the political parties that are being formed have national characteristics and principles that are in line with the electoral laws and financial independence.

The participants also expressed that it was important to find a legal solution to the identification of the citizen during voter registration and who has the right to register as a member of a political party. The participants indicated that it was necessary to unify the existing state identification systems of the citizens, if any, all the way down to the local constituency level to make it easier for the electoral commission to get comprehensive information of the citizens who have the right to participate in the election process.

It is normal to have different points of view on competition of political parties and results of the election that can often lead to disputes. The conflict resolution process of the competition and the election results requires laws and establishment of the constitutional court. The lessons learned from the country's past elections show that it is imperative to enact laws and set up the system of election dispute resolution.

The participants recommended many issues related to the delimitation of electoral constituencies of the country. They indicated that a political solution needs to be found for constituencies where there are disputes to avoid challenges to the identification of electoral constituencies, voter registration centres and polling stations. The people recommended that they be consulted on the drafting of laws that affect them and to effectively apply the laws of the country.

All these activities are required to take place efficiently, accurately, inclusively and transparently. Enactment of laws and election procedures remains a challenge for the NIEC as the electoral law has not been enacted yet. However, the electoral commission is required to make adequate preparations to meet the requirements when the law is enacted.

Elections are based on the legal framework, which is the basis of protecting the election procedure to ensure integrity and transparency. Given the remaining time left that was identified for election and the preparatory activities required, the electoral law must be completed before the end of 2018 as per the NIEC five-year strategic plan for elections.

## Summary of the participants views on the election legal framework

Constitution	To complete the constitutional review
Electoral Law	To complete the election law
Parties Law	To complete laws/rules of parties
Disputes	To developing a dispute resolution mechanism
Consultations	To consult the people on enactment of laws
Federal	To define the federal system
Citizen	To complete the citizenship law
Court	To establish the constitutional court
Implementation of laws	FMS to comply with national laws of elections

## 6.6. Political challenges

The participants at the consultation meeting discussed and expressed many view points on the issues related to the contradictory politics that most people consider as one of the key issues that could be a challenge to the election process. They noted that it was necessary to reach a political agreement on the issues that are important for the electoral process such as the political power sharing in the country and different responsibilities of constitutional institutions of the country at the national and regional states levels and to define them in the constitutional review.

They also highlighted the need for national reconciliation among the Somali people and for a lasting solution to be found to the issues related to the civil war and tribal conflicts so as not to obstruct the implementation of the elections.

As for the issues of political instability in the country, the people who attended the consultative meetings said that most of these issues were created by politics based on personal interests or group interests, which do not support the country's development and political stability.

It is necessary to enhance the political understanding among the elections stakeholders when it comes to matters concerning the elections. The electoral commission is also required to work to create understanding and collaborate

on technical issues of the elections between the electoral commission and the regional states.

They said that the Somali people now have enough awareness and experience to know the policies that support the public interest and they support every effort to create an inclusive political solution.

They focused specifically on the issues of federalization of the country and its relations with national elections to take place in the country in 2020.

Looking back on the transitional periods and the formation of the past governments in the country, it was apparently clear that foreign governments and institutions had a clear role in the political system that was directing the country which led to a lack of ownership, consultation and level of participation of the Somali people. With that in mind, many people who attended the meetings were concerned that there are still indications that there could be political interference that affects the country's political system.

As for the politics of national unity, the people who participated in the consultations expressed strong concerns on the political view in facing the issues of the northern regions that see themselves as a separate entity. There are not enough efforts being made to find a solution to the complaints of the politicians of Somaliland. Some of the people expressed concern about a general election to take place in the country where the people who live in the northern regions are not part of it, which may have a political effect on the unity and the nationhood of Somalia.

During the collapse of the state when the government that used to provide public services was not there, the Somali community made progress on aspects of business and education which developed people's self-reliance. The educational or business system that exists in the country generates a large income compared to the situation of Somalia as there are no national laws to guide these institutions.

People expressed views about the commercial system by which traders operate and which affects and interferes in the political issues in recent times by protecting their private business interests.

Also, traditional leaders made most of the decisions to select those leading the legislative bodies, especially members who represented the Somali people in various parliaments at the regional and federal levels. These elders often select the people based on their own personal views without engaging all sections of the community.

