



POLICY PAPER

BRIDGING DIVIDES: OPTIONS FOR RESOLVING SOMALIA'S FGS–FMS DISPUTES, CONSTITUTIONAL REVIEW AND ELECTIONS

Somali Public Agenda (SPA), Puntland Development and Research Centre (PDRC)
& Heinrich Böll Stiftung – Horn of Africa

August 2025



POLICY PAPER

BRIDGING DIVIDES: OPTIONS FOR RESOLVING SOMALIA'S FGS–FMS DISPUTES, CONSTITUTIONAL REVIEW AND ELECTIONS

Somali Public Agenda (SPA), Puntland Development and Research Centre (PDRC)
& Heinrich Böll Stiftung – Horn of Africa

August 2025

Contents

List of Acronyms	III
Executive Summary	1
Introduction	3
Methodology	4
FGS–FMS Relations	6
Recommendations for Resolving FGS–FMS Relations	8
Recommendation 1: Create a National Mediation Body for Resolving FGS–FMS Disputes	8
Recommendation 2: Reinvigorate the NCC (NCC+)	8
Constitutional Review Process	10
Options for Compromises on Finalizing the Constitution	12
Option 1: Renegotiate Contentious Articles (Amendments Made) and Remaining Chapters	12
Option 2: Return to the 2012 Provisional Constitution	13
The Future of Elections in Somalia	16
Realistic Electoral Models for the Next Election	18
Model 1: Limited Direct Elections	20
Model 2: Enhanced Indirect Elections	22
Model 3: Clan Constituency Model	24
Conclusion	26

List of Acronyms

BRA	Benadir Regional Administration
EMB	Election Management Body
FGS	Federal Government of Somalia
FMS	Federal Member States
FPTP	First-Past-The-Post
ICRIC	Independent Constitutional Review and Implementation Commission
IFCC	Independent Federal Constitution Commission
NCC	National Consultative Council
NCC +	National Consultative Council + third-party observatory
NIEBC	National Independent Electoral and Boundaries Commission
NLF	National Leadership Forum
OC	Oversight Committee for the Constitution
OPOV	One-Person, One-Vote
PDRC	Puntland Development and Research Centre
PFC	Provisional Federal Constitution
SPA	Somali Public Agenda
TFG	Transitional Federal Government

EXECUTIVE SUMMARY

Efforts are underway to finalize the provisional constitution and organize one-person, one-vote (OPOV) elections. These processes are, however, complicated by three issues: their contested nature; the deteriorated relationship between Mogadishu and Puntland and Jubaland; and the limited time left in the four-year mandate of the current federal government (parliament and president). Ongoing dialogue between federal government leadership and key opposition politicians is encouraging, but concrete options and potential solutions for resolving outstanding issues related to strained FGS–FMS relations, the unfinished constitutional review process and how to transition to a new electoral model remain ambiguous.

Jointly developed by Somali Public Agenda (SPA) and Puntland Development and Research Centre (PDRC), this policy paper presents a range of options and potential solutions for resolving these three contentious political issues. The analysis herein is the outcome of mapping the three most critical political issues, roundtable discussions that brought together 142 Somali political and civic actors for focused discussions, two focus group discussions with Puntland and Jubaland government officials and key informant interviews. Based on these findings, this policy paper describes and explains the rationale, process, merits and limitations of each proposed option and potential solution.

To improve the relationship between the Federal Government of Somalia (FGS) and Federal Member States (FMS), this policy paper presents two recommendations: creating a national mediation body for resolving FGS–FMS disputes; and reinvigorating the National Consultative Council (NCC + third-party observatory).

In terms of ongoing constitutional issues, the FGS has led the review of the first four chapters of the constitution. Amendments made to Chapter 4 have created political disputes over the electoral process. Since 30 March 2024, when the federal parliament voted to approve the four chapters, the remaining chapters have not been submitted to parliament. With only two sessions remaining in the federal parliament, and eleven chapters still requiring review and approval, this policy paper proposes agreeing on one of two options: return to the 2012 Provisional Constitution; or renegotiate the contentious articles of the amendments made, along with the remaining eleven chapters.

On elections, the FGS heavily invested in an electoral process that started from the 27 May 2023 NCC political agreement on elections. These became the baseline for the constitutional amendment—particularly Chapter 4—which itself became the basis for three election laws and the establishment of an election management body. This process remains contested. Key opposition politicians and two FMS

(namely, Puntland and Jubaland) are not part of it. With less than one year remaining in the FGS mandate, this policy paper presents three election models for the next federal parliamentary elections, with a focus on the House of the People. The three models are: limited direct elections; enhanced indirect elections; and a clan constituency model. Each model is based on specific preconditions.

INTRODUCTION

Somalia stands at a critical juncture as the current four-year term of the federal government nears its end in May 2026, less than ten months away. While efforts are underway to finalize the Provisional Federal Constitution (PFC) and organize one-person, one-vote (OPOV) elections, these processes remain contested and politically sensitive. Furthermore, the relationship between the Federal Government of Somalia (FGS) and key Federal Member States (FMS), particularly Puntland and Jubaland, has deteriorated over the past years, which is mainly due to unresolved constitutional and electoral disputes.

President Hassan Sheikh Mohamud's announcement of and continuation of the national unity forum signals an attempt to address these challenges. A more structured and inclusive framework for political dialogue is, however, urgently needed. Without such a framework, stakeholders will struggle to reach a consensus on critical issues, including the constitutional review process and the arrangements for upcoming elections. The lack of agreement on these fundamental issues threatens to further destabilize Somalia, undermine its fragile progress and potentially lead to renewed conflict. The core problem is the absence of a clear inclusive and mutually agreed upon structure for political dialogue that can effectively address the deep-seated disagreements between and the competing interests of the FGS and the FMS, thereby hindering the path toward sustainable peace and stability in Somalia.

Jointly developed by Somali Public Agenda (SPA) and Puntland Development and Research Centre (PDRC), this policy paper is an outcome of a mapping of the three most critical political issues; namely, FGS–FMS relations, the constitutional review process and electoral arrangements. It is based on input and feedback from consultative processes and dialogue forums facilitated through the support of Heinrich Böll Stiftung – Horn of Africa. This paper presents policy options outlining possible ways forward on these three key contentious political issues. It begins with an analysis of FGS–FMS relations, then discusses the constitutional review process and finally addresses electoral arrangements.

