

Election Conflict Prevention, Mediation and Management for CSO Dispute Resolution in the 2021 Somalia Elections

Training Manual



Funded by
the European Union



Electoral Institute for Sustainable Democracy in Africa

Acknowledgements

This Manual was made possible through the support of the European Union and the guidance of the Electoral Institute for Sustainable Democracy in Africa - EISA. Developed by Galayr Consultancy with input from Mukenyi Badibanga, Ilona Tip and Antonetta Hamandishe.

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List of Acronyms

AMISOM	African Union Mission in Somalia
AS	Al-Shabab
BRA	Benadir Regional Authority
CA	Conflict Analysis
CSO	Civil Society Organization(s)
DRT	Dispute Resolution Team
EISA	Electoral Institute for Sustainable Democracy in Africa
EMB	Election Management Body
ESR	Election Situation Room
FEIT	Federal Electoral Implementation Team
FGS	Federal Government of Somalia
FMS	Federal Member States
HOP	House of Parliament
IEDRC	Indirect Election Dispute Resolution Committee
JL	Jubaland
MP	Member of Parliament
NISA	National Intelligence and Security Agency
PEACE Project	Peaceful Elections and Civil Society Enhancement
PL	Puntland
PM	Prime Minister
PUNSAA	Puntland Non-state Actors Association
SEIT	State Electoral Implementation Team
SONSA	Somalia Non-State Actors
UH	Upper House

Important Instructions for Facilitators

This manual has been designed to train CSO members involved in the election dispute resolution efforts. It provides a theoretical understanding and practical ways of conflict prevention, resolution, and mediation. The document consists of three main components i.e. concepts, examples and activities:



Concepts help participants provides the basic knowledge of conflict resolution and ways and methods used to resolve disputes. Concepts also provides information on conflict models and theories.



Examples are one of the ways to help participants understand the topics and lessons in the manual. The examples in the manual are context-specific and may not be feasible in other parts of the world.



Activities are exercises for participants.. It is assumed that learners do not forget what they have explored. Therefore, the facilitator should ensure participants' involvement and participation in discussion sessions



The approach to all of the sessions should be **participatory** where participants and facilitators interact during the workshop. **Powerpoint** presentations should be utilised to assist the learning process.

Module 1

Introduction to Conflict: Definition, Causes, Escalation and Conflict Analysis



Time 8 hours



Activities

Group and individual activities and illustrative examples



Objectives

At the end of Module 1, participants will be able to:

- Define conflict from different perspectives
- Have knowledge of the causes of conflict and what contributes to conflict escalation,
- Understand the use of conflict analysis tools including the conflict tree, onion and conflict mapping tools.



1.1 Definition of conflict

Conflicts happen due to differences in opinions, understanding, perception or attitudes.¹ Conflict can arise between two individuals, groups of persons or even countries. Conflict emerges in a condition of unmatched goals, emotions within between two persons or groups of persons.²

1.2 Causes of Conflict

Conflict does not have one cause and one solution. Rather, there are underlying causes and different ways to address these causes.³ The below chart illustrates the possible causes of conflicts. We will discuss the scenarios and examples that lead to election-related conflict and violence.

