



Comparison between Clan Nominated Local Councils and Democratically elected Local Councils: Cases of Eyl, Ufeyn and Qardho

REPORT
JULY, 2022



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INTRODUCTION

The Puntland State of Somalia was founded on the idea of a Federal Somalia with a vision of resource and power sharing and ultimately bring services closer to the citizens through a decentralized system of governance. The Puntland Constitution, art. 120, stresses decentralization by dividing the state into regions and districts. To accelerate the implementation of decentralization system, the first step was to adopt the local government law 'Law No.7' in 2003.

According to Law No.7, Puntland is made of nine (9) regions with 54 districts. The districts are categorized into A, B and C, and under the districts, there are settlements and villages. Since the Law was enacted, several milestones have been achieved including the establishment of the decentralization champion office, and Puntland decentralization policy with support of local and international partners especially the United Nations Joint Programme on Local Governance (UN-JPLG).

In 2005, the first local council was set-up in Puntland through a clan-based model where clan leaders in respective districts nominated council representatives. Despite all the successes towards governance and devolution of power to local authorities, there are still challenges facing Puntland decentralization process including clan-based nomination local councilors, financial constraints, low citizens' participation, and districts proliferation (PDRC, 2015). Moreover, the proliferation of districts has been coupled with dysfunctional district structures mainly crippled by limited finance and low levels of inclusivity in governance.

After several failed attempts towards Puntland's democratization process, 25th October 2021 marked a new historical move. Successful local council elections were witnessed in Qardho, Eyl and Ufeyn districts which are categorized under A, B and C respectively. Therefore, the 25th October 2021 was a historic day in Puntland when the electorates of these districts stood in long queues to vote in the first direct local council elections of one-person -One vote since 1968. A total of 46,839 voters were registered in these three districts where 23,707 (50.8%) were female and 59.4% were the youth between 18 to 30 years old.

These were voted from various political associations especially Kaah, Justice and Equity and Mideeye. It was a symbolic election and an important step towards universal election throughout the Puntland State as well as Somalia. The election was a pilot phase designed to train both citizens and authorities to exercise conducting a universal suffrage with resource and capacity constraints. The plan is to conduct local council elections in all the districts of Puntland.

It should be noted that despite exercising its mandate to declare successful candidates in the early election districts, the Transitional Puntland Electoral Commission (TPEC) found a roadblock when there was a delay to swear in the elected local councils in all the three districts. Although they had been democratically elected, it was difficult for them to exercise their duties before being legitimized by the swearing in process/norm.

This was however not a limitation caused by clan elders, but rather a challenge arising from encumbrances and internal bickering within Puntland’s central government.

It is against this backdrop that this paper will examine the difference between nominated and elected councilors in terms of gender, age, education level, and political programs. The paper also highlights the gaps and challenges encountered by the previously selected councils and the capacity building that newly elected councils require to overcome those challenges as well as building accountable citizen-oriented leadership.

METHODOLOGY

The study adopted a qualitative approach through Key Informant Interviews (KIIs). The study participants interviewed were both the nominated council members before the election, and the newly elected councilors. These are summarized in Table 1. In addition, the director general of the Ministry of Interior was interviewed since Local Governments fall under his docket. The data was collected and analyzed by x girls who were part of women empowerment and capacity building program conducted by PDRC and a Rotary Fellow.

Table 1: Summary of nominated and elected local council members interviewed

#	District	No.of Local Council Nominations	Sample			
(A)	Elected Councils	Sample (B)	Total =A+B			
1	Eyl	23	21	27	25	46
2	Qardho	29	26	33	32	58
3	Uffeyn	23	13	27	25	38
	Total	75	60	87	82	142