METHODOLOGY

This options paper is the culmination of a structured process designed to gather insights and perspectives from a diverse range of Somali stakeholders. Conducted between May and June 2025, Somali Public Agenda (SPA) and Puntland Development and Research Centre (PDRC) employed a three-phase approach.

Phase 1: Issue Mapping. A short analytical memo was developed to provide a foundational understanding of the political context in Somalia. The memo identified and framed the three core political challenges that would be the focus of the dialogue forums: Federal Government of Somalia–Federal Member States (FGS–FMS) relations; the constitutional review process; and electoral arrangements. During the roundtable discussions, the memo served as a background document and guided discussions and ensured a common understanding of the key issues at stake. After incorporating the insights and options from these engagements, the initial memo was expanded to this policy paper.

Phase 2: Data Collection. A series of consultations and dialogue sessions were conducted to facilitate in-depth discussions and gather diverse perspectives. The dialogue forums were designed to be inclusive, with a deliberate effort to ensure the participation of underrepresented groups, especially women.

- **Roundtable Meetings:** These sessions brought together 142 Somali political and civic actors for focused discussions. Mixed-group roundtable meetings—including members of the political elite, civil society, opposition groups, the business community and academia—were held in Nairobi, Garowe, Mogadishu and Kismayo between 13–25 May 2025. Nairobi was selected due to the availability of key Somali political elite. Garowe and Kismayo were selected based on the need to better understand and capture the views of the two FMSs that oppose the electoral and constitutional review processes. Mogadishu was selected in order to understand and gather relevant information from the FGS. Roundtable meetings were not conducted in Southwest, Galmudug and Hirshabelle as leaders of these states are in line with the federal government on both the constitutional review and amendment, and the electoral roadmap. The consultations engaged 40 participants in Nairobi, 35 in Garowe, 30 in Mogadishu and 37 in Kismayo. These sessions provided a broader platform for dialogue and ensured the inclusion of diverse regional perspectives.
- **Focus Group Discussions:** Two focus group discussions were conducted in Kismayo and Garowe, engaging a total of 15 senior government officials (primarily cabinet members): 8 from Jubaland and 7 from Puntland. This was a deliberate approach by the joint PDRC–SPA team to separate

consultations with government officials from other intellectuals, offering each group a conducive space to express their views freely, without being influenced by or aware of input from the other group. A similar approach was intended for Mogadishu; however, due to scheduling conflicts with concurrent events, the team was only able to meet with a federal minister who was heavily involved in both the constitutional amendment and electoral processes.

- **Key Informant Interviews:** Individualized conversations were held with prominent Somali politicians and leaders in Nairobi, Garowe and Mogadishu. These include but were not limited to former prime ministers and senior officials from the FGS and the FMSs. Organized jointly and conducted concurrently, these one-on-one meetings provided the joint PDRC–SPA research team with a valuable opportunity to engage in in-depth and meaningful discussions with key political actors. Each conversation focused on their views regarding the current political impasse, potential solutions to overcome it, their preferred electoral model, and the possible concessions or trade-offs they would be willing to consider.
- **Closed-door Session with International Partners in Nairobi:** A separate closed-door session was held with **select** members of the international community in Nairobi on 3 June 2025. The purpose of this meeting was to gather their insights and perspectives on current political dynamics in Somalia, the prospects for inclusive dialogue, and the role of external actors in supporting peaceful and consensus-driven political processes.

Phase 3: Options Paper. Drawing on the rich ideas, insights and perspectives gathered from the dialogue sessions and the issue mapping process, SPA, PDRC, and HBS jointly produced this policy paper. The paper synthesizes the key discussions, analyses different viewpoints and outlines concrete context-specific options to address the three political challenges. The findings and proposed options are informed by the input received from the diverse range of participants in the dialogue forums.

FGS–FMS RELATIONS

The relationship between the Federal Government of Somalia (FGS) and the Federal Member States (FMS) began smoothly following the election of President Hassan Sheikh Mohamud in May 2022. All FMS presidents fully participated in the National Consultative Council (NCC) meetings,¹ demonstrating a cooperative start. Between June and December 2022, the NCC held four meetings, which the president of Puntland president attended.² These early meetings did not, however, address any politically contentious issues.

Tensions began when the NCC started signing political agreements. In December 2022, the NCC negotiated and agreed on two major issues: power allocation and the judiciary model. The 9-page power allocation agreement divided executive powers into four categories—federal exclusive, state exclusive, concurrent/shared and local government exclusive—amounting to a total of 125 powers. According to the power allocation agreement, the FGS would have 44 exclusive powers (up from just 4 in the 2012 Provisional Federal Constitution), the FMSs would have 29 exclusive powers, 20 powers would be shared between FGS and FMS, and 32 powers would be exclusive to local governments. The NCC also agreed on an integrated judiciary model.

Although the Puntland president attended the meeting, he refused to sign the two agreements, informing the NCC that he would first consult his administration. Upon returning to Puntland, the state issued a position paper announcing its withdrawal from NCC meetings. The position paper outlined several preconditions for re-joining the NCC, including: resolving the Somaliland–Somalia and Somaliland–Puntland disputes; defeating al-Shabaab and ISIS; and reaching consensus on a state-building roadmap, with reference to the specific federal model Somalia should adopt.

The FGS continued to convene NCC meetings without Puntland. President Deni was re-elected in January 2024. By that time, Puntland had boycotted NCC meetings for a full year, while the NCC continued to reach political agreements on key issues without the participation of Puntland. At the core of the FGS–Puntland disagreement lies a clash of visions: the FGS advocates for a stronger central government, while Puntland pushes for stronger federal member states. Notably, the withdrawal of Puntland from the NCC began before the NCC agreement on elections, which was reached on 27 May 2023. With national elections approaching, a critical question is this: How can Puntland be brought back into the process?

1 The NCC is not a legal entity. Rather, it is a platform for executive leaders of the FGS, the FMS and the Benadir Regional Administration (BRA).