### Summary of the participants views on the political solution.

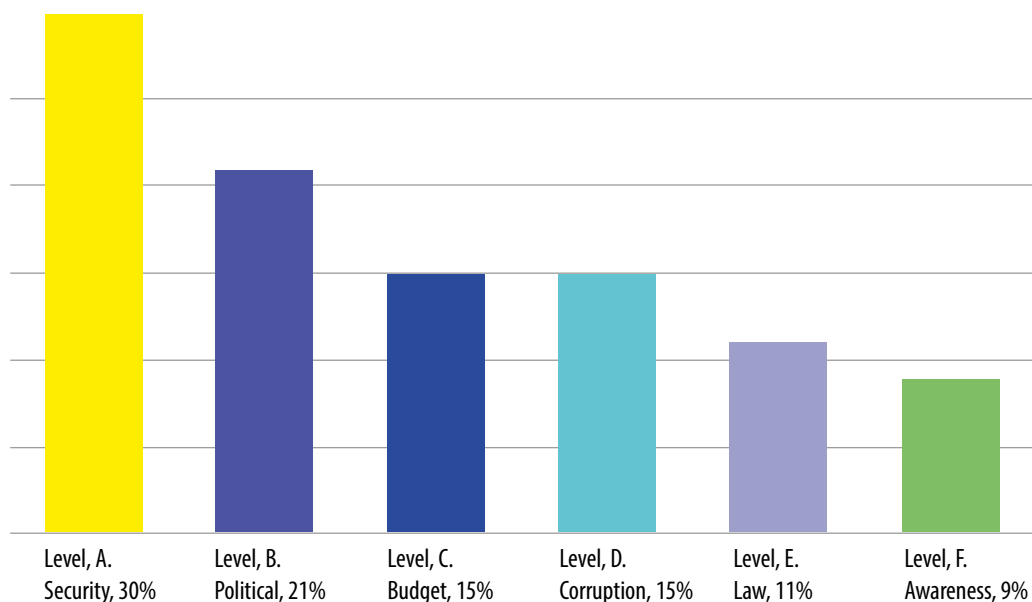
Political agreement	Definition of power sharing (federalism)
Somaliland	Political agreement on northern regions
Interference	To be alert of and prepare a system against foreign interference
Personal interests	Enacting anti-corruption laws
Collaboration	Collaboration of stakeholders in election

## 6.7. Levels of electoral challenges

The data collected from the public on the electoral challenges are outlined in the following chart indicating the challenges that need to be given priority.

The people proposed that the security challenges should be tackled describing them as 30% of the potential challenges to the election. They said the next are the political challenges, budget, laws, corruption and finally the level of community awareness as set out in the chart below.

### Public opinion of the hierarchy barriers





## **CHAPTER VII**

### **7. RECOMMENDATIONS OF THE ELECTORAL COMMISSION**

Finally, the NIEC, collated the information from the people, analyzed and dissected the overall consultations including the recommendations. Thereafter, the electoral commission proposed the following recommendations for all the stakeholders in the election.

#### **7.1 To the Somali Federal Government**

**Definition of the electoral legal framework:** In order to prevent a delay in the time specified for the election, NIEC proposed that the federal government draft the necessary legislation for the elections so that they are passed by the parliament on time.

##### **Security Issues:**

The main pillars of the election states that the people can vote in elections when they are free from anxiety and fear. Based on that, the government must work during the remaining time to ensure the security of the districts where the elections will take place. NIEC also expressed the importance of preparing a strategic security plan specific for the elections.

##### **Election Budget:**

As stated in the NIEC's five year strategic plan USD 129 million dollars is required for the implementation of the 2017-2021 electoral activities. It is imperative that the FGS secures this budget without which it is not possible to hold elections in the country.

##### **Politics:**

Political stability in the country will facilitate the election process of one person one vote. NIEC recommends that the federal government comes up with a

political plan that brings together regional states, politicians, government institutions and all the Somali people which can make it possible to hold elections.

## **7.2 . To the Federal Member States**

NIEC recommends a full collaboration in securing a budget for the election, which was one of the important issues that was discussed with clear recommendations. Self-reliance in providing the budget for the election is like protecting the independence of the country. In order to realize that, the FGS, FMSs and the Somali people must make effective contributions to the budget. NIEC also recommends that the FGS works to strengthen the security of the areas under their control and to expand their authority to the other areas that are not yet under their control. The electoral commission encourages the FGS to continue their cooperation with FMSs and assist them in the discharge of their obligations.