Source: Field Data, 2022

Research Findings

Profiles Gender

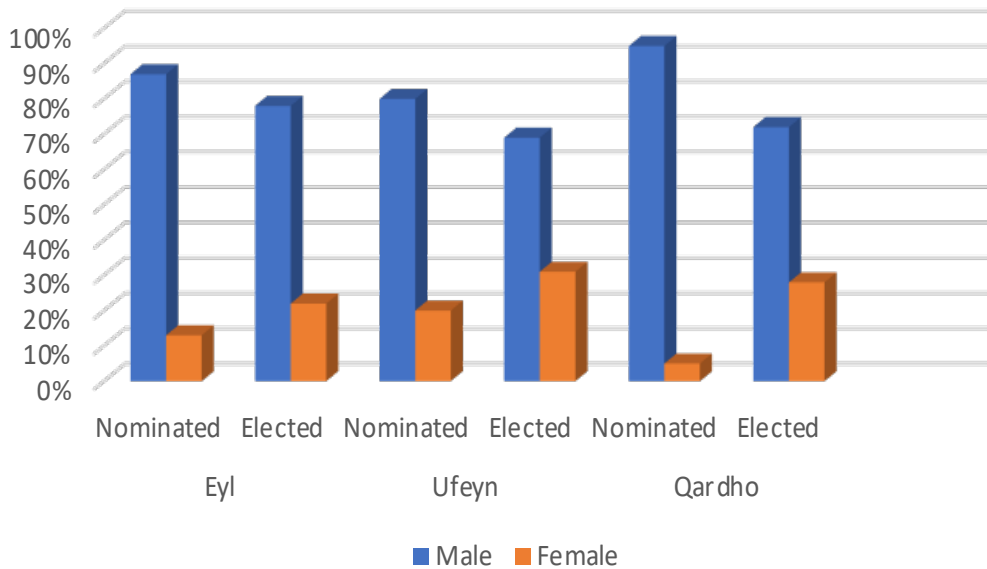


Figure 1. Gender representation in Eyl, Ufeyn and Qardho local councils

As can be seen from figure 1, there has been a decrease in the gender gap between the nominated and elected councilors in the three districts of Eyl, Ufeyn and Qardho. The hope that one person one vote (OPOV) can provide more opportunities for youth and women was felt within these two groups as they were marginalized by the elders of the traditional system of selection/nomination.

Furthermore, the closed list offered them opportunities as advocacy needed to be strengthened at political associations level alone as they were the ones providing the lists of their candidates. It is worth mentioning that TPEC as well as CSOs of Puntland largely worked on ensuring bigger gender representation within the list through an agreement of 1 in 3 candidates having to be women. With the massive civic education, awareness raising supported by the international community, and the mock elections conduction prior to the election day, the voter turnout was high.

Figure 1 highlights the changes from clan nomination to elections in Eyl where 6 women were elected compared to 2 that were selected through clans, this implying a slight increase from 13% to 22%. In Ufeyn district an increased from 20% to 31% is seen whereby 2 women previously represented the council compared to 8 now elected. Finally, the biggest shift and increase was felt at district level A of Qardho where women inclusion moved from a mere 2 (5%) to 9 (28%) largely due to high level of advocacy and mobilization of voters to vote for women.

Overall, it is clear that democracy has offered more seats to women, but the minimum 30% quota has been reached only for Ufeyn district, while Qardho is at 27% and Eyl at 22%, and overall average of 26% women in the three districts.