2 The first two NCC meetings were held on 11–12 June 2022 and 11–12 September 2022. The third meeting was convened on 27–31 October 2022. The fourth NCC meeting took place in Mogadishu on 25–28 December 2022.

Jubaland is the second FMS that has significant tensions with the FGS, primarily over elections. While the Jubaland president signed all the NCC political agreements, complications arose as his mandate approached expiration. Originally, local council elections were planned for 30 June 2024, but were postponed by one year, thus extending his term beyond its August 2024 expiration. The state president argued that his continued leadership of Jubaland should be backed by a fresh mandate. In contrast, the FGS insisted on harmonizing elections across the FMSs, arguing that the Jubaland president should remain in office until local elections were complete and FMS-level elections were organized, even if that meant extending his term beyond five years (which had already been extended from four by the Jubaland parliament).

In early October 2024, the Jubaland president walked out of the NCC meeting in Mogadishu, which had already been delayed several months due to his unavailability. Prior to this, in June 2024, the Jubaland parliament amended the state constitution to allow President Ahmed Madobe to seek a third term, an early indication of the unfolding political manoeuvres that were to come.

In just two months (October–November 2024), the Jubaland president formed an electoral commission, which facilitated the selection of Jubaland state MPs, who then re-elected Ahmed Madobe for a third term on 25 November 2024. On the same day, a parallel election in Kismayo led to the election of Senator Ilyas Gaboose as Jubaland State President, although the FGS did not recognize either outcome. Senator Ilyas was allegedly placed and remains under house arrest in Kismayo.

Tensions escalated further when the Benadir regional court issued an arrest warrant for the Jubaland president. In retaliation, a Kismayo court issued a warrant for President Hassan Sheikh Mohamud. This probably marked the lowest point in FGS–FMS relations in recent memory, deepening mistrust among key political institutions and actors. In December 2024, this situation was exacerbated when the FGS airlifted troops and weapons to Ras Kamboni, where clashes had broken out between federal and Jubaland forces. With Jubaland forces having the upper hand in the fighting, FGS troops retreated, crossing into Kenyan territory during their withdrawal.

Other FMS — notably, Southwest, Galmudug, Hirshabelle and SSC-Khatumo (a state formation process as a Federal Member State, with the name North Eastern State of Somalia, is currently ongoing) — continue to engage constructively with the FGS, participate in NCC meetings and contribute to election preparations. While some believe that Southwest might explore holding its own unilateral state election, overall these states maintain relatively positive ties with the FGS. Voter registration has recently started in Baidoa, Dhusamareb and Jowhar, which is an indication of a good relationship between the FGS and these FMS.

More recently, efforts to include Puntland and Jubaland in NCC meetings have failed. With just less than one year remaining in the current FGS mandate and with several FMS presidential terms having expired, the pressing question remains: Where do we go from here?

Recommendations for Resolving FGS–FMS Relations

Recommendation 1: Create a National Mediation Body for Resolving FGS–FMS Disputes

Description: Establish a neutral mediation council specifically tasked with managing disputes between the FGS and FMS. This body would move beyond ad hoc deals and provide a consistent mechanism for dialogue and conflict resolution between the centre and periphery. Members of this group could be respected Somali figures who do not have direct vested interests in politics. Credible Somali members would be appointed to mediate and improve the relationship between the centre and the periphery when there is a deadlock. The mediation council would create a space for dialogue, which is missing at the moment.

Rationale: The need for ongoing depoliticized mechanisms to address flashpoints is a key finding. A body with respected members could provide a neutral platform for addressing grievances and finding common ground. It could also help address the prolonged period without dialogue between the centre and the periphery.

Potential Implications: This could contribute to institutionalizing dialogue and reducing the reliance on crisis-driven negotiations. The effectiveness of the mediation council would, however, depend on the political will of all parties to establish such a body, sincerely engage with it and respect the mediation efforts thereof.

Recommendation 2: Reinvigorate the NCC (NCC+)

Description: Reform the National Consultative Council (NCC) to restore its neutrality and effectiveness and rename it the National Leadership Forum (NLF), given that all NCC members joined one political association. This would involve revamping the rules of procedure and including previously absent FMS. It could also entail including external/civil society observers in the group.

Rationale: The current NCC is perceived as compromised and partisan. A revitalized forum with external guarantees could provide for a more credible platform for political dialogue and trust building. If principal actors come together, they can discuss and explore ways to resolve issues. Similar to the first option, it addresses the prolonged period without dialogue between the centre and the periphery.

Potential Implications: While this recommendation builds on an existing structure, it requires significant political commitment to both reform and ensuring inclusivity. A credible and fully inclusive high-level political dialogue forum would need mechanisms to address non-engagement and external guarantees to enforce any agreements reached.

CONSTITUTIONAL REVIEW PROCESS

The current Federal Constitution was provisionally adopted by the 825-member National Constituent Assembly on 1 August 2012. This marked the end of a long constitution-making process that began in 2006, when the late president of the Transitional Federal Government (TFG), Abdullahi Yusuf Ahmed, formed the Independent Federal Constitution Commission (IFCC). This was mandated by the 2004 Transitional Federal Charter, which stipulated the drafting a federal constitution for Somalia. The IFCC, along with the Committee of Experts formed in 2011 and led by the late Mohamed Osman Jawari (who later twice became speaker of the House of the People), produced drafts, held consultations and conferences (in particular in Garowe and Galkacyo), and finally produced a draft signed by the six signatories of the Kampala Accord.³ The process culminated in the provisional adoption of the constitution on 1 August 2012. This served as the basis for selecting members of parliament and the subsequent presidential election in September 2012.

Another phase of constitutional review began in late 2012, with the formation of the parliamentary Oversight Committee for the Constitution (OC), a parliamentary commission responsible for reviewing the constitution for the parliament. The constitutionally mandated 5-member Independent Constitutional Review and Implementation Commission (ICRIC) has worked on reviewing the constitution since its establishment in 2015. A dedicated Ministry of Constitutional Affairs has been working on the constitution-making and review process; more recently, in 2022, this ministry was merged with the Ministry of Justice. Whereas the process was initially divided into technical issues and matters requiring political agreements, these constitutional review bodies only succeeded in addressing the technical issues. They failed to finalize contentious political matters during both the first term of President Hassan Sheikh Mohamud (September 2012–February 2017) and the term of President Mohamed Abdullahi Farmaajo (February 2017–May 2022). As the mandate of parliament approached its end in both 2016 and in 2020, the speaker of the House of the People deferred the review of the constitution to the next government.