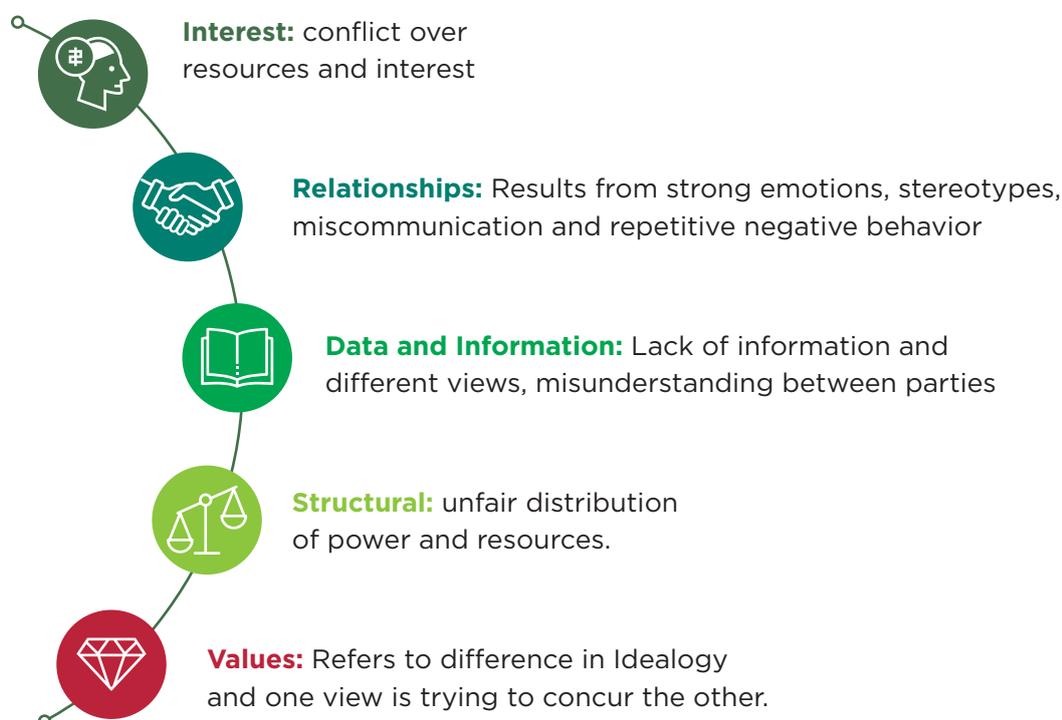


Figure 1 Main Causes of Conflicts adapted from See Moore 1996 model

Group Activity

Ask participants to provide examples of each of these causes/conflicts?

¹ Prachi Juneja, management study guide, <https://www.managementstudyguide.com/understanding-conflict.htm>, accessed on 17/7/2021

² Heathnet, Management of conflict, https://healthnet.org.np/downloads/manual/Conflict_management.pdf, accessed on 17/7/2021

³ Training of Trainers Manual: Conflict Transformation and Peacebuilding, retrieved from <http://www.dmeformpeace.org/wp-content/uploads/2017/06/USAID20-20Training20of20Trainers20Manual.pdf>

1.3 Escalating the conflict

There are times when efforts to diffuse tension may fail. When this happens, the conflict escalates. To understand how the escalation occurs, we need to understand the stages of the process of escalation.

The first is the **discussion stage** (open dispute) in this stage, the parties show respect, maturity and corporation.⁴

The second is the **polarization stage** - in this stage, parties tend to compete and keep their distance.⁵

The third is the **segregation stage** - the parties are inclined to show disrespect and resort to defensive tactics.⁶

By the time parties get to the third stage, the escalation will cause **antagonism and even violence**.

1.4 Conflict escalating models

- Aggressor-Defender Model: One party tries to change the existing conditions to gain an advantage and the other party resists simultaneously.⁷
- Conflict Spiral Model: One party utilizes pressure, which in turn leads to extra pressure from the other party.⁸
- The Structural Change Model: Applying heavy tactics by both sides ultimately causes changes in the parties involved in the conflict.⁹ The continuous spiral of conflict makes both parties further their determination to continue engaging in the conflict.

1.5 Conflict Analysis

Conflict analysis involves a set of steps and activities. The following are the key issues to consider during the Conflict Analysis process.

⁴ Victor Shale & Khabele Matlosa, Managing Intra-party and inter-party conflicts in Lesotho, training manual, Electoral Handbook No 19, EISA-LESOTHO IEC, October 2008, <https://www.eisa.org/pdf/eh19.pdf>, accessed on 18/7/2021