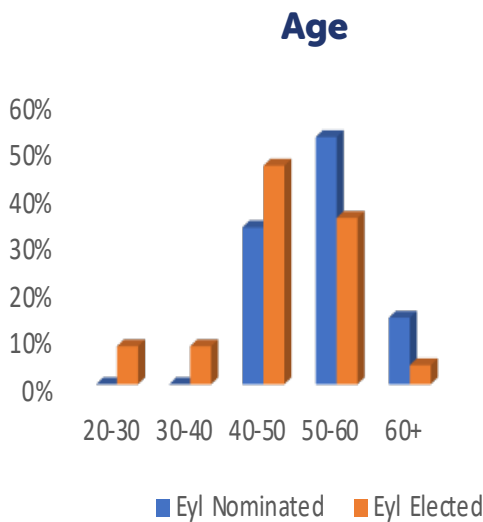


Figure 2. Age groups for elected and nominated council of Eyl

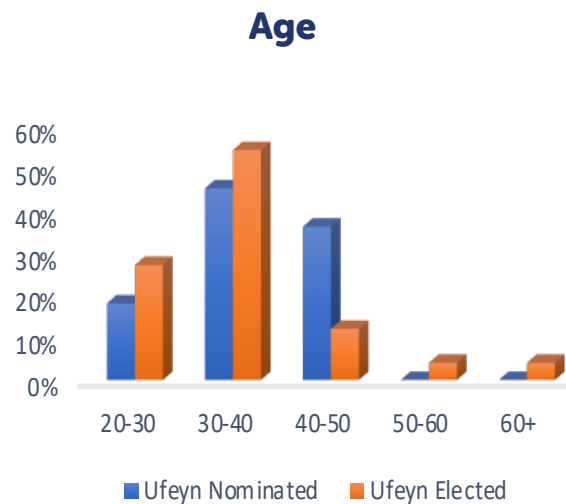


Figure 3. Age groups for elected and nominated council of Ufeyn

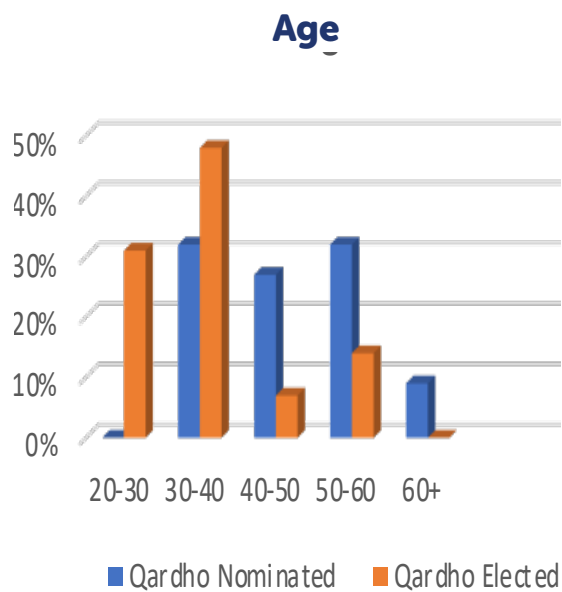


Figure 4. Age groups for elected and nominated council of Qardho

While youth are a majority of more than three-quarters in Puntland, they have been complaining of lack of inclusion and participation in politics. However, recently there have been positive indications with the most youthful parliament of Puntland with 20 of the 66 parliamentarians being under 35. Regarding the local councils of Eyl, Ufeyn and Qardho,

figure 2 represents Eyl's district 8% of the elected were between ages 20-30, another 8% between ages 30-40. Previously, there have been no members nominated from those group ranges. Another change can be noticed at 50-60 age groups and 60+ age group which were decreased from 52% to 35% and 14% to 4% respectively.

Finally, the age group 40-50 has seen an increase of representation from 33% to 46%. In the local council of Ufeyn (Figure 3), the age groups of 20-30, 30-40 and 40-50 were previously represented, there has been a slight increase in the percentage of representation in the two former groups with respectively 18% to 27%, and 45% to 54%, the later group 40-50 decreased from 36% to 12%. Finally, the older groups ages saw new representation of 4% each.

The biggest shift for youth inclusion occurred in Qardho (Figure 4) with 31% of the elected councilors from age group 20-30, while previously there were none. Age group 30-40 experience an increase from 32% to 48% but there has been a steady decrease in remaining age groups with age group 40-50 having 20% decrease, age group 50-60 decreasing from 32% to 14% and finally 60+ having no more representation in Qardho compared to the 9% they previously had.

All in all, the democratization process has given more representation to youth in the three districts, while older groups have been losing their seats and representation. It seems that Puntland districts will be seeing younger councilors with this new process.

Education level

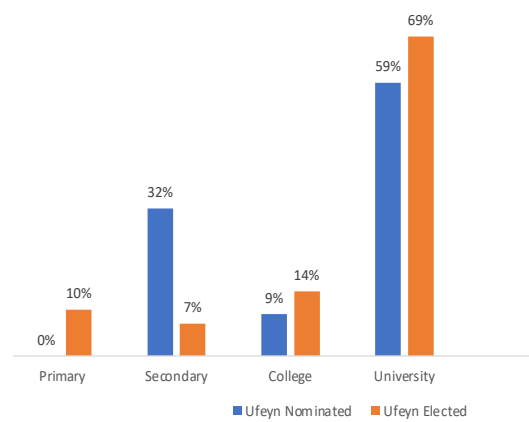
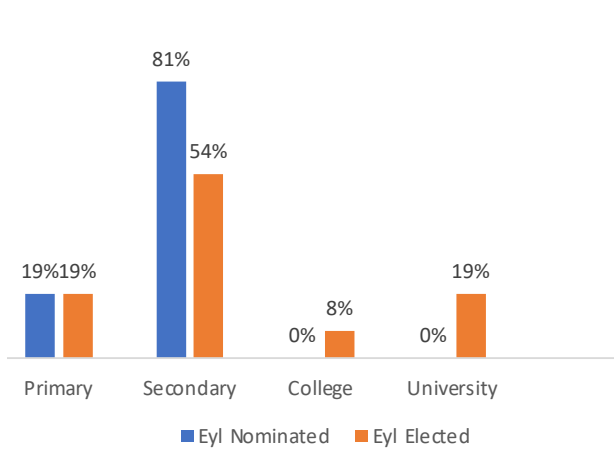


