



International Election Observation Mission

Report on Somaliland's Presidential and Political Party Elections

13 November 2024



The Bartlett
Development Planning Unit

International Election Observation Mission

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March 2025

Photo cover: Inside polling station, Hargeisa, 13 November 2024. Credit: Tim Cole

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1. Executive Summary

On 13 November 2024, over 638,000 Somalilanders went to the polls to elect a new president and the three political parties who will compete in elections over the next ten years. The electoral process concluded with a well-managed and peaceful election day, during which almost all Somaliland citizens could exercise their right to vote. However, elections could not take place, either completely or partially, in five of the country's 23 districts because of security concerns, and the turnout for both elections was less than 53%. Nevertheless, the outcome of the elections, in which the main opposition party's candidate won the Presidency, and a new political association was elected to become one of the three political parties, alongside the two more established parties, was accepted by all candidates, parties and other stakeholders including Somaliland's citizens.

Abdirahman Mohamed Abdullahi ('Irro'), the Waddani candidate, was declared president-elect by the National Electoral Commission on 19 November. Irro received 407,908 votes, equivalent to 63.92 per cent of the total vote and more than 28 points ahead of the runner-up and incumbent president, Muse Bihi Abdi, representing Kulmiye, who received 35.34 per cent of the vote. In the political party vote, Waddani, Kaah and Kulmiye received the largest number of votes and won the right to compete in elections over the next decade. The Supreme Court ratified the results on 27 November. The elections highlighted a number of areas where Somaliland's electoral process falls short in comparison to international democratic standards.

The legal framework for elections provided sufficient guarantees, but some gaps and ambiguities exist, notably related to periodicity and the freedom of association. The Presidential elections were due to be held in November 2022 but were postponed for two years, following a pattern established in past elections in Somaliland. Moreover, restricting the number of political parties that can compete in an election, and not allowing independent candidates, is inconsistent with universally acknowledged norms as well as the guarantee of freedom of association set out in Somaliland's constitution. The process of registration was too short given the complexity and costly.

Elections were organised by the National Electoral Commission (NEC) which adhered to legal deadlines and conducted preparations for the elections amid operational challenges. There was broad confidence in the NEC's ability to deliver organisational and logistical preparations for the elections and, notably, in its ability to remain impartial. However, limited time was given to implement a comprehensive voter education and information programme, despite the complexity of the concurrent elections. The lack of a permanent staffing structure and presence throughout the country limited the NEC's capability to register voters and deliver elections. Voter registration is active and requires voters to return to registration centres at a later date to pick up their Voter ID cards; this poses challenges in a country where some citizens maintain nomadic lifestyles. The most recent update of the voter register took place in January 2023, a full 22 months

before the elections actually took place. Overall, the campaign was peaceful and conducted in an orderly and competitive manner. The campaign was active in the media and on social media, but the official campaigning period was very short and restricted each political party or association to just two days for in-person rallies. Transparency and a level playing field remained a concern. There are no limits to a party's spending during a campaign and the fines for breaching the standards set out in the Parties and Political Organisations Code of Conduct did not appear sufficiently punitive to restrict campaigning by the larger, wealthier parties.

The law prohibits discrimination and requires public institutions to take pro-active measures to address it. Women played a role in running polling stations and voted in large numbers. However, only one of the seven NEC's current commissioners is a woman and none of the presidential or vice-presidential candidates were women. Somaliland's constitution denies voters with physical disabilities the right to run for public office and while efforts were made to provide support to persons with disabilities on election day, they were limited and insufficient.

Almost 300 non-partisan citizen observers and 100 international observers contributed to transparency. IEOM's own observers were present in 13 of the 19 districts where voting took place. Party and candidate agents were present in all polling stations across the country. Observers reported that a number of procedural errors were made but counting was transparent. Across the country, the secrecy of the vote was not protected. Media organisations were able to report independently, without interference, on the campaign and election and engage with issues and politicians. Political parties and associations generally regarded media coverage, including by state media, as balanced and fair but as most media content is paid-for, the wealthier parties were able to secure wider coverage.

The IEOM made 26 recommendations with a view to further enhance the conduct of elections in Somaliland and to support efforts to bring them fully in line with international obligations and standards for democratic elections. A complete list of all the mission's recommendations can be found at the end of this report.

Priority recommendations include:

- Given that elections have often been subject to delay in Somaliland and with the next parliamentary elections approaching, there is an urgent need to find a comprehensive solution that will provide the voters with their electoral rights to vote and be elected, which must be immune to the consequences of the immediate political dynamics. Such guarantees, be they legal or administrative, must, in practice, result in every eligible Somalilander being able to cast their ballot and stand as a candidate and every institution of Somaliland being in the position of competence to protect those rights proactively.
- Amend the law in line with the international human rights agreements to eliminate the limit on three political parties and allow independent candidates to run for office.
- To ensure the secrecy of the vote for illiterate voters and others that request assistance is upheld in Somaliland, best practice from other countries should be adopted in future elections. It is especially important to ensure the ability of voters to express their wishes without experiencing perceived or actual pressure to vote one way or another.
- Plan for permanent staffing in all NEC departments to preserve institutional memory, including on gender and voter education, and establish a permanent presence throughout the country at district level to bring the institution closer to voters and CSOs supporting the electoral process at all stages.
- Review the methods of Voter Registration from the perspective of the voter. A voter-centred approach would increase public trust in the NEC and the electoral process in general. This must include ensuring that voters can receive their voter's cards while registering.

2. Acronyms

CRPAANP	Committee for the Registration of Political Associations and Approval of National Parties
CSO	Civil Society Organisation
EDR	Electoral Dispute Resolution
EL	Election Law
Guurti	House of Elders
HoR	House of Representatives
ICCPR	International Covenant on Civil and Political Rights
IEOM	International Election Observation Mission
MCC	Media Code of Conduct
NEC	National Electoral Commission
NIMD	Netherlands Institute for Multiparty Democracy
PPL	Political Party Law
PWD	Persons with Disabilities
SC	Supreme Court
SLNTV	Somaliland National Television
SNDF	Somaliland National Disability Forum
SOLJA	Somaliland Journalists' Association
SONSAF	Somaliland Non-State Actors Forum
SOYDAVO	Somaliland Youth Development and Voluntary Organisation
UCID	Justice and Welfare Party
VR	Voter Register
WIJA	Women Journalists' Association

3. Mission background

The Somaliland International Election Observation Mission (IEOM) was invited by Somaliland's National Electoral Commission (NEC) to observe the electoral process for the Presidential election and political party vote on 13 November 2024. The IEOM conducted its observation activities in accordance with the Declaration of Principles for International Election Observation, emphasising the independence and impartiality of the mission. Before election day, the mission met with the National Electoral Commission, the Presidential candidates, political parties and associations, governmental officials, civic society groups, media representatives, other international and domestic observer groups and diplomats. On 13 November, the mission observed voting in 146 polling stations in all six regions of Somaliland and the tabulation of votes in district centres throughout the country. The IEOM core team then stayed in Somaliland to continue observing the tabulation of votes at district level and the declaration of the provisional results.



Outside polling station, Hargeisa, 13 November 2024. Credit: Sandra Gale.

4. Political background

On 13 November 2024 Somaliland held the eighth set of elections since their Declaration of Independence in 1991. In the elections the next President and the political associations or parties who will be able to compete in future elections as political parties were elected by the people of Somaliland.

Under the Somaliland Constitution (2001), the President of the Republic is directly elected for a five-year term and can serve for a maximum of two terms. Muse Bihi Abdi, the current President, was elected in 2017 representing the Kulmiye party. His five-year term was originally set to expire in 2022 but was extended for two years. Muse Bihi Abdi stood for the Presidency again, representing Kulmiye, and competed with Abdirahman Mohamed Abdilahi from Waddani and Faisal Ali Hussein from the Justice and Welfare Party (UCID).

The Somaliland Constitution and subsequent electoral laws allow for only three political parties to be registered to submit candidates for presidential and parliamentary elections.¹ On 13 November voters elected the three political parties from between ten political parties and associations, de facto concluding the process of political party registration.

Somaliland's society is based on the clan system, and the political parties and associations largely reflect clan allegiances with parties and associations drawing their support from different clans and sub-clans. This leads to alliances between political parties and associations to win power. In the period running up to 13 November, a few political associations formed alliances with parties fielding presidential candidates, promising the support of their voters to the allied party's presidential candidate.