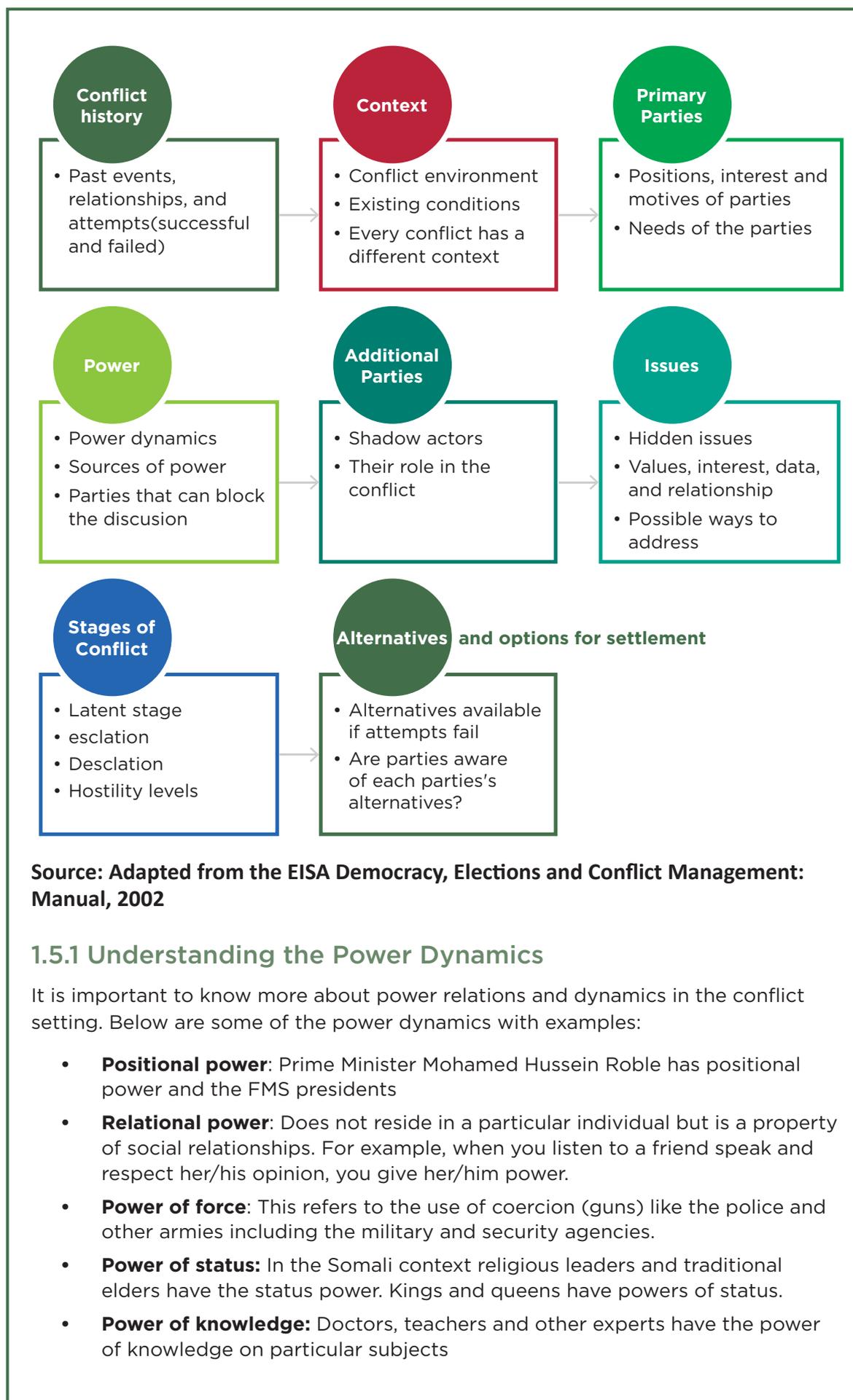
⁵ ibid

⁶ ibid

⁷ Social Conflict: Escalation, <https://pages.uoregon.edu/mauro/psy457/escalate.htm>, retrieved on 18/7/2021

⁸ Ibid

⁹ Victor Shale & Khabele Matlosa, Managing Intra-party and inter-party conflicts in Lesotho, training manual, Electoral Handbook No 19, EISA-LESOTHO IEC, October 2008, <https://www.eisa.org/pdf/eh19.pdf>, accessed on 18/7/2021



- **Power groups:** This refers to the power of the people in groups like the Bajaj Union in Mogadishu, they managed to pressurize the government to open the roads for them.