During the political transition of the 2021–2022 indirect elections, the National Consultative Council (NCC) steered the process and reached a political agreement on indirect elections in September 2020 after series of meetings in Dhusamareb. The NCC continued to meet regularly until the conclusion of the protracted

3 The six roadmap signatories are President Sheikh Sharif Sheikh Ahmed, Speaker Sharif Hassan Sheikh Aden, Prime Minister Abdiweli M Ali of the TFG, President Abdirahman M Farole of Puntland state, President Ahmed Alin of Galmudug state and Abdulkadir Moallim Nur of Ahlu Sunna Wal Jamaaca.

electoral process in May 2022. When President Hassan Sheikh Mohamud was once again elected in May 2022, he continued convening NCC meetings and successfully guided the council to reach political agreements on key contentious issues, including power allocation, the judiciary model, fiscal federalism, the National Security Architecture and elections.

These political agreements provided a baseline for the OC and ICRIC to review the contentious political issues in the constitution that had been stalled due to the absence of political consensus. The review process began with the approval of a procedure detailing the parliamentary process. On 24 January 2024, parliament approved the Adoption Procedure for Constitutional Amendment, which had gone through its first and second readings in 2023, in a joint session of the House of the People and the Upper House. Chaos erupted in parliament before the vote, as some MPs opposed the Adoption Procedure, in particular the use of a show of hands as the method for endorsing constitutional amendments. Amid this tension, the speaker of the House of the People announced that 184 members of the House of the People and 36 members of the Upper House were in attendance. Minutes later, he declared that 180 members (65 per cent) of the House of the People and 21 members (39 per cent) of the Upper House had voted to approve the Adoption Procedure, more than the required majority.⁴

The Adoption Procedure divides the amendment process into three phases. In the first phase, the ICRIC uses the political agreements to draft revisions and submits them to the OC. The ICRIC and the OC then submit the revised chapters to the two speakers of parliament, after which the chapters are distributed in a joint parliamentary session. In the second phase, parliament, in joint sessions, debates the chapters. OC and ICRIC members are expected to attend the sessions and respond to questions from MPs. This phase ends once the debate is concluded and feedback from MPs is incorporated into the chapters. The third phase involves voting and endorsement of the revised chapters. A two-thirds majority is required for final approval.

In addition to the chaos during the January 2024 vote on the Adoption Procedure, former presidents, prime ministers and several MPs also opposed the procedure. A key concern among MPs was the use of a show of hands for the final two-thirds vote.

Following this procedure, the ICRIC and the OC submitted the first four chapters of the constitution to parliament on 12 February 2024. Between February and March 2024, MPs debated one chapter at a time. During this phase, even politicians who initially opposed the Adoption Procedure (including a former president) participated in the debates, which helped increase the legitimacy of

4 A detailed review of the Adoption Procedure is available at: <https://somalipublicagenda.org/the-constitutional-amendment-procedure-analysis-of-the-process-and-the-role-and-participation-of-the-civil-society/>.

the process. On 30 March 2024, parliament unanimously approved the first four chapters through a show of hands, securing the necessary two-thirds majority for endorsement.

Puntland opposed the amendments made to Chapters 1 through 4, cut ties with the Federal Government of Somalia (FGS) and stated that it only recognizes the 2012 Provisional Federal Constitution. Although the ICRIC reported that it had completed revisions of the second batch of five chapters (Chapters 5 to 9), it did not submit these revisions to parliament for more than a year.

With less than one year remaining in the FGS mandate, and at least eight chapters still requiring review and approval,⁵ the question remains: Where do we go from here? Two options are identified for the way forward.

Options for Compromises on Finalizing the Constitution

Option 1: Renegotiate Contentious Articles (Amendments Made) and Remaining Chapters

Description: This option proposes an immediate approach to addressing the constitutional impasse by focusing on renegotiating the most contentious articles, in particular those in Chapter 4, which typically deal with electoral issues. This renegotiation would occur in a reformed and inclusive political dialogue framework, such as a revitalized and inclusive NCC (NCC + third-party observatory) or a new NLF. It would be specifically designed to bring all key political actors on board. While the contentious articles are politically negotiated, the review of the remaining chapters would proceed through a more participatory process involving the constitutional review commissions and experts from all FMSs. A clear deadline would be set for the finalization of the entire process.

Rationale: This option recognizes that some constitutional issues are fundamentally political and require high-level negotiation among key leaders, while others are more technical and can be addressed through expert review and broader participation. By separating these tracks, this option aims to prevent political disagreements on a few key issues from paralysing the entire constitutional review process. Bringing all political actors into a reformed dialogue framework before commencing renegotiation is crucial for building the necessary trust and political backing to reach agreements on contentious articles. Focusing on Chapter 4 acknowledges that these articles are often the source of the most significant electoral disputes. Setting a deadline introduces a sense of urgency and helps to prevent indefinite delays.

⁵ ICRIC members have indicated that they might merge some chapters with other chapters; for example, Chapter 10 (on The Independent Commissions) and Chapter 12 (on the FMS).

Process: Implementing this option would require the establishment or significant reform of a high-level political dialogue forum (NCC/NLF) with representation from the FGS and leaders of the Federal Member States (FMSs). It could also potentially include a civil society observatory role. This forum would be mandated to negotiate and agree upon amendments to the contentious articles in Chapter 4. A firm deadline would be agreed upon by the political forum for the completion of both the political negotiations and the technical review, leading to a unified draft constitution for parliamentary consideration.

Merits

- i. This option avoids the all-or-nothing politics that can paralyse a comprehensive review when there are deep divisions on key issues.
- ii. By focusing political energy on the most contentious articles, it increases the likelihood of reaching necessary compromises. It would also lead to a more inclusive review of the remaining chapters of the constitution. It recognizes the efforts made to finalize the review of the constitution.
- iii. The inclusion of experts from all FMS in the review enhances inclusivity and ownership.