5. Legal framework and electoral system

5.1 Legal Framework

The Constitution of 2001 established a framework for governance and introduced the separation of powers, the rule of law, and equality before a competent tribunal. The bicameral Parliament is composed of a lower, directly elected chamber, the House of Representatives (HoR) and House of Elders (Guurti). The highest judicial organ of Somaliland is the Supreme Court.² The right to participate in public affairs is protected by the right to vote and be elected.³ The component parts of the right to democratic elections, such as equality of citizens, freedom of assembly, the freedom to seek and impart information, including independence, and freedom of the press and media, are guaranteed by the Constitution.

The 2024 elections are predominantly regulated by 'The Revision and Amendment of the General Law for National Elections and Voters' Registration. Law No. 91/2023' (the Election Law or EL) as well as 'The Revision and Amendment of the Regulation of Political Associations and Parties Law. Law No. 14/2023' (the Political Parties Law or PPL), except for the voter registration process and candidate and party registration, which were both conducted under previous legislation.

The Election Law complements the Constitution and guarantees equality of suffrage, secrecy of the ballot, and provides for establishing an independent National Electoral Commission (NEC) and its decentralised structures. The law also outlines the eligibility of voters and candidates, including the process of voter registration and submissions of candidates by political parties. Moreover, the law regulates candidate registration fees, and the complaints and appeals system. The law also defines electoral offences, which include obstruction of the right to freedom of assembly, impersonation of any stakeholder in the election, campaigning on the election day, and vote-buying.⁴ The sanctions for electoral offences are stated.

2. The Supreme Court is the final appeal instance and is also a Constitutional Court. Its chairpersons and judges are nominated and appointed by the President, subject to approval by a joint sitting of both chambers of the parliament.
3. The Art. 22(2) of the Constitution implements the Art. 25(b) of the ICCPR: "Every citizen shall have the right and the opportunity, (...) and without unreasonable restrictions (...) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors"
4. Art. 151-161 EL

5.2 Electoral System

The president is directly elected in a one-round system in one nation-wide constituency. The candidate who obtains the most votes is elected. In 2024, the right to nominate a presidential candidate was reserved for the three political parties that obtained the highest national proportion of votes in local elections in 2012.⁵ The law does not provide for independent candidates.

The Constitution states that “the number of political parties in the Republic of Somaliland shall not exceed three”.⁶ The legislation implemented this provision through regulation of local elections, the result of which became the basis for issuing the status of a political party to contesting “political associations” and imposed that the licensing period for political parties be ten years.⁷ For this election in 2024, for the first time, a direct vote was conducted to select the three political parties or associations who would be granted the constitutional status of a political party. The three political associations that obtained the largest number of ballots cast and reached at least 20% of votes in each of the six regions of the country would receive the right to participate in parliamentary, presidential, and local elections held between 2024 and 2034. In case a slot remained unallocated because of the regional 20% condition, the count would progress to associations with the highest national share of votes.⁸

5.3 Electoral Reforms 2021-2024

The constitutional provisions for the term of office and election law prescribed that the presidential elections be held on 13 November 2022.⁹ Separately, the licensing of the ‘three national political parties’ was about to expire on 26 December of the same year. The law at the time indicated that the registration of political associations aspiring to the status of political party should be opened six months before the expiry of the ten-year permit of the ‘three national parties’.¹⁰ In January 2022, in response to a petition, the Supreme Court indicated that the results of local elections could not be a determining factor for granting the legal status of the ‘three national parties’ and that instead, a direct vote, under universal suffrage, should be conducted to select the three licensed organisations.¹¹

The newly constituted NEC announced on 24 September 2022 that the presidential elections, initially planned for 13 November 2022, could not be conducted due to budgetary and technical constraints. The NEC also requested nine months to prepare for the elections. On 1 October 2022, the Guurti exercised its constitutional prerogative under an exceptional clause by voting to extend the president’s term by two years, providing for a possible presidential election to be held on 13 November 2024.¹²

5. Art. 83 of the Constitution

6. Art. 8(2) of the Constitution

7. Under previous regulation (Art. 6 of the Consolidation of the Regulation of Political Associations and Parties Law 2011 and its Amendments 2011 or the Law 14/2011), three “political associations” scoring best results in local elections were granted constitutional status as “national political parties.” However, the practice of linking political party licensing with results of local elections dates to 2002.

8. Art. 93 EL

9. Art. 88 of the Constitution provides for five-year terms of office of the President. The last presidential elections were held on November 13, 2017, and the President, Muse Bihi Abdi, commenced his mandate on December 13, 2017. Art. 83 (2) of the Constitution requires new elections to be held, one month before the expiry of the mandate of the incumbent.

10. Art. 5(2) Consolidation of the Regulation of Political Associations and Parties Law 2011 and its Amendments 2011 (Law 14/2011)

11. The SC provided interpretation of the Art. 9 and the Art. 22 of the Constitution. SC decision MSD/DDL/01/2022 of 16.01.2022.

12. The House of Elders (Guurti) Ref: GG/JSL/G-03/10/2022 exercising the exceptional clause of the Art. 83(5) of the Constitution

A disagreement between the legislative and executive over the electoral system resulted in political impasse through 2022 and 2023. The dispute primarily centred on whether political associations should be given the legal status of the three constitutional political parties through direct vote under universal suffrage or indirectly as a result of local elections, as had been the case in the past. On 17 July 2023, the NEC announced that the political party vote would take place on 28 December of the same year.¹³ Throughout July and August, the traditional leaders tried to negotiate for a remedy that would allow the electoral cycle to proceed, given the increasingly complicated procedural, legal, and political scenario, which included contradicting legal and constitutional timelines for elections. They concluded that the presidential and political party votes should be held on the same day, with the former restricted to the three political parties that had previously received licences, and the latter open to new political associations. The legislative and the executive branch subsequently adopted this proposal, allowing for the approval of new electoral laws on 24 January 2024, and setting both votes for 13 November 2024.¹⁴

The general norms of term of office are a key element for providing elections to be held at regular intervals as obligated by international law.¹⁵ Modifying one of the constitutional timelines influences other deadlines, creating incoherence and instability of the legal framework.¹⁶ This in turn deprives the mandated institutions, such as the NEC, of certainty about their deadlines and obligations in providing services to citizens. The prolonged periods of lack of clarity about the election date, electoral system, and political participant eligibility negatively influence the voters' right to be provided with an informed choice and, at times, limit their opportunity to participate in public affairs.¹⁷ While the Constitution of Somaliland provides clauses for the extension of mandate, it is implicit that these are reserved for extraordinary circumstances.¹⁸

5.4 Party and candidate registration

The right to freedom of association is guaranteed under the Somaliland Constitution. The Constitution, among other things, states that citizens have the freedom to establish and join political associations.¹⁹ This adheres to the fundamental principles of international human rights treaties.²⁰ Nonetheless, the Somaliland Constitution's drafters also stated that the country's political parties 'shall not exceed three.' The confluence of these two rules, which were created in 2000-2001 in a unique context of the times, creates a very real obstacle for the freedom of association in Somaliland.

13. NEC decision KDQ/KK/K-6/54/2023

14. Election Law 91/2023 and Political Party Law 14/2023.

15. ICCPR Art. 25 "Every citizen shall have the right and opportunity vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors"

16. Since adoption of the 2001 Constitution, only one out of eight elections were held on time, within constitutional timelines.

17. The delay of the presidential election and uncertainty about the political party vote influenced voter registration and political party associations registration (see the respective parts of this report).

18. CCPR GC 27 p 13: "states should always be guided by the principle that the restrictions must not impair the essence of the right (...) the relation between right and restriction, between norm and exception, must not be reversed."