## **7.3. To the Federal Parliament of Somalia**

The legislative assemblies in the country must work for the approval or drafting of the electoral legal framework, including the election law and the constitutional review. NIEC recommends that the Federal Parliament to support and assist the electoral commission in the discharge of its mandate, finding the budget and protecting the immunity of the NIEC. It is also imperative that the FP assist the electoral commission which is assigned with the task of conducting the election.

## **7.4 . To the Civil Society**

A civil society that is working well can support the development of the country and promote democracy, and can take an active role in mobilizing and awareness raising of the people to help implementing democracy and elections. It is also important that they provide support for and assist the emerging political parties to achieve the goals of the country. The civil society must show a neutral policy when it comes to different view points between the political leaders of the country, and can play an important role in averting any political crisis that can delay the 2020 elections.

## **7.5. To the Political Parties**

The emerging political parties that are going to compete in the election are the main hope of implementing one person one vote election in the country. NIEC advises the emerging political parties to abide by the laws applicable in the country and to work for the unity of the Somali people in order to transition from the 4.5 system.

No less important also is for the political parties to realize the democratization process and how to become official political parties. The parties are expected to show ownership of the one person one vote election and to campaign as they are the ones that will compete in the future elections.

## **7.6. To the Somali people**

NIEC proposes to the Somali people to work with and assist the electoral commission to fulfill the mandate assigned to it. Since election is a collective responsibility, everyone needs to play his/her role and to give attention to the programmes that the electoral commission will deliver, such as awareness-raising, consultations, information sharing, trainings, conferences and population registration. The people should play a pivotal role in stabilizing the security, eradicating tribalism, supporting the multi-party system and helping in the fight against corruption, which all have a special importance for a one person one vote election.

## **7.7. To the Diaspora**

The NIEC commends the brothers and sisters who live outside the country for their staunch support for those inside the country. The electoral commission proposes that they also play an active and key role in supporting the election budget so that the democracy enjoyed by the countries where they live can be implemented in their home country. It is also necessary for them to take a substantial part in the electoral process.

## **7.8. To the Business people**

NIEC is proud to include the business people among the economic potential of the country. NIEC hopes that they will play the biggest part in contributing to the election budget. It is also very important for NIEC to obtain their assistance in communications and supporting the provision of information to assist the

electoral commission extending awareness-raising and information to the Somali people.

### **7.9. To the Media**

Media are the friends of the electoral commission and the only source NIEC has to deliver messages and awareness to the Somali people and stakeholders on the election. NIEC proposes to our friends to respect the goodwill of our people and to report accurately the news to avoid misleading and incorrect information.

### **7.10. To the International Community**

Friends of Somalia or the international community must play a clear role in the democratization process of the country and realization of holding the one person one vote election which is scheduled to take place in 2020. Continued technical support and building of the electoral capacity of the NIEC and its staff are very important for the discharge of the constitutional duties assigned to the electoral commission. The NIEC also proposes to the friends who love progress of our country not to link their support for the electoral process to the political situation that the country might encounter, which could lead to delay or failure of the only hope of the Somali people.

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**Annex I:**  
***questionnaires to the people in Annex 1.***





**FEDERAL REPUBLIC OF SOMALIA**  
**NATIONAL INDEPENDENT ELECTIONS COMMISSION - NIEC**

**CONSULTATIONS ON  
THE ELECTORAL PROCESS  
2020**

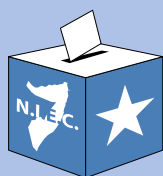
Location: \_\_\_\_\_

Date: \_\_\_\_\_

1. What is the significance of the 2020 election for us?
2. What do you think are the challenges that could face the conduct of the 2020 election? Please list the challenges below:  
\_\_\_\_\_  
\_\_\_\_\_
3. How can the challenges you listed above be overcome in order to hold a one person one vote election in 2020?
4. What role can the people play to implement a one person one vote election in 2020?
5. When you look at the circumstances in the country, do you think Somalia will be able to hold a one person one vote election in 2020?
6. What Recommendation and advice would you suggest?

*We thank you for your positive views*





**NATIONAL INDEPENDENT ELECTIONS COMMISSION**  
Federal Republic of Somalia