Limitations

- i. This option might take months and slows down the electoral process, which might lead to term extensions to federal institutions.
- ii. The success of this option relies heavily on the effectiveness and inclusivity of the reformed political dialogue framework and the willingness of leaders to make difficult compromises within a set timeframe.
- iii. Setting an unrealistic deadline could undermine the quality and legitimacy of the final document.

Option 2: Return to the 2012 Provisional Constitution

Description: This option proposes that the current constitutional review process be paused. The focus would shift to recognizing the 2012 Provisional Federal Constitution as the established legal baseline. The responsibility for restarting and conducting a comprehensive constitutional review process would then be explicitly assigned to the next government, following the upcoming elections. This new process, led by the incoming FGS administration or the incumbent with a new mandate, would be designed from the outset to be inclusive, transparent and politically backed by all major stakeholders. The NCC political agreements reached between 2022 and 2023 could be the baseline for addressing the contentious political issues in the constitution, with input from Puntland.

Rationale: Despite its limitations and provisional nature, the 2012 Provisional Federal Constitution is currently the only widely recognized legal framework in Somalia. Returning to it as a baseline to manage the next political transition acknowledges this reality and provides a common starting point for future discussions. The current review process has been criticized for lacking inclusivity and having limited political legitimacy, leading to the alienation of key actors such as Puntland. Postponing the constitutional review due to the limited time left for the incumbent federal government until the next government comes to office, coupled with a commitment to designing an inclusive process, could help to de-escalate tensions, rebuild trust and bring major oppositional actors back into the fold. This option allows for a fresh start with a new political mandate, potentially creating a more conducive environment for consensus building under a new administration or an incumbent administration with a new mandate.

Process: Implementing this option would involve a political agreement to pause the current constitutional review process and the electoral processes that resulted from the amendments that were made. The incoming government would then need to initiate a new process, which could involve establishing a new independent constitutional review and implementation commission. Together with the parliamentary OC and the Ministry of Justice and Constitutional Affairs, this commission would be tasked with developing a roadmap for the review, including extensive public consultations across all regions of Somalia to gather input on necessary amendments. The process would need clear timelines and mechanisms for parliamentary approval that ensure transparency and broad political support.

Merits

- i. This option has the potential to restore consensus and halt further political fragmentation by addressing the legitimacy concerns surrounding the amendments that have already been made to the constitution.
- ii. This option could facilitate the re-engagement of key FMS and political actors who feel excluded.
- iii. By delaying the constitutional review to the next government, this option allows the incumbent FGS, FMS and other political stakeholders to prioritize a more inclusive and transparent federal election process in 2026.

Limitations

- i. This option might reverse the efforts that the current FGS has made to finalize the constitution and would mean a waste of time and resources spent on the process for more than three years.
- ii. This option may slow down the progress towards finalizing a permanent constitution, potentially leaving the country under a provisional framework for an extended period.

- iii. There is also a risk that the next government may face similar challenges in building consensus or that political dynamics could again derail the process.

THE FUTURE OF ELECTIONS IN SOMALIA

The electoral process began in early 2023, when members of the National Consultative Council (NCC), except the president of Puntland, agreed on an electoral framework on 27 May 2023. The agreement proposed: the harmonization of local, state and federal elections; the establishment of a unified election management body; a closed-list proportional representation electoral model; the formation of two national political parties; citizens electing the president of the Federal Government of Somalia (FGS) instead of the parliament doing so; and the creation of a vice president position to replace the prime minister.

Politicians, including former presidents and prime ministers, viewed the electoral agreement as controversial. Various other Somali stakeholders also expressed differing opinions on its substantive issues. Since it was a political agreement and not a binding legal document, there was an opportunity to revise its most contentious elements during the process of parliamentary review and amendment of the provisional federal constitution, as the agreement was used to draft the elections chapter (Chapter 4) of the constitution.

The constitutional review bodies—the Independent Constitutional Review and Implementation Commission (ICRIC) and the Oversight Committee (OC)—used the political agreement on elections to draft Chapter 4 of the provisional constitution. Although there was an expectation that critical contentious issues would be amended during the parliamentary review process, the substance of the 27 May 2023 political agreement on elections largely remained unchanged. Nonetheless, some modifications were made to the first four chapters of the federal constitution, including Chapter 4 on elections, which parliament voted to approve on 30 March 2024. First, the electoral model was removed from the constitution, with its details deferred to the electoral law. Second, the number of national political parties was increased from two to three. Third, the vice president position was replaced with a prime minister, who can be dismissed by the president without the need of a parliamentary vote of no confidence. Finally, the unified Election Management Body (EMB) and the provision for the president to be elected by the public, instead of by parliament, were retained.

Three electoral bills were drafted: the Establishment Act of the National Independent Electoral and Boundaries Commission; the Political Associations and Parties Bill; and the National Electoral Bill. The Federal Ministry of Interior, Federal Affairs and Reconciliation drafted the bills and submitted them to the federal government Council of Ministers. On Friday, 19 July 2024, the Council of Ministers approved the bill to establish the National Independent Electoral and Boundaries Commission (NIEBC). On 8 August 2024, the cabinet unanimously approved both the Political Associations and Parties Bill and the National Electoral Bill. The three bills were then submitted to parliament for review and approval.

As the parliamentary session neared its end, the president requested parliament to extend its session for one month (November 2024) to review and approve the three election bills and the members of the EMB. To expedite the process, the speaker of parliament formed a 15-member ad hoc committee to review the bills, with committee members electing former Deputy Prime Minister Mahdi Guled as the chair. This approach shortened the time typically required for the three readings before a bill is passed in parliament. This bypassed the Internal Affairs, Regional Administration and Security Committee of the House of the People that normally should reviews election-related bills. The ad hoc committee approach, however, has a precedence and was the same process used by the FGS to approve the now abandoned National Electoral Law in 2019.

Within one month, the three bills were approved and became law when the parliament voted for them and the president signed them into law. Parliament also approved the 18-member NIEBC, as submitted by the cabinet. The NIEBC elected a chair and deputy chair as well as began the voter registration process in Mogadishu for local council elections. More recently, in July 2025, the NIEBC also started voter registration in three other areas, including: Dhusamareb, the capital city of Galmudug; Baidoa, the interim capital of Southwest; and Jowhar, the capital city of Hirshabelle.