19. Art. 23(3) of the Constitution.

20. Art. 22(2) ICCPR

Between 2001 and 2022, the legislators addressed these competing norms by limiting the 'three national parties' to the most successful 'political associations' competing in local elections and awarding the three top scorers a 10-year political party licence under Article 9 of the Constitution. The Supreme Court's 2022 decision, which instituted a direct vote to choose the three parties, and subsequent parliamentary legislation, changed this. As previous election observation missions have assessed, restricting the number of political parties is inconsistent with universally acknowledged norms to which Somaliland has subscribed, regardless of cultural and/or historical background.²¹ A cardinal rule of democracy is that any power can be challenged at regular intervals with no profits deriving from the result of previously held polls. The 'three parties' impediment does not pass the essential test under human rights, which prescribes that any restriction to the right of association must, cumulatively, meet the requirements of a) being stipulated by law, b) being aimed at "the interests of national security or public safety, public order, the protection of public health or morals, or the protection of the rights and freedoms of others," and most importantly, c) must be proved to be necessary for achieving any of the above-mentioned aims in a democratic society.²²

The current supporters of keeping the three-party restriction have repeatedly given IEOM their view of the drafters' intentions for the Constitution of 2001, citing national unity as justification for keeping the barrier in place. It is argued that given the "clan structure" of Somaliland, this restriction prevents "each clan establishing their own party," which, if it were to happen, would lead to "the breaking up of Somaliland" and consequently "its disappearance". However, the restriction is not reconcilable with the Somaliland Constitution's guarantee of freedom of association nor its requirement for a plurality of political parties. It is also not consistent with international treaties and very similar cases adjudicated by international and regional human rights tribunals.²³ Even in exceptional circumstances, the public institutions must prove, as often as the situation demands it, in this case at each election, the necessity of such a restriction. Equally, it is required that such a restriction to the freedom of association is necessary to avert a real and not only hypothetical threat and that less intrusive measures would be insufficient. The claim of potential risk of disintegration of Somaliland would need to pass a very rigorous legal test of probability. Somaliland would have to demonstrate that having more than three political parties would cause its territory to fragment and that there is no other way to prevent this territorial disintegration from happening than by limiting the number of political parties to three.²⁴

The right to form political associations - a separate legal entity from political parties - is protected by the Constitution.²⁵ The Political Party Law prescribes that the status of political association is available one year before the expiry of the licence of the three political parties and that, hence, political associations may be formed once every ten years.²⁶ Further provision stipulates that after 'the three political parties' selection process, the political associations are deregistered, and more precisely, "any unsuccessful political association does not have a legal personality and shall not operate".²⁷ In the case of the current electoral cycle this means that the next possibility of establishing political associations is in the year 2033.

21. Art. 10.1 African Charter on Human and Peoples' Rights "Every individual shall have the right to free association"; Art. 24.5-7 the Arab Charter on Human Rights "Every citizen has the right:(...) 5. To freely form and join associations with others. 6. To freedom of association and peaceful assembly"

22. Viktor Korneenko et al. v. Belarus, UN CCPR (2006), <https://juris.ohchr.org/casedetails/1318/en>

23. Art. 9(1) of the Constitution states: "The political system of the Republic of Somaliland shall be based on peace, co-operation, democracy and plurality of political parties."

24. Farah v. Djibouti, UN CCPR (2019)

25. Art.23(3) of the Constitution: "All citizens shall have the right to form (...) political, educational, cultural, social, and occupational or employees' associations"

26. Art. 16(1) PPL

27. Art. 27(2) PPL "Any unsuccessful party/political association does not have a legal personality and shall not operate."

The Committee for the Registration of Political Associations and Approval of National Parties (CRPAANP) is responsible for the registration, approval, supervision, and enhancement of the capabilities of Somaliland's political associations and national parties. On 20 June 2022, the CRPAANP issued a public note on the political association registration process, which then started on 27 June 2022. Aspiring groups of citizens had a period of 45 days to express their intention to compete to become one of the 'three parties'. The groups had to apply for registration by satisfying a number of requirements²⁸, including the payment of an application fee of about 15,000 USD.²⁹ The political parties who had been licensed in 2012 were not required to pay the application fee; this alone created an undue advantage to these parties. A total of 26 groups of citizens fulfilled the initial application requirements.

The next stage was for the aspiring associations to produce evidence of having "operational branches" with at least "1,000 registered members with voter cards in each region," meaning 6,000 in total for the six regions of Somaliland.³⁰ Reportedly, the timeframe for collecting this data was disproportionately short. On the one hand, this led to the political associations using one another's documents (submitting copies of identification cards that other associations had gathered), and on the other, it put an administrative burden on the CRPAANP, which assumed responsibility for checking the legitimacy of the submissions. As a consequence, seven applications were rejected at this stage. While initial verification was conducted, the CRPAANP still faced the challenge of determining that the voters whose data had been submitted, had given their consent and were registered members of the remaining 19 applicants. For this purpose, the CRPAANP conducted field verification between June and November 2022, which involved organising random authentication in each of six regions of the country, where association leaders were asked to gather sufficient groups of individuals at the prescribed place and time to allow for randomised verification of the photocopies of ID cards submitted. Based on this process, the final list of associations was announced on 6 November 2022, containing nine registered political entities.³¹ In 2024 Ogaal Association de facto withdrew from the registration process and joined the Kulmiye political party. Separately, the Waaberi association dissolved as a consequence of the conflict in the east of the country and was unable to produce registration. The CRPAANP submitted to NEC the final list of seven political associations and three political parties that would contest a political party vote on 12 September 2024, within the legal deadline.³²

To run for the House of Representatives, President, or local councils, candidates must be members of a political party. Membership in a political party as a requirement for exercising the right to be elected is at odds with international obligations.³³ Those elected whose political party loses its legal standing may join any of the 'three legal parties'.³⁴

The mere existence of the Constitution's 'three-party restriction' clause does not relieve the legislature or any other public institutions of their duty to guarantee freedom of association. In fact, an argument emerges that such a constitutional restriction imposes an even greater obligation to provide for the fundamental right to associate than would otherwise be necessary. There is no constitutional justification for the legislative and executive branch to further restrict political associations' ability to exist and function through the Political Party Law. It is unreasonable to limit the existence of political groups to once every 10 years and for no more than one year. Nothing in the Constitution suggests that only groups with the legal status of political parties should be allowed to run for office. In fact, up to the law of 2024, both political associations and political parties were competing concurrently in municipal elections. Furthermore, the Constitution at no point states that the status of the

28. Art. 17 PPL stipulates, among others, a requirement to supply documents confirming the date and place of the first founders' meeting; minutes of it, including procedures of selecting leadership; a list with the names of the leadership, executive committee, and central committee members, as well as a copy of the statute (rules of procedures).

29. Art. 17(1)(e) PPL indicates "a tax" of 150,000,000 Somaliland Shillings.

30. Art. 19(1)(b) PPL

31. CRPAANP, GDUS/81/22 of 6.11.2022

32. These were: Barwaaqo, Talo-wadaag, Rejo, Shacabka, KAAH, Hilaac, Horseed, Waddani, Kulmiye and UCID

33. CCPR GC 25 p.17 "The right of persons to stand for election should not be limited unreasonably by requiring candidates to be members of parties or of specific parties."

34. Art. 27 PPL

three political parties should be unchangeable and left incontestable for a very restrictive period, such as ten years. Political parties' roles are universal and go beyond the period of pure electoral rivalry, as is the fundamental nature of the right to freedom of association. This particular combination of administrative and legal factors, including the unequal regulation of registration fees, disqualification of candidates based on party membership, a de facto ten-year ban on the establishment of political parties and associations, and the restriction of participation in universal elections to 'the three parties', constitutes a violation of Somalilanders' rights under Article 22 of the ICCPR (the right to freedom of association) and, consequently, violates their right to participate in public affairs through elections of the Article 25 of the ICCPR. In the unique arrangement of the Somaliland political system, and context of the electoral reforms 2022-2024, it seems necessary to reiterate that the state as a whole is required to provide Somaliland's eligible citizens with the ICCPR rights. The responsibility of the execution of these rights lies on all branches of government (executive, legislative, and judicial), as well as on any public or governmental authorities at any level, whether local, regional, or national. Furthermore, it is not permissible under international law, that any institution attempts to avoid its duty to guarantee fundamental rights by alleging that another institution neglected its responsibilities.³⁵

5.5 Electoral dispute resolution

The law provides the right to file a complaint about and the right to appeal a decision of any level of election administration. Under the Election Law, the electoral commission's decisions, actions, and inactions can be appealed to a higher-level commission, whereas appeals regarding NEC decisions are heard by the Supreme Court. Political associations and political parties can also make an appeal to the Supreme Court about CRPAANP decisions on the party and candidate registration process.³⁶

The NEC is responsible for adjudicating complaints throughout the electoral process, including the voter registration period, the campaign, the conduct of the polls, and the results. On election day, agents of associations or parties can submit a complaint to the polling station chairperson; these should then be registered on the Polling Station Records sheet.³⁷ The election administration also has the authority to file with the prosecution a request for an inquiry in suspected cases of violating election legislation.³⁸ The "Complaints and Disputes Resolution Procedure", issued by the NEC on 30 October 2024,³⁹ outlined in detail the tasks and responsibilities of all levels of the NEC in terms of hearing, logging, and adjudicating complaints. Importantly, it further confirmed the right of voters to file a complaint.