Figure 5. Educational level for elected and nominated council members in Eyl

Figure 6. Educational level for elected and nominated council members in Ufeyn

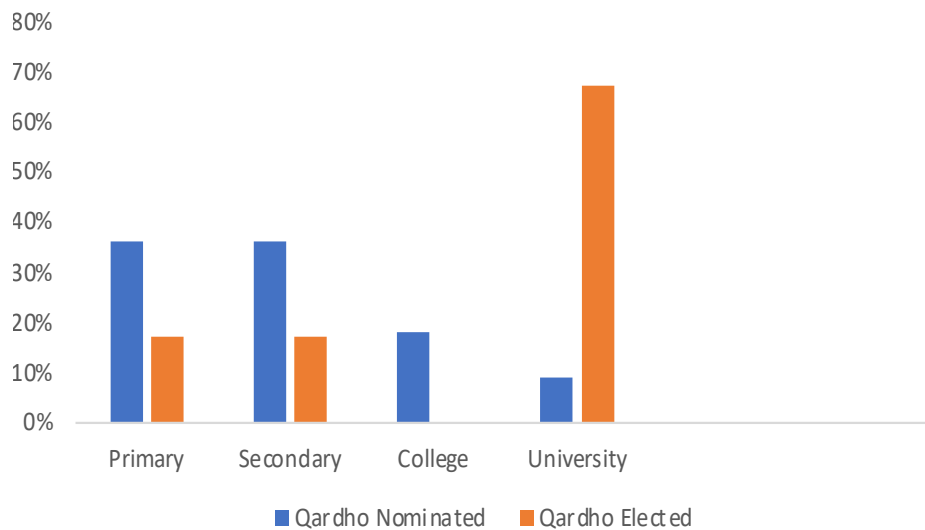


Figure 7. Educational level for elected and nominated council members in Qardho

The local council election results

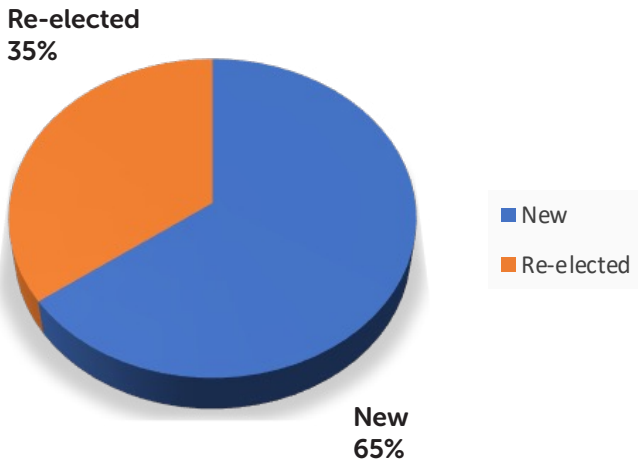


Figure 8. Re-elected and newly elected members in Eyl local council

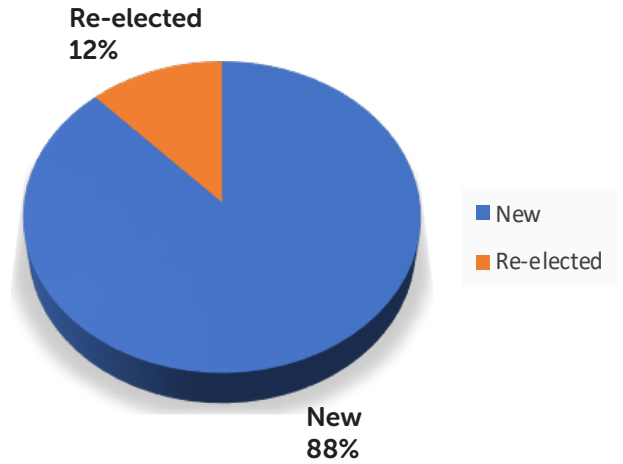


Figure 9. Re-elected and newly elected members in Ufeyn local council

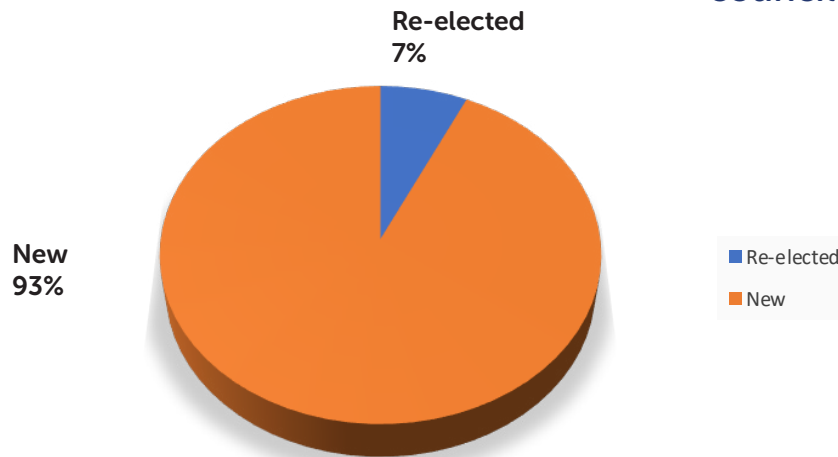


Figure 10. Re-elected and newly elected members in Qardho local council

Level of education is a change that was felt in the criteria for selecting candidates within the political associations, with primary level certificate being the minimum requirement. In the previous model of clan-based selection by elders, education was not emphasized, as can be seen through the figures 5-7. For Eyl, the nominated councilors had primary or secondary level education, none had college certificate let alone university degree. In Ufeyn, 59% of the nominated councilors were university graduates, 9% had a college certificate and 32% secondary.

In Qardho, the majority (36% each) had primary and secondary degrees, 18% had college certificate and only 9% were university graduates. Through the multi-party system, the bar of education level has raised significantly with more members having university degree.

In Eyl, the increase was from 0% to 19%, in Ufeyn increased from 59% to 60% and finally in Qardho from 9% to 67%.

The following figures 8-10 show the percentages of re-elected councilors compared to the new ones in the three districts. Eyl has the highest number of re-elected councilors with 35% of the new councilors having held that position, 12% of the councilors were re-elected in Ufeyn while Qardho has changed all but 7% of its councilors.

When the newly elected councils in the three districts were asked about their political experience, it seems that most of the elected council members have no political experience at all, with 77% and 80% of the elected councilors in Eyl and Ufeyn having held no significant political office in the past. Qardho's number is smaller with 62% having no experience. This together with the low level of re-elected councilors show that the OPOV system has allowed for new faces to take over, it also shows the difference in the selection criteria between the elders and political associations. It is worth mentioning that according to the PA's, they selected the candidates based on a scale of knowledge, influence, and leadership skills.

The minimum requirement was a primary school certificate. Some were selected based on their long-term experience in public service, and reputation within the community. While the representatives believed that tribe was not an influence in the selection, it is worth noting that though limited compared to previous power-sharing mechanisms, tribal representation was still a factor in the list forwarded by the PAs. Finally, another shift we noted was the increased commitment by the PAs to include women and minority groups within the lists (PDRC, 2022).

Political Programs of the elected councilors

Despite party politics and political programs, all the elected council members in the three districts were interviewed about their personal political programs which they intend to implement and achieve in their first term in the council. The following figures 11-13 summarize the core political programs that council members in these districts have shared with us.