The NIEBC started registering political associations, although it dropped the critical requirement for political associations or parties to have branch offices in at least three Federal Member States (FMSs), SSC-Khatumo (a state formation process as a Federal Member State, with the name North Eastern State of Somalia, is currently ongoing) and the Benadir Regional Administration (BRA), with at least 2,000 members in each location. In other words, each association or party was initially expected to have at least 10,000 members across three FMSs, SSC-Khatumo and the BRA. Forty-three political associations were registered during the period the registration was open. The leaders of most of these political associations are unknown, with the exception of the political association led by the incumbent president, the new Justice and Solidarity Party, and a few others. Key political actors, including a former president and other prominent politicians, who registered provisional political parties under the now abandoned Political Parties Law No. 19 of 27 June 2016 did not register political associations and are therefore not currently eligible to compete for local council elections.

With less than one year remaining in the current term of the Federal Government of Somalia (FGS), the electoral process—in which the FGS has heavily invested for nearly three years—faces serious challenges. First, when the initial plan to conduct local council elections in June 2024 proved impossible, as the electoral commission had not yet been formed and the election bills had not yet been submitted to parliament, the NCC members who met in October 2024 agreed to postpone the planned June 2024 elections to 30 June 2025. This delay meant that most current state presidents would remain in office beyond their five-year terms (extended

from four years by state parliaments). The president of Jubaland opted to organize his own re-election to secure a new mandate. The FGS opposed this move, resulting in the Jubaland administration being excluded from the national electoral process. As of August 2025, the provisional date to conduct local council elections on 30 June 2025 has passed, with no new timelines in place.

Second, Puntland has remained outside the entire process since December 2022. The state president has not signed any NCC political agreements. This effectively excludes two member states—Puntland and Jubaland—from the ongoing electoral process.

Third, key opposition politicians, including former presidents and prime ministers, opposed the 27 May 2023 NCC agreement, the constitutional amendments, the electoral bills and the establishment of the EMB. They also chose not to register political associations. Core members of this group established the Somali Salvation Forum, with former President Sharif Sheikh Ahmed as the chair. The group started bilateral meetings with the FGS, which are ongoing. As a result, the electoral process currently lacks the participation of influential opposition figures, who could lend credibility, in addition to the absence of Puntland and Jubaland.

Fourth, the FGS recognized SSC-Khatumo (a state formation process as a Federal Member State, with the name North Eastern State of Somalia, is currently ongoing). As of August 2025, the federal government is finalizing the process, with a new state parliament and state president. On the one hand, this complicates the FGS election harmonization agenda: It creates a new member state with a new tenure; at the same time, other Federal Member States (FMSs) that have waited years for local council elections. On the other, this move both complicates and deteriorates the FGS–Puntland relationship: The new North Eastern State of Somalia would likely consist of key parts of Sool and Sanaag regions, hitherto considered part of Puntland and/or Somaliland. Allocation of federal parliamentary seats initially designated in Puntland and Somaliland constituencies in Mogadishu would also be impacted by the establishment of North Eastern State of Somalia.

With less than one year remaining in the tenure of the current FGS administration, the key question is: What are the realistic models for the next election?

Realistic Electoral Models for the Next Election

If the continuation of the current electoral process is agreed, this would require an extension to complete the process and enable key stakeholder participation. This is not an option explored here. Among other things, this possibility seems slim in the eyes of key political stakeholders who remain outside the current electoral process. Instead, the options presented here explore models for the election of MPs to the House of the People. This focus is based on the assumption that the federal parliament would ultimately elect the federal president. (In contrast, however,

the 30 March 2025 changes to Chapter 4 of the provisional constitution state that citizens will elect the federal president.)

Moreover, the analysis does not explore options for the election of the 54 members of the Upper House. The numerous people we engaged in the discussions upon which this policy report is based did not talk about the Upper House. The election process to the Upper House was the same (except an increase of the registration fee) in 2016 and 2021–2022. Not addressing this process could mean that stakeholders are satisfied with the electoral procedures of the Upper House members. It could also mean that the House of the People and its 275 members have more political significance than the 54-member Upper House members and therefore stakeholders are more concerned about issues related to the House of the People elections. Therefore, this policy paper addresses the election of the 275 members of the House of the People, which is the most difficult election-related issue.

Prerequisites for electoral arrangements

Based on our analysis of the stakeholder discussions, several key prerequisites are identified as essential for any future electoral process to be both successful and widely accepted.

- There is a common agreement that politicians, with the exception of leaders of the FMSs, generally do not want to revert to the 2021–2022 indirect election model. This model has been widely criticized for its opaqueness and susceptibility to manipulation, as it offers significant influence to both FMS presidents and FGS leadership.
- There is an understanding among stakeholders that a full one-person, one-vote (OPOV) election at the national level is not realistically achievable by 2026 due to significant political, technical, logistical, security and legal challenges. At the same time, some opposition groups agree that the implementation of the ongoing OPOV local council elections should be continued, but based on delinking this from national elections and national political parties.
- The local council elections led by the FGS could serve as a valuable pilot, potentially starting in Mogadishu and extending to the capital cities and possibly districts of the FMSs (excluding Puntland, given that Puntland has already concluded its local council elections and has a difficult relationship with the FGS). This pilot could provide crucial lessons learned for future larger-scale direct elections.
- Prioritizing indirect state-level elections before federal parliamentary elections is seen as a necessary step, particularly since the FGS is supporting the establishment of North Eastern State of Somalia (under

formation), which would have a new president and a new parliament with a four or five-year tenure. This implicitly requires the recognition of the results of recent state-level indirect elections, in particular in Jubaland, as a gesture of respect for FMS autonomy and as a foundation for future electoral cooperation. It could also lead to a similar process for Southwest, Galmudug and Hirshabelle states.

- Reconvening an inclusive political dialogue format is a critical prerequisite for building the necessary political consensus and trust required to agree on any electoral model and the associated processes.
- Almost all stakeholders consulted agree that the election of Upper House (senate) members should continue to follow the traditional model, where state parliaments elect the senators. This is seen as a well-understood and workable system.