The law provides for alternative electoral dispute resolution (EDR) tools and the NEC has complied with its legal obligation by establishing two alternative EDR entities.⁴⁰ The Political Parties/Associations Task Force Committee served as a forum of communication between election administration and election contestants and the Electoral Ethics, Conflict Resolution and Monitoring Committee, composed of members submitted by parties and associations, was responsible for monitoring the conduct of election contestants.⁴¹ The Committee had an enforcement mechanism of fines at its disposal.

35. CCPR GC 31 CCPR/C/21/Rev.1/Add.1326 (2004) and the Art. 27 of the Vienna Convention on the Law of Treaties (1969)

36. Art. 10(g) PPL

37. Art.122 EL and the art. 116(2) EL

38. Art. 160 EL

39. NEC decision 06/24

40. Art. 20 and the art. 21 EL

41. The Committee was established on 9/10/2024

While the legal framework provides the right to an effective remedy and the right to appeal to a competent tribunal, these were rarely used. The alternative EDR mechanisms were only available very close to the election day. Positively, the NEC issued a regulation on complaints and appeals, however it was finalised and published in the two weeks before the elections. Furthermore, the IEOM assessed that political parties and groups lack familiarity with the official electoral dispute resolution procedure.

Recommendations

- Given that elections have often been subject to delay in Somaliland and with the next parliamentary elections approaching, there is an urgent need to find a comprehensive solution that will provide the voters with their electoral rights to vote and be elected, which must be immune to the consequences of the immediate political dynamics. Such guarantees, be they legal or administrative, must, in practice, result in every eligible Somalilander being able to cast their ballot and stand as a candidate and every institution of Somaliland being in the position of competence to protect those rights proactively.
- The right to freedom of association cannot be restricted unless in extreme circumstances. The laws, administrative procedures, and practices must all be changed to allow Somalilanders to freely associate.
- The administrative procedure for registering political associations should be simplified. The legal and administrative registration processes must first be reviewed and the associations that went through the registration process for the 2024 elections consulted. This review and amendment could later be complemented by automation of some steps using communication technologies.
- Amend the law in line with the international human rights agreements to eliminate the limit on three political parties and allow independent candidates to run for office.



Outside polling station, Baligubadle, 13 November 2024. Credit: Rui Correia.

6. National Electoral Commission

6.1 Structure and role

The National Electoral Commission (NEC) is responsible for voter registration, conduct of the polls, and determination of the election results. The NEC is led by seven commissioners, one of whom is currently female. The President nominates three members; two members are nominated by the HoR opposition parties, and the remaining two are proposed by the House of Elders. The appointment of the seven commissioners is subject to the vote of the HoR and requires an absolute majority with a quorum of at least half of the members. NEC leadership is supported by a secretariat led by the Director-General. The term of office of the commissioners is five years. After taking office in September 2022, the current commission took on the challenging task of conducting election preparations during a time of legal and procedural ambiguity while carrying out some of the procedures that the former NEC leadership had started.⁴²

Political associations and parties maintain contact with the NEC through the Political Parties/Associations Taskforce Committee, on which they each have one representative.

6.2 Management of the 2024 elections

Notwithstanding uncertainty about the election date, instability of the legal framework, and the charged political atmosphere, the NEC adhered to legal deadlines and conducted preparations for the polls amid operational challenges. The NEC communicated their decisions to the public in a timely manner through traditional media outlets and social network platforms, increasing voters' awareness of the process. The NEC and political stakeholders maintained open communication channels through a dedicated forum, providing for the continuous scrutiny of the process.⁴³ The NEC also handed the copies of the final voter list to the political stakeholders.⁴⁴ Some important decisions the NEC took to increase public trust in the institution could have been issued earlier.⁴⁵ While publication of the legislation is not a legal requirement of the NEC, it posted in the public domain a set of the acts governing the 2024 process, filling a void created by the inaction of other public institutions and providing for additional means for independent scrutiny of the process.⁴⁶

42. The previous NEC Commissioners resigned between April and June 2022.

43. The Political Party Task Force under Art. 21 EL was set up and operated for these elections.

44. 15 May 2024

45. For example, regulations such as codes of conducts, procedure for transmission of the results and tabulation were unnecessarily delayed due to internal processing.

46. The full framework governing elections including legislative acts, jurisprudence, regulations and codes of conduct is available at: <https://www.slneec.net/court-decisions>

The NEC recruited, trained, and deployed approximately 13,000 polling staff. The 'core staff' were enlisted from senior students at public universities; male students were deployed outside of their region of residence for election day while female students worked in their home regions.⁴⁷ While the NEC secretariat, which conducts day-to-day operations of the whole election administration, is designed as a permanent structure, most of its staff were only employed for a very limited time before the elections. Given Somaliland's regular electoral cycle, this should not be the case. Some of the election administration staff are dedicated to a time-specific polling day but the central headquarters of the NEC is mandated with tasks that continue throughout the electoral cycle.

The NEC was not able to operate in some districts of Sool and Sanaag as they were not under the control of the Somaliland authorities during the election period.

Recommendation

- Plan for permanent staffing in all NEC departments to preserve institutional memory, including on gender and voter education, and establish a permanent presence throughout the country at district level to bring the institution closer to voters and CSOs supporting the electoral process at all stages.



Ballot boxes in Hargeisa following polling day. Credit: Giorgio Talocci.

⁴⁷ The "core staff" included Chairperson of the Polling Station, Vice-Chair and the Secretary. The other polling staff included inker/checker and queue controller. The policy of deployment of staff outside of their residence aims to reduce the influence of their community over their work.

7. Voter registration

Voter registration for new registrants and those whose records have changed is 'active,' which means they must pro-actively request to register or have their record changed. In contrast, citizens who have registered for any of the previous elections and are in possession of their Voter ID Cards are automatically enrolled. The Election Law provides for the right to vote for eligible citizens who are 15 years old by the year in which elections are held. The wording of this provision is particularly significant given the lengthy period between voter registration and the date of actual elections for which the voter register is used.⁴⁸ The Election Law also imposes a blanket deprivation of voting rights on all detainees and citizens with psychosocial impairment.⁴⁹

The biometric Voter Register (VR) was created in 2016 for the presidential election in 2017 and updated in January 2021 in three 4-day phases, ahead of the parliamentary and local polls which took place in May 2021. An update of the VR was then started in February 2022 by the previous NEC, in anticipation of presidential elections at the end of 2022.⁵⁰ The NEC set up a timeline for the VR update, recruited and trained district voter registration staff and conducted exams for voter registration clerks.⁵¹ After the new NEC was constituted (in September 2022), the registration update was rescheduled for 28 December 2022 to 26 January 2023. Eligible citizens could register in one of the 176 registration centres across the country over a period of 15 days and for an additional 15 days in main population hubs. The number of voters increased by 161,201 (a 15% increase on the 2021 elections), totalling 1,227,048 registered voters for the 13 November polls.⁵² After registering, voters were later required to return to registration centres to collect their Voter ID Cards.⁵³ Some 110,000 ID cards that were produced during the 2023 VR update had not been collected by the voters prior to the elections, therefore not enabling them to participate in the elections.

Potential voters who reached the age of 15 in 2024 were not able to vote, as they had not been registered in the last VR exercise.

The VR is based on biometric iris scan technology and a manual input of data. The iris is captured through an Optical Sensor Biometric Device and paired with the manual input of the identity records of a citizen. Between voter registration and the distribution of the voters' cards, the NEC conducted data clean-up activities, including the removal of duplicate records. The citizens who had not collected their Voter ID cards during the 2016 and 2021 updates were consequently deregistered.

48. Art. 4(2) EL, however the update to the voter register was conducted under the previous election law 91/2020. There is no definite data to assess how many citizens became of voting age in between the end of the Voter Register update and the elections.