More tools can be used to analyze particular conflicts. We will be using some of the common tools to analyze conflicts:

1.5.2 Conflict Analysis Tools

Conflict Mapping

This tool allows the illustration of conflict actors/parties, their relationship and significance. The following are the key steps to draw Conflict Map:

- Identify actors (who is involved)
- Map power dynamics
- Map relationships between actors
- Look for intervention points

	Circle Actor or party in they system
	Size of circle Level of structural power in the system
	Straight line Positive direct relationship
	Dotted straight line Positive indirect relationship
	Zigzag line Negative direct relationship
	Dotted zigzag line Negative indirect relationship
	Straight crossed line Broken relationship
	Arrow Direction of structural authority/power
	Arrow in both directions Equal structural authority/power

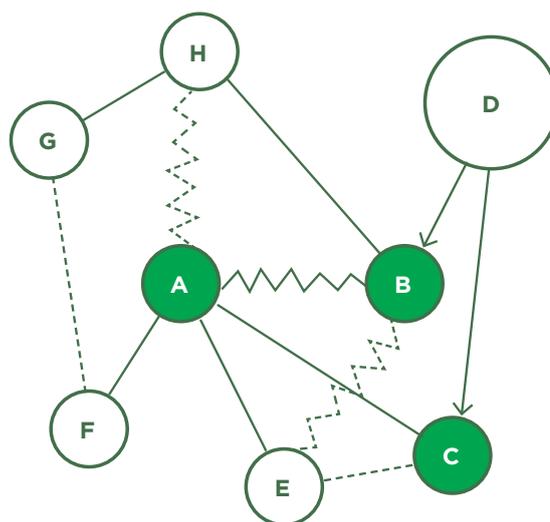


Figure 2 Conflict mapping tool¹⁰

Group Activity

Recently, Mogadishu faced tensions due to the term extension for the government made by the parliament. Resistance to the extension plans were observed; it was rejected by parties from the FMSs, the council of presidential candidates and other civil society groups. It led to an armed conflict. Please draw conflict tecno-map for the election conflict using the stakeholders provided in Key Stakeholders Section.

¹⁰ Conflict Resolution, retrieved from <http://www.zandcraig.com/template-downloads>

Onion tool

This tool helps you dig deeper into the real cause of the conflict, the issues, interests and needs behind the conflict behaviour.

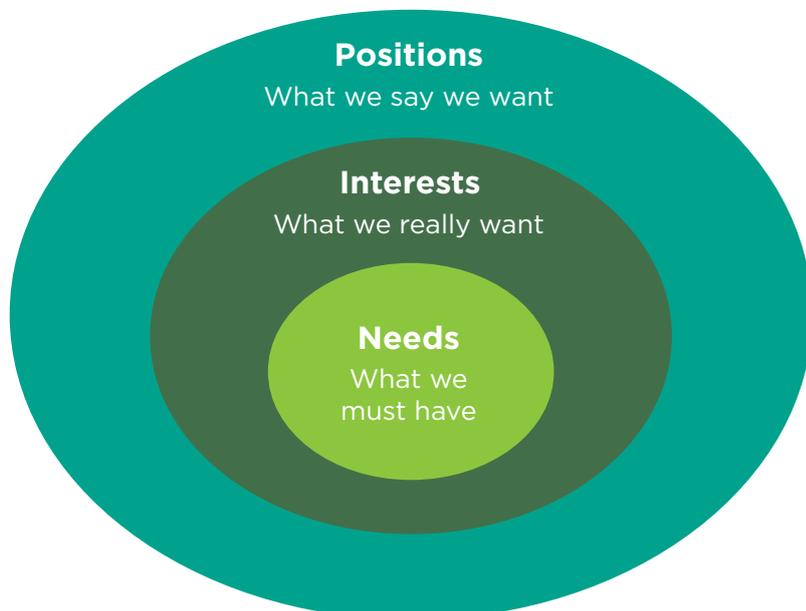


Figure 3 Onion tool¹¹

Example: A clan may resist the election of a certain parliamentary seat; local mediators tried to harmonise and mediate parties; they found that a sub-clan among the main clan has never been elected/occupied the seat. This is something that can be negotiated, and parties can reach a compromise. For instance, the sub-clans can agree on the rotation of the seat among the sub-clans. This method is practised by some of the clans.

