

<b>Country/entity</b>	Somalia Puntland
<b>Region</b>	Africa (excl MENA)
<b>Agreement name</b>	National Leaders Forum Communiqué
<b>Date</b>	12 Apr 2016
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes

**Agreement/conflict level** Intrastate/intrastate conflict

### **Somali Civil War (1991 - )**

Originally spurred by centre-peripheral tensions, fighting broke out in 1981 between the regime of President Said Barre and the Somali National Movement, a militia primarily consisting of members from the northern Ishaq clan. Fighting intensified in the late 1980s as more clan-based militias arose. President Barre's regime collapsed in late 1991 and as a result the UN intervened. However persistent attacks on the UN's forces forced a withdrawal in 1994. From the mid- to late 1990s, the character of the conflict shifted as warlords fought for access to rents. Also during this period, two different peace agreements arose; the Soderre Declaration, which was mediated by Ethiopia and supported by IGAD, and the Cairo Accord, which was brokered by Egypt. Fighting, already noticeably lessened compared to the early 1990s, decreased and the more amicable environment paved the way for the Transitional Government to be formed in 2000 (replaced in 2004 by the Transitional Federal Government).

Nonetheless, opposition to the TFG arose in the form of the Islamic Courts Union (ICU), which by early 2006 had taken control of most of southern Somalia until they were ousted by an armed intervention by Ethiopia in December 2006. As a result, the ICU splintered. Hard-line ICU members formed the Takfiri organization, Harakat al-Shabaab al-Mujahideen, and launched a guerrilla campaign against the TFG. Another faction of the ICU fled to Djibouti and formed the Alliance for the Re-liberation of Somalia, which was absorbed into the ruling TFG after successful negotiations in 2007.

To deal with the new round of fighting, the UN-mandated AMISOM force was deployed in 2007. Since then, insecurity has fluctuated between the urban and rural areas as the al-Shabaab's territorial gains waver. Local militia leaders maintain de facto governance over communities. From 2009 to 2012, insecurity spilled over into the Gulf of Aden and the Indian Ocean when Somali pirates seized, looted and ransomed ships. In 2014, 'Operation Indian Ocean' was launched and in parallel with infighting among al-Shabaab, the organisation's position in Somalia has diminished slightly. However, as evidenced by large-scale attacks by al-Shabaab in northern Kenya throughout 2013-2015, the lack of security continues to destabilize the region. Al-Shabaab continues to launch surprise attacks with the aim of forcing out foreign military presence in Somalia. Targets include both military forces and civilians. The devastating attack in October 2017 in Mogadishu saw 587 fatalities and resulted in a renewed military offensive by the Somali government and African Union allies. Since 2017, the U.S. has increased its air strikes targeting al-Shabaab militants, and in December 2018 they announced to re-establish a permanent diplomatic mission in the country. Al-Shabaab has been characterized as a spoiler in the Somali peace process and have therefore been placed outside of any negotiations.

Close

Somali Civil War (1991 - )

**Stage** Framework/substantive - partial

**Conflict nature** Government/territory

<b>Peace process</b>	Somalia Peace Process
<b>Parties</b>	The participants included the President of the Federal Republic of Somalia, H.E. Hassan Sheikh Mohamud, the Speaker of the Federal Parliament, H.E. Mohammed Sh. Osman Jawari, the Prime Minister of the Federal Government, H.E. Omar Abdirashid Ali Sharmarke, the Deputy Prime Minister of the Federal Government, H.E. Mohamed Omar Arteh, the President of Puntland, H.E. Abdiweli Mohamed Ali, the President of Jubbaland, H.E. Ahmed Mohamed Islaan, the President of the South-West, H.E. Sharif Hassan Sheikh Adan, and the President of Galmudug, H.E. Abdulkarim Hussein Guled.
<b>Third parties</b>	-
<b>Description</b>	Agreement between the Somali Federal Government and the Government of Puntland outlining the formulation of electoral commissions on the state and federal levels, including provisions on the later abandonment of the 4.5 formula of power-sharing, power-sharing for the lower and upper houses and the modus for elections to be held in 2016.

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**Agreement document**      [SO\\_160412\\_NLF-Communique.pdf \(opens in new tab\)](#) | [Download PDF](#)

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## Groups

<b>Children/youth</b>	Groups→Children/youth→Substantive Page 2, PROCESS: Lower House: ... d. The electors will be drawn from the sub-clans sharing the seat and will represent the diversity of the relevant community, including civil society and youth. Each Electoral College will contain a minimum of 30% women.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.
<b>Migrant workers</b>	No specific mention.

