

# Report on the South African Mission on the Somaliland Presidential Elections

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## Report by the South African Mission on the Somaliland Presidential Elections – Part 1

by Claude Kabemba, EISA

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### Executive summary

The team of South African Observers is pleased to have observed Somaliland's first democratic presidential elections, held on the 14th April 2003.

Three political parties contested these elections:

- Kulmiye (Solidarity) party with Ahmad Muhammad Silaanyo;
- Unity of Democrats Party (UDUB) with the incumbent President Dahir Riyale Kahin and
- Justice and Restoration Party (UCID) with Faysal Ali Wahabe.

The team commends the people of Somaliland for their conduct on Election Day and for the generally calm atmosphere in which polling took place.

Overall the presidential elections were conducted in a peaceful and tolerant manner. Thousands of Somalilanders responded enthusiastically, often forming long lines at the opening of polls.

Somaliland's 2003 elections mark another historic step after the Local Elections held in December 2002, in the process of democratisation of a country still fighting for international recognition. The National Electoral Commission of Somaliland is commended for its role in the conduct of the elections despite the challenging socio-economic conditions under which they took place

The team of observers welcomes the degree of professionalism and impartiality displayed by the commission and its staff.

The people of Somaliland voted for what they believe in, the building of a democratic Somaliland.

Members of the observer team were drawn from various research institutions, Universities, media and a political party.

The team was invited by the National Electoral Commission of Somaliland to observe the presidential elections. The team's objective was to assess all relevant aspects of the elections and make recommendations to the electoral commission to help it improve on future administration of elections.

The team attended briefings and presentations by the NEC, representatives of various political parties, NGOs, media representatives and academics. This was done in one day of extensive interaction. The discussion helped members of the team to get a background on the historical, political and socio-economic situation of Somaliland. It also gave a reasonable picture to the team of the pre-election environment. The team did not observe this phase of the election process and thus abstains from commenting on it.

### **Terms of Reference of the observer team from South Africa**

The South African team arrived in different groups. The first two members, Roshnee Narrandes and Ilona Tip, arrived on April 4. Claude Kabemba, Iqbal Jhazbhay, Yusuf Gabru, Shannon Field, Emma Sandahl and Jean Jacques Cornish followed them on April 11. David Monyae and Nomzamo Khumalo arrived on the eve of the elections.

The team's mission was to undertake training of political parties' election agents and observe the relevant aspects of the conduct of elections. The ultimate goal was to make recommendations to the NEC to improve on future elections. The team released an arrival statement that outlined its mission and objective.

### **Method of work**

This report reflects the final impressions of the South African observers. The team arrived too late to report on the pre-election phase. An electoral process has three phases: the pre-election phase, polling and the post election phase. The pre-election phase includes

- scrutiny of the electoral law,
- voter registration,
- voter education,
- party registration,
- election campaign,
- media coverage and
- the overall logistics, including the distribution of election materials.

This phase is as important as the next two phases.

Views expressed in this report cover only the polling day and the counting and tabulation in the post election phase observed by the team.

## **Opening of the polling Stations**

On April 14, 2003 the observers arrived at polling stations well before 06h00 to observe the opening procedures. Some voters arrived at the polling stations an hour early. All election stakeholders - polling staff, local monitors, party agents and security personnel - were present at the polling stations visited and voters were happy with the opening procedures.

While many polling stations opened on time, it is important to note that many more visited opened late. This was mostly because presiding officers believed that the opening time was 07h00.

## **Peaceful voting**

The observers divided into teams of two. Each pair visited at least 15 polling stations. There were 900 polling stations countrywide. The observations only cover the areas visited by members of team.

Five teams of two persons per team were deployed to five regions: Hargeisa Region, Hargeisa City, Awdal, Saaxil and Togdheer.

In general, all polling stations were peaceful, the atmosphere was electrifying, and lines were long for men and women. The South African team observed many dedicated polling officials, who executed their responsibilities in a professional and impartial manner. At few polling stations, however, there were officials who had difficulties in maintaining their professionalism. There were no problems with people standing in line waiting their turn to vote.

Women were represented among the staff at the polling station - some even as presiding officers - and party agents. The team noted the strong presence of party agents and local observers. There were also many young people among the local observers who seemed comfortable with what they were doing and who were not afraid to speak out when they thought they saw something wrong. At most polling station, there was good communication between electoral official and party agents and observers.