Conflict Tree Analysis

The tree has three main parts, a stem (the centre), roots (lower), and leaves (top). In this activity we will be using the shape of the tree to analyse the conflict patterns. Every conflict has root causes that contribute to the exposure of the conflict, it has also effects (consequences) after each conflict.

For example, a sub-clan may disagree on the share of Ergos (Electoral College per constituency, and the cause of the conflict could be the absence of a pre-agreement on resource/power-sharing. As a CSO, you should be able to encourage and facilitate discussion between clan elders and civil society members from that clan. The cause of the conflict should be addressed to achieve sustainable solutions.

¹¹ https://www.researchgate.net/figure/Iceberg-representation-of-PIN-model-of-conflict-resolution_fig1_263918045

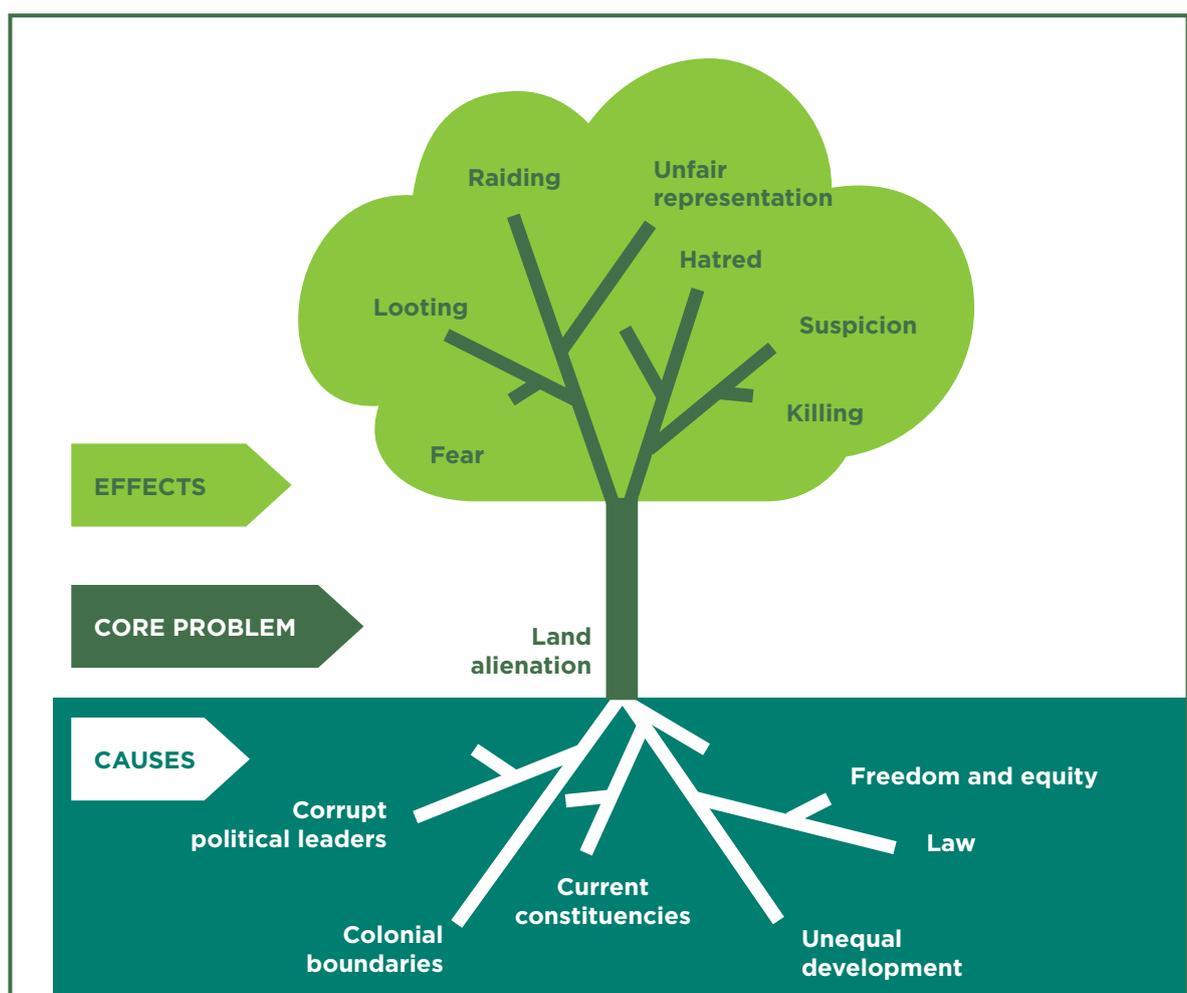


Figure 4 Conflict Tree Analysis, Source Beyond-Peace¹²

Individual Exercise

As you may know, there has been a recurrent disagreement/open dispute between the two tiers of government, mainly the FGS and some of the FMS authorities (JL and PL); identify the main causes and effects of that conflict?

1.5.3 Crucial questions for conflict analysis¹³

1. Who are the parties relevant to the conflict situation?
2. What are the positions of each party in the conflict?
3. What are the needs and interests of each party? [In other words, what are they saying without saying? What lies beyond the spoken word?
4. What is the relative power, status and resources of each party in the conflict?

¹² Tools for Conflict Analysis, Conflict Tree Model <https://beyond-peace.com/tools-of-conflict-analysis-in-theory-and-practice-the-conflict-tree-model>

¹³ TRAINING LOCAL INSTITUTIONS IN KABUSHINGE AND NYAMUGALI CELLS ON LAND DISPUTE MANAGEMENT AND LAND-RELATED LAWS, retrieved from <https://cdn.landesa.org/wp-content/uploads/2011/01/PNADM808.pdf>

5. What are the processes they are using to pursue their interest in conflict with others?
6. Within what framework, structure or system is the conflict taking place?
7. How are decisions made and conflict resolved/transformed in the situation?
8. What external factors impact the conflict?