<b>Racial/ethnic/ national group</b>	<p>Groups→Racial/ethnic/national group→Substantive</p> <p>Page 2, PROCESS: Upper House: ... i. Each existing and emerging Federal Member State will adopt its own formula for distributing its seats among its communities or regions in a balanced and inclusive manner, ensuring adequate representation of the minorities.</p> <p>Page 2, PROCESS: Lower House: ... d. The electors will be drawn from the sub-clans sharing the seat and will represent the diversity of the relevant community, including civil society and youth. Each Electoral College will contain a minimum of 30% women.</p> <p>Page 2, PROCESS: Lower House: ...g. The distribution of the 275 Members of Lower House of the Federal Parliament will be based on the clans/constituencies party to the formation of each existing and emerging Federal Member State.</p>
<b>Religious groups</b>	No specific mention.
<b>Indigenous people</b>	No specific mention.
<b>Other groups</b>	No specific mention.
<b>Refugees/displaced persons</b>	No specific mention.
<b>Social class</b>	No specific mention.

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**Gender**

<b>Women, girls and gender</b>	<p>Page 2, PROCESS: Upper House: ... g. 30% of seats in each existing and emerging Federal Member State will be identified and specially reserved for women candidates.</p> <p>Page 2, PROCESS: Lower House: ... d. The electors will be drawn from the sub-clans sharing the seat and will represent the diversity of the relevant community, including civil society and youth. Each Electoral College will contain a minimum of 30% women.</p>
<b>Men and boys</b>	No specific mention.
<b>LGBTI</b>	No specific mention.
<b>Family</b>	No specific mention.

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**State definition**

**Nature of state (general)** No specific mention.

**State configuration** Page 1, Electoral Process, Structures:  
a. The 2016 electoral process will be uniform. A two-level structure comprising a Federal Electoral Implementation Team (FEIT) and a State-Level Electoral Implementation Teams (SEITs) in each of the existing and emerging Federal Member States that will implement the process.

**Self determination** No specific mention.

**Referendum** No specific mention.

**State symbols** No specific mention.

**Independence/secession** No specific mention.

**Accession/unification** No specific mention.

**Border delimitation** No specific mention.

**Cross-border provision** No specific mention.

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**Governance**

**Political**

**institutions (new or reformed)**

Governance→Political institutions (new or reformed)→General references

Page 1, Electoral Process, Structures:

... d. The FEIT and SEITs will be formed as soon as possible and they will undertake all relevant preparations for the electoral process. Clear Terms of References (TORs) for FEIT and SEIT will be developed and agreed upon for by the NLF.

Page 2, PROCESS: Upper House:

f. The Upper House of Parliament will be established before the elections of the Lower House.

Page 2, PROCESS: Upper House:

... k. The Presidents of the Federal Member States shall duly sign the list of official members of the Upper House of the Federal Parliament for their respective States after SEITs forward the certified final results.

## Elections

Page 1, Preamble, 3. The National Leadership Forum (NLF) welcomed the agreement reached between the Federal Government of Somalia and Puntland State on 03 April 2016 and noted that it paves the way for the implementation of the 2016 electoral process, as well as for preparations for universal (one-person one-vote) elections in 2020.

Page 1, Preamble, 4. The Forum reiterated its commitment that there shall be no extension of the constitutionally mandated term limits of the legislative and the Federal Government. It called on all relevant entities to ensure the expeditious preparation and timely implementation of the 2016 electoral process and requested the assistance of international partners in this regard. Against this background, the NLF agreed on the following structures and modalities:

Page 1, Electoral Process, Structures:

a. The 2016 electoral process will be uniform. A two-level structure comprising a Federal Electoral Implementation Team (FEIT) and a State-Level Electoral Implementation Teams (SEITs) in each of the existing and emerging Federal Member States that will implement the process.

Page 1, Electoral Process, Structures:

... b. The FEIT will be composed of 17 Members where Five (5) members will be appointed by the Federal Government and two (2) members appointed by each of existing/emerging Member State.

Page 1, Electoral Process, Structures:

... b. The FEIT will be composed of 17 Members where Five (5) members will be appointed by the Federal Government and two (2) members appointed by each of existing/emerging Member State.

Page 1, Electoral Process, Structures:

... c. Each SEIT will comprise of 11 members; Eight (8) members appointed by the Federal Member State and three (3) appointed by the Federal Government.

Page 1, Electoral Process, Structures:

... d. The FEIT and SEITs will be formed as soon as possible and they will undertake all relevant preparations for the electoral process. Clear Terms of References (TORs) for FEIT and SEIT will be developed and agreed upon for by the NLF.