The team observed a strong presence of security personnel at each polling station. Regulations provided that the security officers should remain outside the polling station. Due to the limited number of election staff available, particularly in the city polling stations observed, security played a large role in managing voters. This entailed controlling the queues both at the entrance and inside the station.

In some instances the security personnel were aggressive to voters. We observed a group of women being "held" for allegedly trying to vote twice. An officer shouted at them and banged his stick on the table. Sometimes security forces entering the polling stations obstructed the free movement of voters. The security forces were allowed to enter whenever they wished. They sometimes intervened to prevent multiple voting.

## **The voting process**

The pattern of voting was similar in all polling stations. Before entering the polling station, an indelible blue ink was applied on one of the fingers. Some officials marked the left-hand little finger according to regulation. Others marked a thumb or the right-hand little finger. Upon entering the polling station voters' names were entered in a register. The presiding officer then issued the ballot paper.

Voters unable to mark their ballots were assisted by the agent of the party they intended voting for. The party agent marked the paper and handed it to the voter to place it in the ballot box. Sometimes the party agent himself/herself put the marked paper in the box.

Presiding officer's role of handing out ballot papers gave them no time to manage polling stations. It was impossible for them to respond to everything happening inside and outside the station. For example, it was difficult to ascertain which youngsters had attained the voting age of 16 because many young people turned up to vote.

The team believes that the absence of voter registration will continue to pose problems to the integrity of the electoral process in Somaliland. Without registration there is no credible control mechanism to prevent multiple voting.

The observers noted the presence of vehicles with posters of candidates in the vicinity of the polling stations. The electoral law prohibits political campaign 48 hours before elections.

Gender representation was not balanced. Men were more widely represented among polling staff. However, considering the prevailing culture in Somaliland where women were only recently allowed to participate in political affairs, there has been progress in ensuring women representation. In some areas such as Burro and Erigavo women were staffing polling stations as party agents but very seldom as presiding officers.

All Somalilanders interviewed were happy with the electoral process. The team observed problems with suitable voting venues. Rural stations used available space better than city stations that struggled with cramped conditions.

### **The secrecy of the ballot**

There was very limited secrecy in the voting process. The voters, in many cases, did not use the polling booths. They used the presiding officer's desk to mark their ballot papers in view of everybody and immediately put it in the ballot box. In other cases the opposite was happening. The voter received his/her ballot paper; he/she marked it in front of the presiding officer and then went to put it into the box, which was placed in the polling booth.

Only in rare cases did voters receive their ballot papers and immediately move into a polling booth to mark and fold the paper in secrecy. In several stations there were cases when the voter was told to leave before the agent had completed the ballot and the agent placed it in the box.

It was not compulsory for voters to move away from the desk to mark their ballot papers. Maybe this has to do with the understanding of secrecy in Somaliland society. Somalilanders generally believe that in a multiparty democracy there is no need to cast your vote in secrecy. Normally, the reason voters are requested to vote in secrecy is not so much about any particular threat, but to avoid voters influencing each other in the polling station.

Most electoral officers understood what was expected of them at the opening, during the election and during the closing and the counting of the ballot papers. The voting process went swiftly in all the regions but this does not necessarily mean voters understood the ballot paper system. The speed of the voting process was largely due to intervention by polling staff and party agents in marking the ballot papers for the majority of voters. There is no doubt that most voters did not know much about the electoral process.

Another issue worth pointing out is the timing of inking and the quality of the ink itself. The messy ink distracted many voters who tried to avoid the ink marking their clothes while proceeding to cast their vote. When the inking was done before voting, it left marks on the ballot papers, which resulted in some votes being considered spoilt.

In general the people of Somaliland appreciated the presence of international observers. Presiding officers made observers feel comfortable and answered all questions asked to them.

### **Distribution of voting material**

The distribution of election materials was carried out efficiently by the NEC. However, during the day, the NEC was unable to quickly provide ballot papers where there was a shortage. For this reason many polling stations stopped processing voters soon after lunch, with hundreds of voters still in the lines. The team believes that many voters were disfranchised. In many cases the NEC failed to dispatch new ballot papers where they were needed.

The absence of voter registration made it difficult for the NEC to correctly estimate the number of ballot papers needed. It appears that the NEC did not print enough ballot papers.

The absence of identity cards and voter registration made every citizen a potential voter. We saw clear cases of under-age voters and many women were reluctant to state their age.