9. What outcome does each party expect?
10. What are the possible changes as the result of the resolution/transformation of the conflict at the following levels:
 - Personal
 - Relational
 - Structural/systems
 - culture/traditions

Module 2

Negotiation vs Reconciliation



Time 1 hour



Activities

Group and individual activities and illustrative examples



Objectives

At the end of Module 2, participants will be able to:

- Understand the concept of negotiation
- Differentiate reconciliation from negotiation

1 hr



- Spiritual.

What is Reconciliation?

Reconciliation is essential when a hostile conflict has occurred, and relationships have been damaged. Reconciliation is crucial in situations of high interdependence where cooperation between parties is necessary. Reconciliation, therefore, refers to the restoration of relationships to a level where cooperation and trust become possible again. Lederach (1995) stated that reconciliation deals with three specific paradoxes:

- Reconciliation promotes an encounter between the open expression of the **painful past and the search for an articulation** of a long-term, interdependent future.
- Reconciliation provides a place for **truth and mercy** to meet; where concern for exposing what happened and letting go in favour of a renewed relationship is validated and embraced.
- Reconciliation recognizes the need to give time and place to justice and peace, where redressing the wrong is held together with the vision of a common, connected future.¹⁴

Example of Reconciliation in Somalia

In 1991, Somalia faced a deadly civil conflict between clans. The trust and corporation among the society was lost and national reconciliation was mandatory to form a government for Somalia. Djibouti hosted a reconciliation conference for all Somalia clans. The base of today's governance is the outcomes from that reconciliation. However, some people argue the need for decentralized and localized reconciliation approaches. The Arte conference is the foundation of today's governance. Other examples include the Grand Reconciliation conference in Boorama which lasted for three months. Today, Somalia has a national reconciliation framework.