Model 1: Limited Direct Elections

Description: This election model proposes a hybrid approach that incorporates elements of direct voting in defined constituencies, while maintaining the current allocation of the 275 seats in the House of the People based on the 4.5 clan power-sharing formula. The electoral model would utilize a first-past-the-post (FPTP) system in these constituencies. The constituencies would be limited to Mogadishu and the capital cities of the six FMS (including North Eastern State of Somalia — under formation). Alternatively, expansion to three districts in each FMS (the capital city and two other districts) could be explored. Voters would be registered in these capital cities (or in all designated districts in each FMS).

While the seats are designated to sub-clans based on the 4.5 formula, a voter can register and vote for any seat they want. Each voter can only register and vote for one specific seat allocated in that constituency. Ideally, a crucial element of this option is that all elections for all seats in all FMS and Mogadishu would happen on the same day to enhance logistics and reduce opportunities for manipulation. The entire process would be managed by a single inclusive and politically negotiated Election Management Body (EMB).

Rationale: This model is seen as a pragmatic step towards direct elections. Compared to the previous indirect model, it acknowledges the limitations of the current model, while providing a more direct link between voters and their representatives. By limiting constituencies to capital cities (or three districts in each FMS), it addresses some of the security and logistical challenges of a nationwide poll. Maintaining the 4.5 formula provides continuity with the existing clan power-sharing framework. The FPTP system is relatively simple to implement. Holding elections on a single day aims to improve efficiency and reduce the potential for results in one area to influence voting in others. An inclusive and negotiated

national electoral commission is deemed essential for building trust and ensuring the credibility of the process. Furthermore, a version of this model was already incorporated in the 2020 National Electoral Law, indicating some level of prior political acceptance. This model has also been proposed by some opposition actors, in particular the Somali Salvation Forum, as a viable alternative to previous indirect models.

Process: Implementing this election model would require significant preparatory steps. First, a political agreement on this specific model would need to be reached via an inclusive political dialogue. This would be followed by the establishment of a new, broadly accepted election management body. This body would then be responsible for conducting voter registration in these areas and organizing the single-day polling process. Mechanisms for resolving electoral disputes would also need to be established. We recommend the establishment of electoral dispute resolution commission. The allocation of the 4.5 seats to specific constituencies in the capital cities would require careful negotiation and agreement among clan elders and political actors.

Merits

- i. Members of the House of the People would represent specific constituencies in a state, providing a more direct link to their constituents, and thus increased representation, compared to selection by a limited number of delegates.
- ii. By shifting to direct voting (even on a limited basis), this option could reduce the significant influence that clan elders and FMS presidents have historically wielded in selecting delegates in indirect elections, potentially leading to a more independent legislature.
- iii. A broader electorate is generally less susceptible to bribery and undue influence compared to a small group of delegates, potentially leading to a reduction in electoral corruption.
- iv. The incorporation of this model in previous electoral legislation (the 2020 law) suggests a degree of familiarity and thus potential for political buy in.
- v. Holding elections for all seats in all FMS and Mogadishu on the same day (or even all seats in one member state or one city) could significantly reduce and streamline the overall electoral timeline compared to staggered indirect elections.

Limitations

- i. The application of this option poses challenges in areas such as North Eastern State of Somalia (under formation), Somaliland and the BRA, especially in terms of issues such as seat allocation, which would be subject to complex negotiations and agreements, given their unique political status.

- ii. The FGS might insist on utilizing voter registration technology and the current electoral commission in which they have invested, which could be a point of contention with other stakeholders advocating for a new negotiated commission.
- iii. There might be reluctance from some FMSs and FGS leaders to fully embrace this model as it could potentially reduce their influence over the selection of MPs compared to the previous indirect system.
- iv. While limited to capitals or three districts in each FMS, organizing elections on a single day across multiple locations (or on a single day in each FMS) still presents significant security risks that would need robust mitigation strategies.

Model 2: Enhanced Indirect Elections

Description: This model proposes an enhanced version of the indirect electoral model, aiming to address the shortcomings of the 2021–2022 process while acknowledging the current constraints on full direct elections. It would maintain the current 4.5 allocation for the 275 House of the People seats. Constituencies would be limited to 2 districts per member state as was the case in 2021–2022. There will be a selection process of 101 clan delegates for each seat. Instead of a small number of delegates (101 clan delegates) electing each seat, the enhanced indirect elections model proposes a merger of all clan delegates and voting for all seats designated in the constituency. For instance, there will be 25 House of the People seats in Beledweyne. Delegate Selection Committees would select 101 clan delegates for each seat. A total of 2,525 clan delegates vote for one candidate each for all 25 seats. The elections would be managed by either a single national electoral commission or a system involving both federal and state-level electoral bodies, the structure of which would need to be negotiated.

Rationale: This election model seeks to find a middle ground between the widely criticized previous indirect model and the current full OPOV. The latter could involve extension beyond current mandates. By significantly increasing the number of clan delegates electing each seat, the enhanced indirect elections model aims to make the process more representative and less susceptible to the undue influence of a small number of individuals. Consolidating the selection process in the 2021–2022 locations addresses some logistical and security concerns. Holding all elections on a single day is intended to improve efficiency and transparency. The flexibility in the structure of the electoral management body (national or federal/state) allows for negotiation to find a model acceptable to all stakeholders.

Process: Implementing this model would require a political agreement that all 101 clan delegates in each seat combined would determine the structure of the electoral management body and elect the seats. The delegate selection process could

be the same as the one used during the 2021–2022 process whereby three sub-clan elders, a woman and a youth selected the clan delegates. Robust mechanisms would need to be put in place to prevent bribery or coercion. The logistics of conducting the selection process for all seats in multiple locations on a single day, or single day in each FMS, would require careful planning and resource allocation, including security arrangements.

Merits

- i. By involving a larger number of clan constituents per seat, in this election model MPs would represent a broader base of citizens in both their respective clans and states compared to the previous model, potentially leading to greater legitimacy.
- ii. While still an indirect system, increasing the number of individuals involved in the election of each seat can make it more difficult and expensive to influence the outcome through corrupt practices (thus reducing corruption), compared to a system with very few (101) delegates.
- iii. Streamlining electoral timelines by conducting the election of all House of the People seats on a single day, or even on one day in each FMS, would significantly reduce the overall time required for the electoral process compared to staggered or more complex models. This makes it much more difficult for FMS leaders to choreograph the process. During the 2021–2022 process, incremental implementation of indirect elections allowed state leadership to control the outcome.