Page 2, PROCESS: Upper House:

f. The Upper House of Parliament will be established before the elections of the Lower House.

Page 2, PROCESS: Upper House:

... j. Voting for the members of the Upper House of Parliament shall take place in parallel, on the same days, across all Federal Member States.

Page 2, PROCESS: Upper House:

... k. The Presidents of the Federal Member States shall duly sign the list of official members of the Upper House of the Federal Parliament for their respective States after SEITs forward the certified final results.

Page 2, PROCESS: Lower House:

... e. Voting will take place in the capital or seat of government of each existing and emerging Federal Member State and Mogadishu, based on the geographic distribution of the seats.



<b>Electoral commission</b>	No specific mention.
<b>Political parties reform</b>	No specific mention.
<b>Civil society</b>	<p>Page 2, PROCESS: Lower House:  ... d. The electors will be drawn from the sub-clans sharing the seat and will represent the diversity of the relevant community, including civil society and youth. Each Electoral College will contain a minimum of 30% women.</p>
<b>Traditional/religious leaders</b>	<p>Page 2, PROCESS: Lower House:  a. The List of the 135 Traditional Elders shall serve as the base of the electoral process. The list will be updated, whereby the deceased elders will be replaced and those questionable or disputed will be corrected.  b. The Final list of agreed upon 135 Traditional Elders will select the Electoral Colleges in consultations with their relevant and respective elders (Nabadoono)</p> <p>Page 2, PROCESS: Lower House:  ... f. In the absence of Somaliland's participation in the electoral process, the representatives of Somaliland in the Lower House shall be elected at a location agreed upon by the Traditional Elders from Somaliland among the 135.</p>
<b>Public administration</b>	No specific mention.
<b>Constitution</b>	<p>Governance→Constitution→Constitution affirmation/renewal  Page 1, Preamble, 4. The Forum reiterated its commitment that there shall be no extension of the constitutionally mandated term limits of the legislative and the Federal Government. It called on all relevant entities to ensure the expeditious preparation and timely implementation of the 2016 electoral process and requested the assistance of international partners in this regard. Against this background, the NLF agreed on the following structures and modalities:  Governance→Constitution→Constitutional reform/making  Page 3, The National Leadership Forum Further:  1. Decided to host a Constitutional Conference in Garowe between 25 May and 05, April 2016. A meeting of the National Leaders Forum will precede the conference to deliberate and agree on political and constitutionally contentious issues to advance the review process.</p>

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**Power sharing**

**Political power sharing**

Power sharing→Political power sharing→Proportionality in legislature  
State level  
Page 2, PROCESS:

Upper House:

f. The Upper House of Parliament will be established before the elections of the Lower House.

g. 30% of seats in each existing and emerging Federal Member State will be identified and specially reserved for women candidates.

h. State executives will nominate at least two candidates for each seat. The state assemblies will vote for each seat individually.

i. Each existing and emerging Federal Member State will adopt its own formula for distributing its seats among its communities or regions in a balanced and inclusive manner, ensuring adequate representation of the minorities.

j. Voting for the members of the Upper House of Parliament shall take place in parallel, on the same days, across all Federal Member States.

k. The Presidents of the Federal Member States shall duly sign the list of official members of the Upper House of the Federal Parliament for their respective States after SEITs forward the certified final results.

Lower House:

a. The List of the 135 Traditional Elders shall serve as the base of the electoral process. The list will be updated, whereby the deceased elders will be replaced and those questionable or disputed will be corrected.

b. The Final list of agreed upon 135 Traditional Elders will select the Electoral Colleges in consultations with their relevant and respective elders (Nabadoono)

c. Each candidate will be elected by an Electoral College of 50 members. The total electorate will be  $275 \times 50 = 13,750$ .

d. The electors will be drawn from the sub-clans sharing the seat and will represent the diversity of the relevant community, including civil society and youth. Each Electoral College will contain a minimum of 30% women.

e. Voting will take place in the capital or seat of government of each existing and emerging Federal Member State and Mogadishu, based on the geographic distribution of the seats.

f. In the absence of Somaliland's participation in the electoral process, the representatives of Somaliland in the Lower House shall be elected at a location agreed upon by the Traditional Elders from Somaliland among the 135.