Group Activity for participants

Areas that reconciliation can be used include the conflict between Al-Shabab and Government. Think about the possible scenarios that can be used to reconcile the parties and discuss in your group

Negotiation: is a method by which conflicting sides put their difference into a settlement. Both sides accept the agreement when they realise the result is beneficial to their positions.¹⁵

Negotiation is different from **mediation as a third party is involved** in the latter while in negotiation both sides engage in talks without external effort. Negotiation

¹⁴ Maxwell C.C. Musingafi, Racheal Mafumbate, Thandi F. Khumalo, Traditional conflict management initiatives in Africa: Wellness models for southern Africa and the Zimbabwean crisis <https://core.ac.uk/download/pdf/234691377.pdf>

¹⁵ Skillsyouneed, what is negotiation, <https://www.skillsyouneed.com/ips/negotiation.html>

may help preserve and strengthen the relationship of the parties involved in the conflict at the same time, the negotiation process is less costly compared to the litigation process.¹⁶

Important note for negotiators

1. **Highlight the conflict, not the person.** The focus should be given to the source of the conflict and not to be personalized. Similarly, avoid responding to personal attacks.
2. **Engage in active listening. This is a great art of negotiation/mediation.** Engage in active listening techniques like repeating back critical information, reaffirming statements, and maintaining eye contact.
3. **Find common interests.** It is important to analyse and understand the negotiating parties' needs and interests to find common ground. Adjust issues that can be redefined. Then, work together to develop a **WIN-WIN situation**.
4. **Set an objective.** The desired outcome of conflict resolution is an end to conflict so negotiations can continue. There should be clear objectives to reach a **WIN-WIN situation**.
5. **Determine the best alternative to a negotiated agreement (BATNA).** A skilled negotiator enters the discussion with the BATNA in mind. In addition, it is especially important during conflict resolution to determine the BATNA of the opposing negotiator. A good negotiator will also think about the worsts alternative to a negotiated agreement (**WATNA**).¹⁷

Group Activity

We know that Xeer law has had an important role in providing justice and mediating disputes in the absence of a functioning judiciary. In your group discuss in how can the Somali Xeer be applied to the 2020/2021 elections regarding the role of traditional elders?

¹⁶ Government of Canada, department of justice, <https://www.justice.gc.ca/eng/rp-pr/csj-sjc/dprs-sprd/res/drrg-mrrc/03.html>, accessed on 19/7/2021

¹⁷ Win-Win Negotiations: finding solutions that work for everyone <https://www.mindtools.com/CommSkill/NegotiationSkills.html>



Module 3

Mediation Skills



Time 6 hours



Activities

Group and individual activities and illustrative examples



Objectives

At the end of Module 3, participants will be able to:

- Distinguish mediation from other conflict resolution methods
- Identify the key roles of mediators
- Explain the stages of mediation
- Recognise the necessary skills for mediators

3.1 What is Mediation?

Mediation refers to a process through which a third party provides procedural assistance to help individuals or groups in conflict to resolve their differences. For instance, mediation can be conducted by the International Community and/or Civil Society members to harmonise election tensions between the FMS and FGS.

Active listening skills are necessary for constructive conflict mediation. Listening is a communication skill used by mediators and facilitators to support communication by helping parties deliver clear messages and know that their messages were heard correctly.

Why Active Listening is important?