49. Art. 4(3) EL and Art. 31(1) EL. Blanket deprivation of the voting rights of the incarcerated, regardless of the seriousness of the offence, and with disregard to whether they are serving a sentence or are in pre-trial custody, is incompatible with Art. 10(3) in conjunction with Art. 25 of the ICCPR. Furthermore, disqualification from voting citizens that are "mentally challenged" does not pass the test of objectivity criterion of a restriction to voting rights and is therefore at odds with the ICCPR and other human rights treaties.

50. The NEC presented Optical Sensor Biometric Device hardware and software, used later for both, the Voter Registration as well as for "Pilot of Biometric Voter Verification System" on 20 February 2022.

51. All activities took place between the 20 February 2022 launch, up until the resignation of the leadership of NEC by 5 June 2022.

52. According to the Ministry of Planning and National Development, Somaliland has a population of 5.9 million based on a growth formula created by the UNFPA in 2014. If 52% of Somaliland's population is over the voting age of 15, as per the 2020 Somaliland Health and Demographic Survey, more than 3 million Somalilanders are eligible to register to vote.

53. Phase 1 covering the region of Awdal, Saaxil, and Sanaag regions was conducted from 31 May to 9 June 2023. The phase 2 for the Maroodi Jeex, Togdheer, and Sool regions, was conducted from 12 to 21 June 2023.

Recommendations

- Review the methods of Voter Registration from the perspective of the voter. A voter-centred approach would increase public trust in the NEC and the electoral process in general. This must include ensuring that voters can receive their voter's cards while registering.
- Ensure that everyone in Somaliland of voting age and in all areas of the country can exercise their right to vote; the voter register should either be updated more regularly, closer to the elections, or voter registration should change to a permanent, rolling process.

International observers deploying from Hargeisa to Somaliland's regions, 11 November 2024. Credit: Liv Latricia Habel.



8. Campaigning

8.1 Campaigning schedule

Somaliland's political campaign provisions organised political canvassing into a very limited period with only one political party or association permitted to hold rallies on a given day. The official campaign,⁵⁴ as per the schedule published by the NEC on 10 October 2024, commenced on 19 October and ended on 10 November (23 days in total). Political parties and associations were allocated two days each in the first 20 days of the official campaign period, while the three presidential candidates were assigned one day each at the end of the period (8-10 November 2024). On the remaining days of the electoral period (11-13 November 2024), political parties, associations and presidential candidates were not permitted to campaign.

8.2 Campaigning standards

On 29 September 2024, leaders of the political associations and parties signed the Parties and Political Organisations Code of Conduct.⁵⁵ The code outlined the ethical and procedural standards that the parties and candidates should follow during the election campaign.⁵⁶

The Electoral Ethics, Conflict Resolution and Monitoring Committee (the Ethics Committee) was responsible for overseeing political associations and candidate's adherence to the law, including the Code of Conduct. Several political parties, associations and individuals were reported to this committee and received fines for breaches of the code of conduct.

The Ethics Committee fined both Kulmiye and Waddani for organising rallies and campaigning on the nights and/or days that were not their allocated days and on 29 October prohibited them from rallying at night after they had started campaigning earlier than permitted. On 2 November NEC suspended all night rallies for all parties.⁵⁷ Although campaigning had been suspended at night, Kulmiye and Waddani supporters continued to campaign outside the allocated hours and were consequently fined again on 9 November. The parties claimed they could not control their supporters.

The Kulmiye and Waddani campaigns for President were the highest profile across the country, while most of the seven political associations held smaller rallies due to financial restraints. The three Presidential candidates campaigned on promises to strengthen democracy, boost economic growth and seek international recognition for the country. Overall, the campaign was peaceful and conducted in an orderly and competitive manner. Candidates and Political Associations relied on in-person rallies, door-to-door outreach, as well as online campaigning to mobilise voters.

⁵⁴. Art. 95 Law no 91/2023

⁵⁵. Art. 67(2)(f) EL

⁵⁶. NEC website document

⁵⁷. DECISION National Electoral Commission ethics and dispute resolution and election observation. Campaign Timings for Gathering/Assembly 6:00am to 6:00pm

8.3 Campaign finance regulations

Campaign finance is partly regulated by the law.⁵⁸ Political parties and associations are obligated to submit reports on their campaign expenditures within 90 days after the election day.⁵⁹ There are no limits to income or expenditure that a political party or association can spend or receive during the official campaign period.⁶⁰ The use of public resources is prohibited⁶¹ including by government and other public officials.⁶² Regrettably, not all political parties and associations demonstrated during meetings with the IEOM that they had a sufficient understanding of the campaign finance rules.

For the funding of their campaigns, political parties and associations use membership fees, private and corporate donations, as well as the own resources of the candidates and leading members of their organisations. The law allows for financial support from all 'Somaliland citizens,' which of course includes citizens located outside of the country. The three national parties are subsidised by public funds, while associations who compete with them in the political party vote do not receive financial support from the state budget.⁶³ Almost all political associations the IEOM met reported that inequality in access to resources hindered their capacity to compete in the campaign.

Recommendations

- Allow for a longer official campaign period to enable a more competitive election campaign and less reliance on unregulated informal channels and allow voters to become better acquainted with the competing candidates, parties, associations and their policy priorities.
- Campaign finance regulations should be further developed, to require full disclosure and auditing of political party funding and campaign expenditure.
- Increase the fines, sanctions and penalties for those who break the code of conduct to a level that deters all parties and associations.

58. Art. 100 EL

59. Art. 106(1) EL. Separately, the Art. 104 EL provides for exceptions from what shall be reported as expense.

60. Art. 100 (1) EL prescribes that for the purpose of financial reporting, expenses incurred within 120 days before the election day are considered. The provision however lacks clarity.

61. Art. 101(3) in fact prohibits the use of public funds unless equal allocation between parties is provided for.

62. Art. 101(4-6) bans government officials from using public funds and vehicles for the purposes of the campaign, with exception for security reasons linked with the mandate of the head of state.

63. The subsidy received by three national parties is allocated in the state budget and was approximately 17,000 USD a month in November 2024.

9. Voter education and information

Voter education and information are basic elements required for every electoral process to be genuine and to enable voters to exercise their rights⁶⁴. The voter should be able to understand what they are voting for (voter education) and how to vote (voter information). The NEC set up a (temporary) Voter Education department in August 2024 which was fully staffed in October. This gave limited time to implement a comprehensive voter education and information programme.

The combined presidential election and political party vote meant that there was an increased need to inform the voters how to deal with two ballot papers, two ballot boxes, three candidates on one ballot paper and 10 political parties and/or associations on the other.

The NEC decided to concentrate their efforts on voter information and developed three main messages about when elections would happen, the signing of the Code of Conduct between the parties and associations and on voting requirements, and the process inside the polling station. Activities were coordinated with the Netherlands Institute for Multiparty Democracy (NIMD) on design and supervision and with local CSOs to deliver the information to voters targeting their specific interest groups (persons with disabilities, youth, women and minorities). Various means to deliver the messages were used, ranging from banners, posters, video messages on social media platforms, text messages, theatre groups and loudspeakers on cars.

Recommendation

- Voter education should target the various phases of the electoral process, including the importance of voter registration and the need to assess the candidates and parties based on their platforms. Voter information should focus a few weeks before the registration of voters and election day on the practicalities of how to register and to vote.

64. CCPR GC 25 Para. 11 “[voter] education and registration campaigns are necessary to ensure the effective exercise of article 25 rights by an informed community”

10. Inclusion of women, persons with disabilities and minority clans

10.1 Non-discrimination

The Constitution of Somaliland prohibits discrimination on a number of grounds: 'colour, ethnicity, clan affiliation, birth, language, gender, status, property, status, opinion and residence' and requires public institutions to take proactive measures to address it.⁶⁵ The equality provision of the constitution is open-ended by the design of its drafters.⁶⁶ This provides the public institutions, including the legislature, with an opportunity to interpret it in an inclusive manner. In the case of the right to participate in public affairs any derogation from the catalogue of the ICCPR art. 2(1) is impermissible.⁶⁷ The principles of non-discrimination are also expressed in international human rights instruments which are recognised by the Government of Somaliland.⁶⁸ The Election Law complements the Constitution and guarantees equality of suffrage, as well as outlining the eligibility criteria for voters, candidates, parties and political associations.