Limitations

- i. The specific role and participation of North Eastern State of Somalia (under formation) in this enhanced indirect model would need to be clearly defined and agreed upon through negotiation, given the ongoing political dynamics in this new FMS.
- ii. Similar to the limited direct election model, there might be reluctance from some FMSs and FGS leaders who perceive that this model reduces their direct influence over the selection of MPs compared to previous arrangements.
- iii. A significant challenge lies in ensuring that the selected clan delegates are genuinely independent and not unduly influenced by political actors, clan elders or other interests. Robust oversight mechanisms are crucial for ensuring constituent integrity and independence.
- iv. While intended to streamline timelines, organizing the election of all House of the People seats involving hundreds of clan delegates voting for each seat across multiple locations on a single day still presents considerable logistical complexities and security challenges.

Model 3: Clan Constituency Model

Description: The clan constituency model proposes a return to a variation of an indirect electoral model whereby the 275 seats in the House of the People, allocated based on the 4.5 clan power-sharing formula, are contested individually within designated clan constituencies. Ideally, these constituencies would be located in areas where the majority of the specific clan associated with the seat predominantly inhabits. The voting process would involve eligible members from that particular clan, who could potentially travel from different locations to vote for their designated seat. Each parliamentary seat would be contested separately. The entire electoral process would be managed by a single national election management body.

Rationale: This model is favoured by some stakeholders as it aims to strengthen the direct relationship between the representative and their clan electors, providing a clearer line of accountability within the clan structure. It is seen as a candidate-centred approach that aligns with the current reality on the ground in Somalia, where formal registered political parties are not yet fully established or widely influential.

Process: Implementing the clan constituency model would require the identification and formal designation of specific geographic locations or centres to serve as the clan constituencies for each of the 275 seats. Mechanisms for identifying and registering eligible voters belonging to the relevant clan for each seat would need to be established. The national election management body would be responsible for organizing and overseeing the separate voting processes for each seat in its designated location, including candidate registration, polling and vote tabulation. Security arrangements would be crucial at each constituency location.

Merits

- i. By having members of a specific clan directly vote for the seat of their representative, this model can strengthen the link and accountability between the MP and their clan constituents, establishing more direct relationships.
- ii. This model focuses on individual candidates and is seen as more aligned with the current Somali political landscape, in which clan identity and individual relationships often play a more significant role than formal party affiliations. In short, it is candidate centred and fits current realities.

Limitations

- i. This model favours dominant sub-clans during voting. Designating a single geographic location as the constituency for clan seat risks giving candidates from the dominant sub-clan in that specific area a significant advantage over candidates from other sub-clans within the same broader clan, potentially

exacerbating intra-clan tensions. For instance, if a seat is designated in Buulaburte that represent sub-sub-clans that inhabit Buulaburte, Jalalaqsi and Beledweyne, the candidate from the sub-clan whose sub-clan is dominant in Buulaburte would have a comparative advantage over candidates whose sub-sub-clan are dominant in Beledweyne or Jalalaqsi.

- ii. In a system heavily reliant on clan dynamics and geographically based voting within clan constituencies, there is a significant risk of limited representation for women, as traditional power structures and male candidates favoured by the local electorate may dominate the selection process.
- iii. Managing separate voting processes for 275 seats in potentially dispersed geographic locations presents considerable logistical and security challenges.
- iv. Agreeing upon, defining and demarcating the specific geographic locations for each clan constituency could be a source of intense political negotiation and potential conflict.
- v. Concentrating clan-based voting in specific locations could potentially heighten tensions and increase the risk of conflict, especially in areas with overlapping clan claims or historical disputes.
- vi. This model may make it difficult for (or even exclude) members of the clan diaspora or internally displaced persons to participate in the voting process if they are not able to travel to the designated clan constituency.

CONCLUSION

Somalia stands at a critical juncture, with the potential for either renewed conflict or a pathway towards greater stability and democratic consolidation. The contentious political issues surrounding Federal Government of Somalia–Federal Member States (FGS–FMS) relations, the constitutional review process and electoral arrangements require urgent and inclusive attention. The findings from the extensive dialogue forums that were conducted and upon which this policy paper is based underscore deep divisions. At the same time, these findings also highlight a shared desire among Somali stakeholders for a more predictable and inclusive political process.

Informed by the voices of diverse Somali actors, this policy paper presents a range of potential options and solutions aimed at fostering trust, building consensus and establishing legitimate governance structures. The proposed recommendations for FGS–FMS relations emphasize the need for permanent dialogue mechanisms and mutual recognition. The options outlined for constitutional issues highlight the importance of negotiating the contentious political issues in the constitution or returning to the 2012 Provisional Constitution as a baseline. These options also emphasize the need to ensure an inclusive review process with meaningful public participation. Finally, the various models for electoral arrangements offer pragmatic pathways towards credible elections, recognizing both the current limitations and aiming for greater representation and transparency.

Implementation of the proposed options and potential solutions requires genuine political will, a commitment to compromise and the establishment of a truly inclusive national dialogue framework. The FGS, FMS, opposition politicians, civil society and traditional leaders must all play a constructive role in navigating these challenges. International partners should continue to support a Somali-led process, providing assistance while respecting the sovereignty and ownership of the Somali people. By embracing dialogue, transparency and inclusivity, Somalia can overcome its current political hurdles and build a foundation for a more peaceful, stable and democratic future.



Somali Public Agenda
Mogadishu - Somalia
Tel: +252(0)85 8358
Email: info@somalipublicagenda.org
Website: <https://www.somalipublicagenda.org>



Puntland Development Research Center (PDRC)
Garowe, Puntland, Somalia
Tel: +252 90 779 4231
Email: info@pdrcsomalia.org
Website: <https://pdrcsomalia.org/>

HEINRICH BÖLL STIFTUNG HORN OF AFRICA

Heinrich Böll Stiftung Horn of Africa
Nairobi - Kenya
Email: hoa-info@hoa.boell.org
Website: <https://hoa.boell.org>