### **Counting and Tabulation**

All polling stations closed at 18h00 as required by law. The counting started immediately. At polling stations visited the counting process was generally efficient. The decision to amend the electoral law to enable counting at polling stations has greatly enhanced the transparency of this aspect of the process. Indeed, the decision to count votes at the polling station was a great decision. It sped up the process and reduced incidents of possible fraud during transportation of ballot boxes. In some polling stations, especially rural areas, counting took place by kerosene light.

In general, the tabulation process was well managed and conducted in the presence of enthusiastic, but disciplined party agents, observers and NEC staff. Consensus was reached on all "cancelled" ballots (that is, those issued during polling where voters made a mistake and requested a fresh ballot prior to the ballot being placed in the box). These were kept aside and recorded. Presiding officers and all political party agents signed the final documentation that was sealed in an envelope with an official stamp. The transparency of the process could be improved with more visible posting of results at the constituency tally centres.

### **Conclusion**

Most of the team left Somaliland before the end of the tabulation process. Nevertheless, it continued to monitor the process, as well as deliberations concerning complaints and protests. Before leaving the team released a press statement and held a press conference.

The team visited the three presidential candidates. Each of them expressed confidence about winning the elections. More importantly they reaffirmed their determination to accept the result of the elections. They all stressed that they would not do anything that would compromise the integrity, peace and stability of the country.

## **Recommendations**

The delegation of South Africans who that observed the 2003 Presidential elections on April 14, 2003 is of the view that the Election Day and the outcome reflected the will of the people and that democracy was served.

The National Electoral Commission of Somaliland is commended for the successful conduct of the election. The delegation also congratulates the NEC for the inclusion of women among polling staff as well as for the excellent manner in which the conducted the election at the polling stations.

- There is need for a coordinated, systematic and effective voter education programme prior to the next parliamentary elections. This is necessary to give citizens information on how to present themselves at the polling station and how to cast their vote.
- In the long-term with more staff on the floor it may be preferable for the chairperson to go to the booth with the voter and the three agents and have the voter indicate their choice rather than calling out loud in the station in the presence of all voters. However as indicated above this is not regarded as a problem by Somalilanders.
- Training of polling staff is primordial in ensuring the integrity of the process. The role of polling staff must be clearly defined in the electoral law. Senior electoral staff must be effectively trained in managing and arranging a station to maximise the use of space and in simple matters such as showing voters how to fold the ballot paper after completing the vote. Emphasis must be on the non-partisan role of the chairperson and the seriousness of oath taken.
- The role of the presiding officer needs to be redefined. Having four staff per station - particularly in the cities, makes the chairperson's task extremely difficult. In particular an election officer needs to be on the floor to assist with the flow of voters, and have an election officer at the ballot box.
- The NEC must ensure that each polling station has sufficient election material. Communication between the NEC and presiding officers needs to be improved.
- The NEC should find ways of improving on the quality of the ink. We also strongly recommend that for future elections the ink be applied after voting.
- Printing of ballot papers for the entire country must be done on a more reliable estimate of the number of potential voters. Voter registration seems unavoidable.
- Cognizance must be taken of the peculiar situation in Somaliland where voters appear to be quite comfortable with votes being cast on their behalf in this manner. It is not viewed as comprising the secrecy. However more effective voter education and information before the election informing voters of party symbols etc and encouraging them to remain to be watchful of where their vote is being cast is necessary to ensure that their choice is properly indicated.

- Security officers should execute effective crowd control outside and at the entrance to the station. This would assist the smooth flow of voters. They should also be trained in how to interact and engage with voters.
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## **Part 2. Report on Political Party Agent Training**

by Ilona Tip, EISA

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  - Training of party agent trainers
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### **Introduction**

EISA participated as part of a delegation of South African Observers to the Somaliland Presidential Elections held on the 14 April 2003. The Mission was made up of ten observers, three being drawn from EISA.

Two EISA representatives traveled to Somaliland ten days prior to the election for the purpose of putting in place the logistical arrangements for the observers and to contribute to the development and conduct of a political party agent training programme in association with the Academy for Peace and Development.

Shortly prior to the EISA team traveling to Somaliland, communication was received from the Technical Advisor Mission (TAM) in Hargeisa outlining a plan of action for training with proposed dates already in place. The EISA representatives were due to travel from South Africa on the 2nd April via Ethiopia to arrive in Hargeisa on the 4th April. Upon informing TAM of this, and given the time constraints, the Electoral Commission in collaboration with the Academy for Peace and Development had to commence with the training given the urgency of the matter. EISA was invited to meet with the Academy on the morning of the 5th April where the training concept was introduced and EISA's input requested. EISA was also invited to observe the various training activities in Hargeisa.