10.2 Gender

Women constitute 51% of Somaliland's population⁶⁹ and a majority of Somalilanders believe that the participation of women in public life is beneficial.⁷⁰ Only one out of seven of NEC's current commissioners is a woman and reportedly, three Regional Election Officers are female.⁷¹ No woman was presented by the 'three national political parties' as a presidential or vice-presidential candidate.

Previous elections in Somaliland also witnessed the underrepresentation of females both as candidates and as elected officials. The Parliamentary elections of May 2021 saw 13 women standing for several parliamentary seats representing the three political parties⁷² but not one was successfully elected⁷³. Currently, there is just one female Member of Parliament (out of a total of 83).

65. Art. 8(1-2) of the Constitution

66. Somaliland Constitution with Commentary, Ibrahim Hashi Jama April 2005 <http://somalilandlaw.net>

67. Art 2(1) ICCPR "(state party) undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

68. Article 2, International Convention on Economic, Social and Culture Rights, International Covenant on Civil and Political Rights

69. Somaliland Health and Demographic Survey 2020 <https://somalia.unfpa.org/en/publications/2020-somaliland-health-and-demographic-survey-slhds-launched>

70. 86% of respondents of 1200 sample <https://heca.oxfam.org/latest/press-release/striking-gender-gap-somaliland-women-having-less-half-opportunities-men>

71. There are 6 Regional electoral officials (REOs) and 23 district electoral officials (DEOs) in total.

72. Waddani, Kulmiye and UCID

73. Interview with Suad Ibrahim (Hargeisa) and Suad Odawa (Berbera) Females ran for MP for Waddani party 2021

In the November 2024 elections, only one of the nine political associations that was originally registered with the Committee for the Registration of Political Associations and Approval of National Parties (CRPAANP) was founded and led by a female. However, this political association, Ogaal (led by Roda Abdi Muse), was deregulated due to an illegal merger with Kulmiye⁷⁴, leaving no female-led political associations in the November election. Several parties and associations have female deputy chairs⁷⁵.

10.3 Persons with Disabilities

People with disabilities count for 5-15% of Somalilanders⁷⁶ but Somaliland's constitution denies voters with physical disabilities the right to run for public office.⁷⁷ The Somaliland National Disability Forum has advocated for changes to the legislation.⁷⁸ Through training and instructions in the election day manual for polling staff, the NEC tried to enforce an inclusive approach. On 10 November, the NEC announced that voters with disabilities would be provided with transport to and from polling stations. IEOM observers did not observe voters with disabilities being transported to polling stations, but they did observe them being brought to the front of the voting queue.

On Election Day a limited number of buses with ramps were provided by the SNDF, one of several initiatives to ensure some PWDs could participate fully in the election.⁷⁹

10.4 Minority clans

Collectively, the minority clans in Somaliland are referred to as the Gabooye.⁸⁰ The status of these clans stems from the time when Somaliland was a British Protectorate. They endure low social and economic standing, are disenfranchised within society, and are largely excluded from the political process.⁸¹ Conflict and the loss of traditional livelihoods have led many Gabooye people to relocate to urban areas, camps for internally displaced people (IDPs), or refugee camps in other countries. Currently, their interests are represented in the House of Representatives by one member⁸².

Representatives of the minority communities that the IEOM met after the election said that to some extent minority rights were brought to the forefront of the campaign by several political parties and associations, namely Waddani and Kaah. Waddani promised the minority community a full Minister position if successful in the elections.⁸³ Reportedly, the only parties or political associations with people from minority clans in senior positions prior to the election were Hilaac and UCID.

74. <https://www.somalidispach.com/latest-news/the-first-female-led-political-organization-registered-in-somaliland/>

75. Hilaac, and Charda Haji Gaada, one of the founders of Kaah and now a deputy of the party.

76. National Disability Policy of Somaliland 2012 <https://mesaf.govsomaliland.org/article/disability> and Somaliland Health and Demographic Survey 2020.

77. Art. 81 and Art. 41 of the Constitution

78. <https://sdn.org.so/public-hearing-for-the-national-disability-act-draft-bill/> National Disability Act 2023

79. Report on Election Accessibility for Persons with Disabilities (PWDs) in Somaliland Presidential Elections – November 2024, NIMD

80. The clans within the Gabooye community include the following: Tumaal, Yibr, Haulle, Muuse Dheriye, Madhiban, Hawrar Same and Habr Yaquub.

81. The Gabooye are traditionally known for their work as hunters, shoemakers, tanners, well diggers, water carriers, and basket makers as well as barbers, blacksmiths, and potters.

82. Barkhad Batuun MP was elected in May 2021, representing the Waddani Party, making him first candidate from the Gabooye group to become a Member of the Somaliland Parliament

83. This commitment was met with the appointment of a Minister of Agriculture from the Gabooye group.

Recommendations

- The Government should examine the electoral legal framework and remedy incompatibilities with the rights of all persons to stand for election, paying particular attention to legal provisions to enhance participation of women, members of 'minority' groups and PWDs.
- Political parties should support female candidates including through capacity building development, and by providing financial assistance. They should develop robust recruitment and training strategies and reform internal democratic procedures to ensure more inclusive candidate lists. This should include reducing or eliminating registration and candidate nomination fees for aspiring female candidates.
- Training should be provided to election officials on how to assist PWDs, ensuring an inclusive and respectful environment at all polling stations. Continued awareness-raising efforts are necessary to ensure that PWDs are aware of their rights and the support available to them during elections. Increase the number of mobility aids (wheelchairs, ramps, braille) and transportation services in future elections to cover a wider area and ensure that PWDs can access polling stations.
- NEC should assess how electoral procedures could be adjusted to facilitate the participation of members of minority clans, persons with disabilities and women. This could include data collection and analysis, and engagement with CSOs, stakeholders and political parties. Permanent structures such as a Gender Unit or a Disability Taskforce need to be established by the NEC to ensure best practice policies and programming interventions are introduced.

11. Media

11.1 Legal framework and freedom of the media

In keeping with international norms, Somaliland's media is protected by constitutional freedom of expression and legal independence.⁸⁴ Despite this, the media has often been subject to government prosecution in Somaliland under criminal law provisions.⁸⁵ A conversation between one media outlet that had been subject to persecution and the IEOM suggested that this has a chilling effect in some instances. A draft media law that would subject media to civil rather than criminal law has existed for some 24 years but remains stalled.

11.2 Media environment

That said, Somaliland has a diverse and vibrant (if unregulated) media, and the IEOM's discussions with media stakeholders indicate it was able to report independently on the campaign and election and engage with issues and politicians around the election. There are around 20 television channels, including one state-run station, one state-run radio station, and membership organisations such as SOLJA (the Somaliland Journalists' Association) which represents many of Somaliland's journalists. Social media is the main means of media delivery, with both independent journalists and the major media organisations using it as the primary platform. In addition, many "citizen journalists" use social media, representing an almost wholly unregulated environment, with risks of inaccuracy, incitement and hate speech.

11.3 Media Code of Conduct

For the 2024 elections, as in past elections, the NEC put in place a Media Code of Conduct (MCC) outlining the responsibilities of media during the campaign, aiming to ensure balanced coverage, voter awareness and avoid incitement, with a key provision being only reporting results when announced by the NEC. The MCC is overseen by a committee including representatives from SOLJA, the Minister of Information, Culture, and Awareness, the Somaliland WIJA (Women Journalists Association), and legal experts and professionals. While the MCC was signed off only in early November, this followed consultation with SOLJA and other media stakeholders.

The MCC is a rare example of media regulation of a sort in Somaliland. By international standards, there are important absences: no independent media body or broadcast authority dealing with licensing, and the current media law does not include broadcast or online/social media, with a new law to address this not certain. Laws and regulations to guarantee political parties and associations a certain level of free advertising while campaigning do not exist. In particular, paying for access to media is common, with parties paying for exposure on social media and paying their own journalists, as political parties and associations informed the mission.

⁸⁴. Art. 32(1) and Art. 32(2) of the Constitution which are complemented by Art.3(a) and Art.3(b) of the Press Law 2004

⁸⁵. <https://rsf.org/en/three-journalists-held-incommunicado-and-tortured-somaliland>; <https://cpj.org/2024/01/somaliland-journalist-mohamed-abdi-sheikh-detained-after-discussing-diplomatic-row/>. The penal code dates to 1964, contains criminal offences that limit freedom of expression and media, including insulting a public officer or institution (Art. 268/1), and defamation with three-year prison sentence maximum sentence (Art. 452/3).