Page 3

g. The distribution of the 275 Members of Lower House of the Federal Parliament will be based on the clans/constituencies party to the formation of each existing and emerging Federal Member State

<b>Territorial power sharing</b>	<p>Power sharing→Territorial power sharing→Federal or similar sub-divided government Page 2, Upper House</p> <p>i. Each existing and emerging Federal Member State will adopt its own formula for distributing its seats among its communities or regions in a balanced and inclusive manner, ensuring adequate representation of the minorities.</p> <p>Power sharing→Territorial power sharing→Other Page 1, Electoral Process, Structures:</p> <p>a. The 2016 electoral process will be uniform. A two-level structure comprising a Federal Electoral Implementation Team (FEIT) and a State-Level Electoral Implementation Teams (SEITs) in each of the existing and emerging Federal Member States that will implement the process.</p>
<b>Economic power sharing</b>	No specific mention.
<b>Military power sharing</b>	No specific mention.

## Human rights and equality

<b>Human rights/RoL general</b>	No specific mention.
<b>Bill of rights/similar</b>	No specific mention.
<b>Treaty incorporation</b>	No specific mention.
<b>Civil and political rights</b>	No specific mention.
<b>Socio-economic rights</b>	No specific mention.

## Rights related issues

<b>Citizenship</b>	<p>Rights related issues→Citizenship→Citizen, general Page 3, The National Leadership Forum Further:</p> <p>... 4. The National Leadership Forum expresses their deep concern about the behaviour and the practices of the SEMG (Somalia Eritrea Monitoring Group); especially their targeting of the Somali citizens and hindering the process of state building in Somalia.</p>
<b>Democracy</b>	No specific mention.
<b>Detention procedures</b>	No specific mention.

**Media and communication** No specific mention.

**Mobility/access** No specific mention.

**Protection measures** No specific mention.

**Other** No specific mention.

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### **Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

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### **Justice sector reform**

**Criminal justice and emergency law** No specific mention.

**State of emergency provisions** No specific mention.

**Judiciary and courts** No specific mention.

**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.

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### **Socio-economic reconstruction**

**Development or socio-economic reconstruction** No specific mention.

**National economic plan** No specific mention.

**Natural resources** No specific mention.

**International funds** Page 1, Preamble, 4. The Forum reiterated its commitment that there shall be no extension of the constitutionally mandated term limits of the legislative and the Federal Government. It called on all relevant entities to ensure the expeditious preparation and timely implementation of the 2016 electoral process and requested the assistance of international partners in this regard.

Page 3, The National Leadership Forum Further:

... 3. The Forum expressed appreciations to the International Donors and Partners for their unyielding commitment to the electoral process.

**Business** No specific mention.

**Taxation** No specific mention.

**Banks** No specific mention.

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## **Land, property and environment**

**Land reform/rights** No specific mention.

**Pastoralist/  
nomadism rights** No specific mention.

**Cultural heritage** No specific mention.

**Environment** No specific mention.

**Water or riparian  
rights or access** No specific mention.

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## **Security sector**

**Security  
Guarantees** Page 3, The National Leadership Forum Further:  
... 2. The National Security Policy was shared by the Federal Government of Somalia to the leaders of the Federal Member States and welcomed plans for consultative meeting in the regions to advance the implementation of the policy.

Page 3, The National Leadership Forum Further:

... 4. The National Leadership Forum expresses their deep concern about the behaviour and the practices of the SEMG (Somalia Eritrea Monitoring Group); especially their targeting of the Somali citizens and hindering the process of state building in Somalia.

**Ceasefire** No specific mention.

<b>Police</b>	No specific mention.
<b>Armed forces</b>	No specific mention.
<b>DDR</b>	No specific mention.
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	No specific mention.
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	No specific mention.
<b>Crime/organised crime</b>	No specific mention.
<b>Drugs</b>	No specific mention.
<b>Terrorism</b>	No specific mention.

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## **Transitional justice**

<b>Transitional justice general</b>	No specific mention.
<b>Amnesty/pardon</b>	No specific mention.
<b>Courts</b>	No specific mention.
<b>Mechanism</b>	No specific mention.
<b>Prisoner release</b>	No specific mention.
<b>Vetting</b>	No specific mention.
<b>Victims</b>	No specific mention.
<b>Missing persons</b>	No specific mention.

**Reparations** No specific mention.

**Reconciliation** No specific mention.

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**Implementation**

**UN signatory** No specific mention.

**Other international signatory** No specific mention.

**Referendum for agreement** No specific mention.

**International mission/force/similar** No specific mention.

**Enforcement mechanism** Page 1, Electoral Process, Structures:  
... e. The NLF will create a Dispute Resolution Mechanism for the 2016 electoral process.

**Related cases** No specific mention.

**Source** Wardheer News; <http://www.wardheernews.com/wp-content/uploads/2016/04/NLF-Communique-Final-April-12-2016.pdf>

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