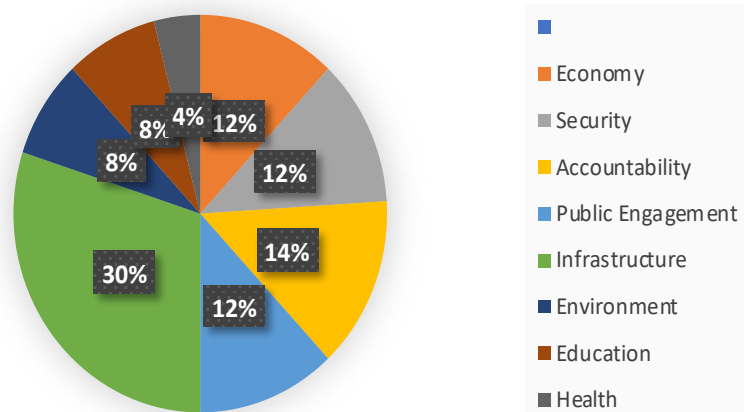


Figure 11. Agenda of local council members of Eyl

According to Eyl elected councilors, the biggest program they want to achieve in their district is infrastructure improvements (30%), followed by increased accountability (14%), economic, security and public engagements followed with 12% all. Environment, education, and health are not priorities for the councilors with 8%, 8% and 4% respectively.

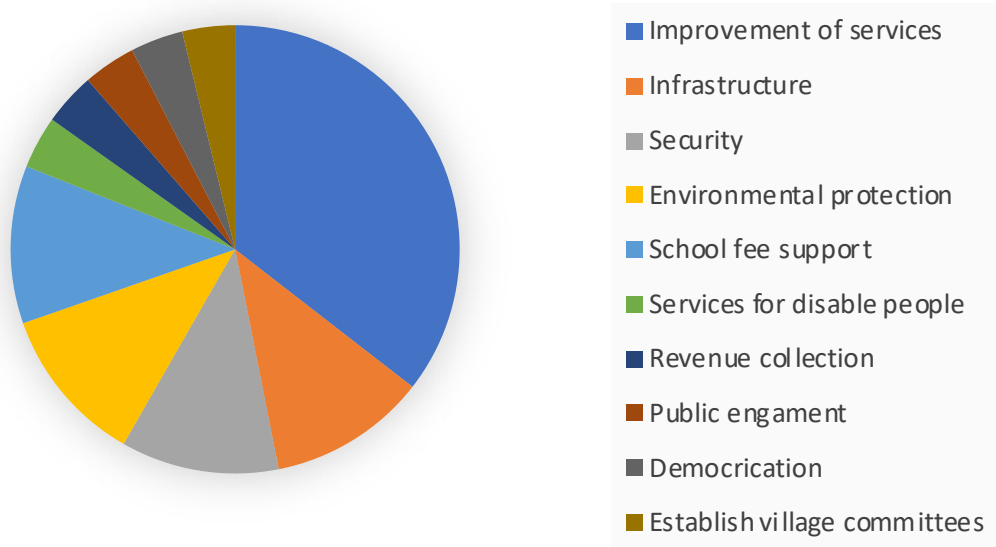


Figure 12. Agenda of local council members of Ufeyn

In Ufeyn, the elected councilors emphasize improving public services, education, health, and sanitation (36%), this is followed by infrastructure, security, environment, and school fee support for low-income families with 12% all. Notably, care for people with special needs was only mentioned in Ufeyn (4%) which is a service completed neglected in Puntland.

The political program of the elected councilors together with the party’s agenda shows a shift in needs-based programming for the councils. The previously nominated candidates did not have the pressure of popular mandate and as such were not proactive in their roles. The agenda will also allow for transparency and accountability to be in place within the three districts.

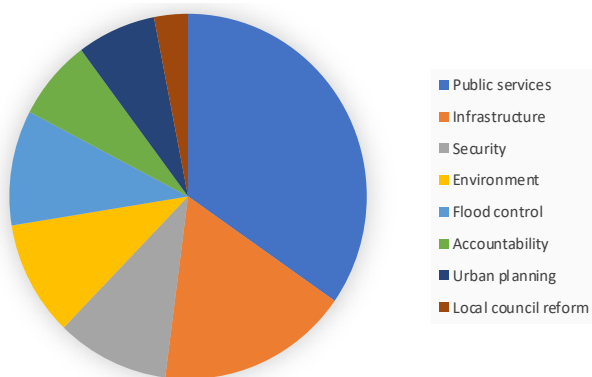


Figure 13. Agenda of local council members of Qardho change this

In Qardho, 34% of the elected councilors consider improvement of public services as a priority, this is followed by infrastructure 17%, building flood control system in risk areas, environment, and security each scored 10% for priority level.