11.4 Media monitoring

Media monitoring was carried out throughout the campaign with SOLJA running one project, and NEC partnering with NIMD, measuring coverage over parties, fairness, misinformation and disinformation in the state media and the ten largest private media outlets in Somaliland.⁸⁶ NIMD also supported SOLJA and WIJA in training journalists on election reporting.

The mission's discussions with political parties and associations indicate they generally regarded the election media coverage as balanced and fair. The mission's own monitoring, which commenced from late October, also indicated that the media reported with balance and covered political developments and issues, generally following the MCC. This included state media, which has a special responsibility to do so. However, balance is relative in Somaliland's paid-for media environment, as shown by IEOM monitoring of the state networks (SLNTV and Radio Hargeisa), with larger levels of coverage for some political parties and associations, notably Kulmiye, Waddani and Kaah.

SOLJA informed the mission that its own monitoring indicated media generally followed the MCC, including media that had not signed the MCC. While there was much social media about possible results ahead of the announcement from the NEC, this generally came from sources other than the media, which mostly followed this aspect of the MCC.

With informing and educating the public being a key election role of media, the media performed their role in voter education, with the NEC contracting with influencers, social media channels, and broadcast networks to spread its information and messages widely. SOLJA, in participation with NEC and NIMD, ran a voter education campaign in Hargeisa. On election day itself, the NEC operated a situation room (viewed by the IEOM), where media interviewed major figures and stakeholders, and NEC monitored media to counter any disinformation and to get its own information and messages out throughout.

Recommendations

- The Media Code of Conduct Committee needs to be appointed swiftly following an election date announcement. Once elections are announced, the MCC Committee can review the code to update/amend as needed, within a set period. Extend MCC and media monitoring to social media influencers (not simply journalists on social media).
- NEC should establish rules around paid-for media content, ensuring it is labelled as such, and provision should be made for a certain amount of free advertising for political parties and associations on state networks. In general, beyond elections, paid-for content should be properly labelled as such.
- NEC arrangements with the media for this election should be rolled over and extended, including the contracts with media and social media influencers to spread NEC information, and the separate media monitoring and media training projects. There need to be more formal arrangements between NEC and media to implement voter education and information on a far wider basis.
- Criminal offences in the Penal Code that affect the media and run contrary to the freedom of expression guaranteed by the Constitution should be repealed. Defamation should be dealt with as a civil matter. In particular, the media law reform process (which currently includes a draft law) should be prioritised, and it should cover broadcast, online and social media.

⁸⁶. State media: Somaliland National TV, Radio Hargeisa. Private media: Horn Cable TV, MM Somali TV, Saab TV, Bulsho TV, Universal TV, Sahan TV, Sky Cable TV, Horyaal24 TV, Eryal TV, CBA TV

12. Election Day

The IEOM deployed 28 observers to follow the final stages of pre-election preparation, the opening of the polling stations, voting, the closing of the polling stations, the counting of votes, the transmission of the results from polling stations to district centres and the tabulation process in district centres. IEOM observers were present in all six regions of the country on election day.

12.1 Opening of polling stations

The IEOM observed the opening of twelve polling stations in six regions. Nine of these (75%) opened late, one (8.3%) had essential material missing (the record book), and in only six polling stations (50%) were the correct opening procedures followed. At all locations, the IEOM observed a calm atmosphere, and that police or security forces were present outside. In a large majority of polling stations (85%) party agents were present, although domestic observers were present in only five (42%). In two cases (17%), unauthorised people were present inside the polling station. IEOM observers judged that the opening process in nine of the 12 polling stations (75%) was good or very good.

12.2 Voting

The IEOM observed voting in 146 polling stations, spending approximately 30 minutes observing voting in each location. Polling procedures were properly followed in 65% and observers assessed the polling process to be good or very good in 84%. Party agents were present in all the polling stations visited but domestic observers were present in only 19%⁸⁷. Polling was suspended in many places to allow for lunch and praying - this was not foreseen in the procedures. Campaigning during election day by different parties was observed all over the country, although largely by parties/associations in their strongholds.

In the polling stations where the IEOM was present, 37% of polling staff and 34% of party agents were women with noticeable variances between different districts⁸⁸. The IEOM observed that only 60% of polling stations were suitable for independent access by voters with mobility disabilities. Voter information was assessed as good or better in 69% of polling stations. Overall, the IEOM did not observe any serious irregularities or electoral malpractice. However, the NEC's instructions that the chairperson of the polling station should assist voters if requested and show the completed ballot to party agents means the secrecy of the vote was in many instances not guaranteed.

⁸⁷. Domestic observers were only present in regional capitals

⁸⁸. For example, for polling staff: Hargeisa 61% versus Saylac with 0%; party agents: Hargeisa 46% versus 7.5% in Saylac

The IEOM's assessment of the Biometric Voter Verification Systems was positive when it worked but the system was not operational, due to various technical difficulties, in a significant number of polling stations. As manual voters' lists were also being used, this did not have an impact on the integrity of the vote. A number of voters were visibly under-age, with one of them telling our observers that he was 11 years old. Voter identification and verification was at times challenged by the inferior quality of the photos on the voter list printout at polling stations. This mostly concerned voters rolled over from the previous voter registration exercises to the current register. In almost all reported instances of voters being turned away, they were quickly directed to the queue for their correct polling station by polling station staff.

The IEOM found that voters were generally able to cast their ballots free from intimidation, violence or administrative interference and without fear of retribution.

12.3 Closing and counting

The IEOM observed the closing of and counting in twelve polling stations. The overall assessment for the closing was good or very good in 75% of polling stations although in some polling stations, staff found the forms too complicated. Counting was very slow in some places although overall, IEOM observers assessed counting as good or very good in 73.3% of polling stations.

Once counting was completed at the polling station, the party representatives were given a copy of the presidential election and political party vote results, and the chairperson went to the district tabulation centre to deliver the results protocols. No results were posted at the polling station.

12.4 Tabulation

Tabulation was managed in different ways in the various districts observed by the IEOM. While some districts started immediately after receiving all polling stations results with tabulation, others decided to start the next morning. Some district tabulation centres had simultaneous tabulation for presidential election and party vote in various tables, while others had only one table and moved first to tabulate presidential and later party votes, which delayed the results considerably.

The results from Polling Station protocols often had numerical mistakes related to the number of ballots issued, number of voters and number of invalid and disputed votes. The totals did not add up on many occasions. The numbers seen by IEOM observers were usually in single figures but sometimes higher. It was explained that these mistakes were due to various issues. One was that before opening, polling station staff assumed the number of ballots received was equal to the number of ballot books they received, each containing up to 50 ballots. This was not the case, as some books contained far fewer ballot papers in order to equal the number of registered voters. Another issue was the fatigue of essential polling station staff, especially because many of them had moved from a different region to their polling station the night prior to elections.

The equipment used for tabulation was in some cases not functioning well due to technical issues with the software and/or internet.

Recommendations

- To ensure the secrecy of the vote for illiterate voters and others that request assistance is upheld in Somaliland, best practice from other countries should be adopted in future elections. It is especially important to ensure the ability of voters to express their wishes without experiencing perceived or actual pressure to vote one way or another.
- Assess the extent of the underage voting issue, and based on this assessment, employ targeted activities to address it.
- To increase the transparency of the election results, a copy of the results should be posted outside each polling station after they have been finalised by polling station staff.
- Deliver training programmes for polling station staff as early as possible, include an interactive collaborative problems-based learning approach and not just classroom-based training, and ensure staff are housed as close to polling stations as possible.



Gar Adag, 12 November 2024. Credit: Andrea Klingel.











13. Final results

While the NEC is the only actor allowed by law to release results, immediately after the counting was finished at polling station level 'results' started to appear on social media platforms. It can safely be assumed that party agents were the source as they were the only ones, other than the election administration, with copies of the results. This created a complex situation, as the NEC was not able to confirm or deny the results being circulated, as they did not have a system in place for transmitting the results from the polling stations to the NEC HQ and had to wait until results were tabulated at district level. This meant that in reality there was a delay of several days between the unofficial results being declared and the NEC confirming them⁸⁹. If the results had been very close, this could have been very problematic and put significant pressure on the NEC.