### **Materials preparation**

The EISA team met with Dr Bulhan, trainers of the Academy and Mr Manfred Gers, from the TAM. Mr Gers briefed the meeting on the intention of the training outlining that it would cover information on the voting process and electoral regulations as well as a capacity building programme to train party agents over a three day period.

EISA was advised that the intention had been for the trainers to depart for the various regions later the same day, but as they wanted to fully utilise the opportunity to share information and include input from EISA, they would leave the following day.

In preparation for the training, the Academy had prepared a summary of the electoral regulations as the basis for the proposed political party agent training. The Academy had requested an artist to illustrate through diagrams the voting process, to be used as a training tool. The session gave the TAM the opportunity to correct and modify any inaccuracies in the illustrations.

The session was also an opportunity for the trainers and TAM to clarify specific sections of the regulations. For example, clarification was required on how voters requiring assistance should be assisted, by whom, and what the role the political party agents would play in this assistance. Discussion around the steps in the voting process, the role of the security forces and how close they should be to the voting station as well as the inking process was also clarified in order to ensure that all the trainers presented standardized and accurate information.

The EISA team gave input and suggestions on additional information that could be included as well as suggested a methodological approach. The suggestions included information on the Code of Conduct and exploring an understanding of the concept of "free and fair elections". Suggestions were also made by the EISA team regarding the "Train the Trainer" component that could be considered and included in the training.

A suggested methodological approach for both the content and the Train-the-Trainer component using the participatory method that relies on a partnership between the trainer (facilitator) and the participants was tabled. The method draws on the experiences of participants with the trainer adding in additional information where necessary. Training tools including a mock election, small group discussions and an opportunity for the participants to practice as trainers was proposed.

EISA was requested to prepare a draft programme for further discussion and finalisation with the Academy. A programme suggesting times and activities was prepared, based on a one-day content training that participants would then be able to train, and another day covering facilitation skills, methodology and an opportunity for the participants to practice as trainers was prepared by EISA. The understanding from the meeting was that the additional suggestions that EISA was asked to prepare would feed into the programme for both the content and the train-and-trainer programme that the Academy in collaboration with the Electoral Commission had prepared.

A draft programme was prepared by EISA assisted by two of the Academy trainers, namely Artan and Jafar. This programme proposed that training commenced each day at 8h30 and concluded at 17h00. The EISA team was not informed that it would be best not to schedule training between the hours of 14h00 and 17h00 as participants would most likely not be available during this time.

EISA met with the Academy on the 6th April and clarified some of the suggestions and proposed use of training aids with the Academy trainers as requested.

## **Taining of party agent trainers**



The Academy allocated two trainers each for Burco, Boroma, and Hargeisa regions. Berbera participants were included in the Hargeisa training. One trainer was deployed to Erigavo.

EISA observed training in Burco, Boromo and Hargeisa.

The training in Burco took place on the 8th April and was conducted by Jafar and Abdiabokor. Participants included twenty-eight (28) men and four (4) women. The training commenced at 10h30 as the President of Kulmiye as well as the Vice President of Somaliland were in Burco and some of the participants were occupied with their respective parties. During the time that EISA observed the training, participants explored their understanding of what constitutes free and fair elections. Participants worked in small groups and reported to the plenary. From the translations it would appear that the groups held in-depth discussions and had a clear understanding of what constitutes a free and fair election.

EISA observed the training in Boromo on the 9th April, facilitated by Bobe. During observation by the EISA TEAM participants engaged in a mock election. This was a smaller group, consisting of men only. The participants had worked in small groups and there was extensive newsprint indicating their discussion on the code of conduct, free and fair elections and skills required by a facilitator to conduct training.

Artan and Su'ad from the Academy conducted training in Hargeisa. The Hargeisa training included participants from Berbera and was a large group of thirty-seven (37) participants included a few women. EISA observed this training later in the day on the 9th April. Participants were preparing their presentations for the practice session. EISA also observed two presentations that focused on the voting procedure with the participants using the summarized version of the electoral law prepared by the Academy. This session was also attended by members of the National Electoral Commission. The participants used the session to clarify questions and information about the election process.

From the observations of the training in these three centers, the Academy facilitators used small groups, discussion, and report backs as outlined in the programme. There appeared to be a high level of participation and discussion from the participants.

### **Party agent training**

Political party agents commenced with the training of their members from the 11th April. EISA was not able to observe this phase of the programme. EISA arranged to attend the afternoon training session on 13th April of the UDUB party agents. However on arrival EISA was advised that the training had been concluded at lunchtime and that no further training would be taking place.