Capacity Building

The elected council members in the three districts were asked to prioritize the capacity building needs that will allow better service delivery and their reaching the milestones of their political programs for the districts. The table below summarizes the capacity building programs that the respondents have listed. We categorized as “Highly recommended” when members from all the three districts showed some interest of that particular program, “Recommended”, if members from at least two of the districts raised it as a useful capacity building program.

Table 2. Capacity building programs proposed by the elected council members

Capacity building programs	Highly recommended	Recommended
Local council duties and responsibilities	X	
Managing political differences (within the party or/and the council)		
Teamwork	X	
Revenue collection system		
Development of political programs		X
Good governance		X
Legal issues		X
Communication and Public engagement		X
Democratization		X
Service delivery planning	X	
Environment protection		X
Budgeting and project planning		X

The following needs should be considered when institutions (local and international) are providing capacity building to the 3 elected district councils.

Challenges and Gaps Identified

According to the previous council (nominated council), there has been several structural, leadership and individual capacity challenges that have prevented them from functioning. These challenges were common in all the three districts, see table 3 below:

Challenges in the previous council
Role Conflict between Ministries and Local Councils
Weak organizational structure which led to incapacitated local council
Lack of transparency and accountability
Corruption
Land dispute conflicts
Low revenue collection and limited financial support from the government
Environmental /climate change problems

Table 3. Challenges in the nominated clan-based local councils in Qardho, Eyl and Ufeyn

This data provides a chance to the democratically elected local councils to put in place mechanisms that would limit these challenges. The relationship between local council and state should be clear, the local councils should also seek to improve its structure and improve working relationship between the councilors and other governance structures and citizens. The elected local council should put in place mechanisms that ensure transparency and accountability of their work to the citizens who elected them, this should in turn limit corruption. Finally, the elected councilors will require trainings on reconciliation and land management, revue collection as well as limitation of environmental risks.

Conclusion and Policy Recommendations

The democratization process of Puntland gave the early elections districts of Eyl, Ufeyn and Qardho the opportunity to showcase the difference in representation between clan-based nomination process and democratically elected one. While the minimum quota of 30% has not been reached, women have gained more seats in the three local councils, thus reducing the gender gap with 26% of women represented. Youth have also gained many seats, particularly in Qardho where there were none to now 31%. In general, there has been an increase in the age group 20-30 in all the districts. Education has been a key component for the political associations in their lists, this can be seen with a huge increase in councilors with university degree. Finally, democracy has given a chance to new faces to represent their councilors, many with limited experience but a strong vision for their district.

The following are the policy recommendations:

- As most of the elected councilors lack experience in local council work, CSOs, INGOs and MoFAD should provide them with induction trainings that strengthen the gaps identified in the previous council and cover the capacity building needs shared by the new councilors
- To avoid, ministerial interference in the work of the councilors, there is a need to develop a national local council's administration charter that will secure the independence of the councils which will include the administration, operations, decisions meetings procedures, as well as the administrative statute that is not defined in local government law.
- The State Government should allocate funds for local governments within the State Budget in each financial year. For the local council to perform in service delivery, revenue collection and increasing job opportunities in the district is key. The elected council require not only training but also support in developing financial management procedures as well as job creation plan and funding.
- To increase transparency and accountability, and reduce corruption, the elected councilors should create an inclusive and dynamic relationships with the different groups of citizens by holding regular council meetings, sharing the discussion points and decisions through public engagement platform, providing citizens discussion platforms, and sharing of working budget and plans.
- Develop climate change mitigation and adaptation strategy for the local councils.

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ABOUT **PDRC**

Puntland Development & Research Centre (PDRC) is a successor body of former War-torn Societies Project International (WSPI), which operated in Puntland during 1997–99. On October 30, 1999, the center was founded as an independent, nonpartisan, nonprofit research institute dedicated to peacebuilding, promotion of democracy and respect for human rights. PDRC is now celebrating its 20th anniversary in which the centre has accumulated 20 years in research development, policy advising and educating / awareness raising.



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