Political Party Vote

Total votes	Turnout	Valid votes	Invalid votes
646,188	52.66%	630,812	16,032

Votes received by each political party or association

Party or Association	Votes received	
Barwaaqo	16,852	
Hilaac	59,569	
Horseed	78,218	
Kaah	131,507	
Kulmiye	108,100	
Rejo	2,083	
Shacabka	2,014	
Talo-wadaag	6,080	
UCID	10,105	
Waddani	216,284	

Since no association or party secured 20% in every region, the National Electoral Commission officially declared the provisional results for the National Parties elections as: Waddani, KAAH, Kulmiye.

Presidential and Vice-Presidential Elections

Total votes	Turnout	Valid votes	Invalid votes
647,863	52.66%	638,126	9,528

Presidential and Vice-Presidential Elections - Result

Party	Number of votes	Proportion of votes cast
Kulmiye	225,519	34.81%
UCID	4,699	0.74%
Waddani	407,908	63.92%

Recommendation

- To allow the NEC to control the release of partial results, if needed, a communication system between the polling station chairperson and NEC HQ could be established.

14. National and international observers

14.1 National observers

National observation was carried out by the Somaliland Non-State Actors Forum (SONSAF), which brings together different interest groups such as Nagaad (women's organisations), SNDF (persons with disabilities), SOYDAVO (Youth) and the Adam Academy (minorities). They trained and deployed a total of 300 static observers ('static' as they stayed in the same polling station throughout the day).⁹⁰ 150 of these were deployed in polling stations in Hargeisa, while the other 150 were deployed in the other regional capitals (Boroma, Berbera, Burco, Caynabo and Erigavo). SONSAF observers transmitted information to their central HQ during Elections Day on the ongoing process via an application. Some of the observers had difficulties gaining access to the polling stations assigned, bringing the number of reports delivered to 272. In at least 23 instances observers were prevented from observing counting, either totally or partially. SONSAF released a statement of preliminary findings about the electoral process on 15 November ⁹¹, with a more complete report released in February 2025⁹².

14.2 International observers

International observation is regulated by the revision and amendment of the general law for national elections and voters' registration⁹³. The IEOM, the Inter-Religious Council of Kenya, the Brenthurst Foundation, an independent US team and a diplomatic presence from European countries observed the elections. Some of them were invited by the NEC, others by the Presidency or other political institutions.

The NEC requested national and international observer delegations to sign a Code of Conduct just six days before election day. This created some concern among observers as some of the stipulations could be interpreted as limiting the ability of observers to undertake their duties in an independent manner. Also, there were a few incidents at district and polling station level with officials not being aware of the rights of observers to be present, thus restricting their access to observe voting or during the counting of votes.

Recommendations

- The NEC should establish well in advance of elections a Memorandum of Understanding with the national and international observer delegations stating the rights and obligations of the NEC and the relevant delegation. Once signed, this information should be communicated to all NEC staff at national, regional, district and polling station level.
- Observation by civil society groups is crucial in a transparent electoral process. Civil society groups should plan to deploy sufficient observers and ensure they are present across the country and throughout the process by exploring all possible national and international funding opportunities.

⁹⁰. In addition, some regional trainers moved between polling stations

⁹¹. https://sonsaf.org/assets/uploads/file_pdf/bfb72f1986f9bb92ad46f2f79b37b4cf.pdf

⁹². <https://www.somalilandcurrent.com/wp-content/uploads/2025/02/2024-Election-Report-Final-Final.pdf>

⁹³. Law No. 91/2023, Art. 2,8,62,112,113,114,117

15. Appendix of recommendations

Legal framework and electoral system

- Given that elections have often been subject to delay in Somaliland and with the next parliamentary elections approaching, there is an urgent need to find a comprehensive solution that will provide the voters with their electoral rights to vote and be elected, which must be immune to the consequences of the immediate political dynamics. Such guarantees, be they legal or administrative, must, in practice, result in every eligible Somalilander being able to cast their ballot and stand as a candidate and every institution of Somaliland being in the position of competence to protect those rights proactively.
- The right to freedom of association cannot be restricted unless in extreme circumstances. The laws, administrative procedures, and practices must all be changed to allow Somalilanders to freely associate.
- The administrative procedure for registering political associations should be simplified. The legal and administrative registration processes must first be reviewed and the associations that went through the registration process for the 2024 elections consulted. This review and amendment could later be complemented by automation of some steps using communication technologies.
- Amend the law in line with the international human rights agreements to eliminate the limit on three political parties and allow independent candidates to run for office.

National Electoral Commission

- Plan for permanent staffing in all NEC departments to preserve institutional memory, including on gender and voter education, and establish a permanent presence throughout the country at district level to bring the institution closer to voters and CSOs supporting the electoral process at all stages.

Voter registration

- Review the methods of Voter Registration from the perspective of the voter. A voter-centred approach would increase public trust in the NEC and the electoral process in general. This must include ensuring that voters can receive their voter's cards while registering.
- Ensure that everyone in Somaliland of voting age and in all areas of the country can exercise their right to vote; the voter register should either be updated more regularly, closer to the elections, or voter registration should change to a permanent, rolling process.

Campaigning

- Allow for a longer official campaign period to enable a more competitive election campaign and less reliance on unregulated informal channels and allow voters to become better acquainted with the competing candidates, parties, associations and their policy priorities.
- Campaign finance regulations should be further developed, to require full disclosure and auditing of political party funding and campaign expenditure.
- Increase the fines, sanctions and penalties for those who break the code of conduct to a level that deters all parties and associations.

Voter education and information

- Voter education should target the various phases of the electoral process, including the importance of voter registration and the need to assess the candidates and parties based on their platforms. Voter information should focus a few weeks before the registration of voters and election day on the practicalities of how to register and to vote.

Inclusion of women, persons with disabilities and minority clans

- The Government should examine the electoral legal framework and remedy incompatibilities with the rights of all persons to stand for election, paying particular attention to legal provisions to enhance participation of women, members of 'minority' groups and PWDs.
- Political parties should support female candidates including through capacity building development, and by providing financial assistance. They should develop robust recruitment and training strategies and reform internal democratic procedures to ensure more inclusive candidate lists. This should include reducing or eliminating registration and candidate nomination fees for aspiring female candidates.
- Training should be provided to election officials on how to assist PWDs, ensuring an inclusive and respectful environment at all polling stations. Continued awareness-raising efforts are necessary to ensure that PWDs are aware of their rights and the support available to them during elections. Increase the number of mobility aids (wheelchairs, ramps, braille) and transportation services in future elections to cover a wider area and ensure that PWDs can access polling stations.
- NEC should assess how electoral procedures could be adjusted to facilitate the participation of members of minority clans, persons with disabilities and women. This could include data collection and analysis, and engagement with CSOs, stakeholders and political parties. Permanent structures such as a Gender Unit or a Disability Taskforce need to be established by the NEC to ensure best practice policies and programming interventions are introduced.

Media

- The Media Code of Conduct Committee needs to be appointed swiftly following an election date announcement. Once elections are announced, the MCC Committee can review the code to update/amend as needed, within a set period. Extend MCC and media monitoring to social media influencers (not simply journalists on social media).
- NEC should establish rules around paid-for media content, ensuring it is labelled as such, and provision should be made for a certain amount of free advertising for political parties and associations on state networks. In general, beyond elections, paid-for content should be properly labelled as such.
- NEC arrangements with the media for this election should be rolled over and extended, including the contracts with media and social media influencers to spread NEC information, and the separate media monitoring and media training projects. There need to be more formal arrangements between NEC and media to implement voter education and information on a far wider basis.
- Criminal offences in the Penal Code that affect the media and run contrary to the freedom of expression guaranteed by the Constitution should be repealed. Defamation should be dealt with as a civil matter. In particular, the media law reform process (which currently includes a draft law) should be prioritised, and it should cover broadcast, online and social media.

Election Day

- To ensure the secrecy of the vote for illiterate voters and others that request assistance is upheld in Somaliland, best practice from other countries should be adopted in future elections. It is especially important to ensure the ability of voters to express their wishes without experiencing perceived or actual pressure to vote one way or another.
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Final results

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National and international observers

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