EISA was advised however, that this particular session had been conducted by two trainers who did not utilise the methodology or training aids. It would appear that this was the case in other training sessions conducted by the other party agent trainers, as observed in Hargeisa.

### **Comments**

Given the time constraint in which the preparations, including the design of the programme, training of facilitators and the conduct of training took place, the programme was not as effective as it could have been. The Academy had only a few days to prepare a programme.

This limited the scope of their work and given the time pressure they were only able to summarise the electoral law for easy use by the party agent trainers and effect illustrations which the Academy trainers used to train the party agent trainers. Ideally a detailed trainer and participant manual would have been preferable with a full set of the illustrations for each political party trainer to work with.

The roll out time of the political parties also inhibited their ability to ensure that the training was effectively delivered as the training took place a few days prior to the election.

EISA in collaboration with the Academy and the Commission had a morning in which to give input and prepare a final document. A comprehensive facilitators training manual with the necessary training aids had not been completed when this session was conducted and the session could only be used to present ideas and suggestions. Given the time constraint, attention had been focused on preparing material on the electoral law which included the voting and counting process to ensure that the party agents were fully au fait with the process.

The facilitators identified by the Academy were experienced trainers who have conducted a range of programmes since the establishment of the Academy. Some of the trainers had had experience in the participatory training methodology and they were comfortable with the methodology. However there was a huge gap between the experiences of the participants attending the train-the-trainer programme and their utilization and roll out of the programme during their own training sessions.

Although two days were set aside for political party agents to carry out the training rather than the three days which had initially been proposed, the full two days were not utilized to the Somaliland customary break that takes place in the afternoons. Had participants been able to attend the sessions as envisaged, i.e. from 8h30 to 17h00 on two full days, as well as had they had a full training pack with training aids, the training of their respective agents would have been more effective. The Academy however put together materials, flipcharts, and other training aids for use by the party agent trainers which they trainers took with them to the respective training sessions.

The Academy had commissioned an artist to prepare illustrations for the Academy facilitators to use. These illustrations were a valuable and extremely useful training tool. Due to the lack of time, production of sufficient illustrations for all the one hundred and eight (108) trainers was not possible, thus the use of illustrations were not available to party agent trainers. It would have been extremely helpful to the party agent trainers had sufficient copies been available to them. However, working within the time constraint, the party agents were only able to be provided with the summary of the electoral law which is the material that they focused on. Without the illustrations and a composite trainers' manual outlining each step of the training procedure, party agent trainers in the main, did not roll out the training in the way in which it was demonstrated to them. Political parties were also under extreme pressure as the time available to them to conduct training was during the most intensive time parties had for the final leg of their campaigns.

Day 1 of the training focused on the content. During the training, participants were reminded by the Academy facilitators that they should use the same approach and format when they conducted the training. Day 2 provided them with an introduction to the skills that a trainer needs to conduct training and should have given them the opportunity to work firstly in pairs and then in groups of four where each group could use the opportunity to focus on one of the

activities of the training content and practice, presenting it in the same way in which the Academy facilitators had demonstrated. Unfortunately due to the time constraint the draft programme prepared by EISA and the Academy on Saturday 5th April was not translated and copied for distribution to the participants who attended the train the trainer programme.

It is understood by EISA that the political parties were provided with a budget to enable them to purchase flipcharts, markers and other materials that they would need and it would appear that this was not fully utilised.

It would have been preferable if EISA, the Academy and the Commission could have commenced collaborating on the programme design and preparation at least four weeks prior to training taking place to provide time for the facilitators to feel completely comfortable with the methodology and content as well as time to prepare manuals and training aids.

## **Recommendations**

In order to put in place an effective training programme it would be beneficial in the long-term to:

- Design and develop a comprehensive train-the-trainer and political party agent manual suitable for the country concerned;
- Print and prepare training manuals with sufficient training aids prior to training taking place;
- Conduct a two-day intensive training programme with the trainers who will be training the party agent trainers;
- Draft criteria to guide political parties in identifying potential participants to attend the train-the-trainer programme;
- Given the available time when participants are available train party agent trainers over a 3-4 day period, thereby ensuring that they effectively utilize the time for presentations and ensuring that they have a full understanding of both the content, methodology and how to use the training aids. Facilitators should work closely with them, if possible in groups of 25 participants to ensure that all participants fully understand the process;
- Participants should be available to commit themselves to full participation for the duration of the training programme.