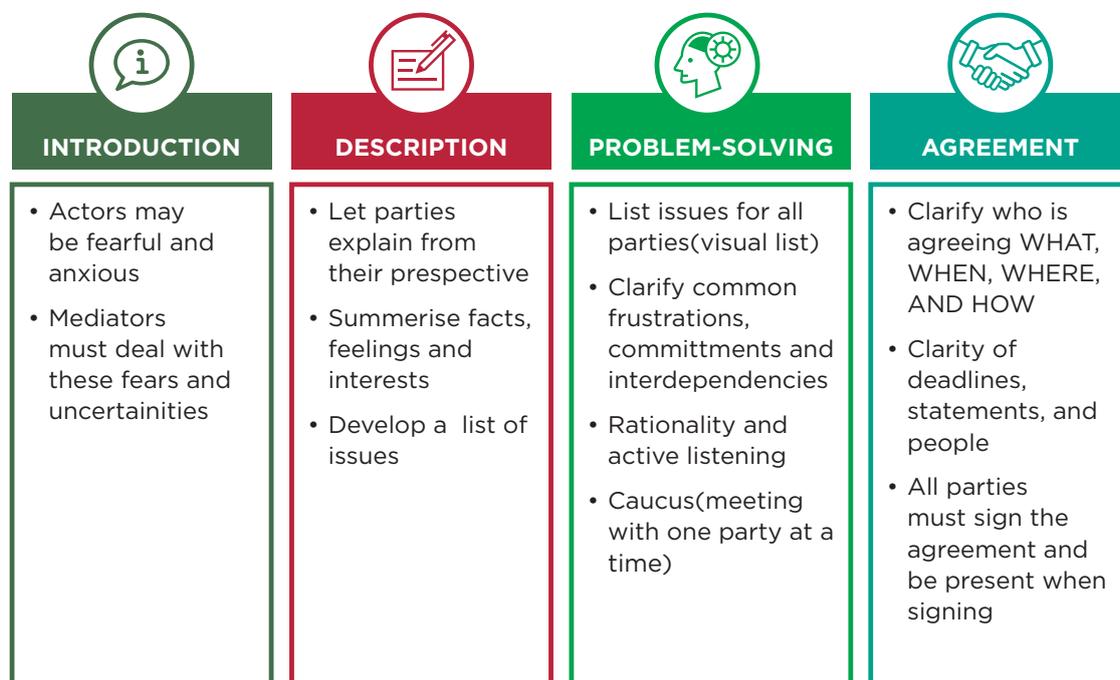
- To demonstrate that the speaker's message has been heard.
- To allow clarity to the listener on the content and emotion of the message.
- To aid speakers to express themselves and to encourage them to explain, in greater detail, their understanding of the situation and what they are feeling.
- To facilitate the understanding that expression of emotion is acceptable and that it is useful in understanding the depth of feelings.

3.2 What distinguishes mediation from other Conflict Resolution methods?

- Mediation is a voluntary process. Actors can't be forced to be mediated.
- The mediator must have the consent of all parties.
- The mediator provides procedural assistance rather than substantive assistance. That is, the mediator controls the process of resolving the conflict while the content is the domain of the parties.
- The mediator should remain impartial and neutral.
- Parties or actors have the authority on the terms of the agreement to the conflict, not by the mediator. Mediators can suggest what should be done, but they can't dictate or issue decisions. The mediator does not serve as a judge or arbiter.
- Mediation is an **interest-based method**, that is, it seeks to reconcile the substantive, psychological and procedural interests of the parties rather than to determine who is right or more powerful.¹⁸

¹⁸ TRAINING LOCAL INSTITUTIONS IN KABUSHINGE AND NYAMUGALI CELLS ON LAND DISPUTE MANAGEMENT AND LAND-RELATED LAWS, retrieved from <https://cdn.landesa.org/wp-content/uploads/2011/01/PNADM808.pdf>

3.3 Stages of Mediation



The above chart outlines the stages of mediation (Introduction, Description, Problem-solving and Agreement). Communication plays a central role in all these stages. Mediators should have clear communication approaches.¹⁹

3.4 Communication skills

Communication is an essential component of conflict resolution, mediation and management. These are the important communication skills that support conflict handling:

- **Active listening** is one of the main mediation skills required
- **Sending clear messages** and using appropriate channels
- Don't only depend on verbal communication, instead consider communicating through other mediums such as emails or official letters.
- Be realistic
- Avoid uncertainties and ambiguous words. Messages must be specific. Avoid messages that can aid in fuelling the conflict.
- Rephrase the insulting words/statements made by parties

Communication can be a useful tool for effective early warning and conflict prevention. The creation of social media content can help citizens know more about the elections, provided the information is accurate. On the other hand, social media is a double-edged sword that can promote peace as well as trigger violence. It could be a platform for spreading propaganda, hate speech and fake news.

¹⁹ Ibid

3.5 Roles Played by Intermediaries²⁰

From the pre-negotiation stage to the negotiation and post-negotiation stages, people involved in the intervention process play several roles. Local, regional and international governmental and nongovernmental representatives may find themselves assisting peacemaking efforts in a variety of ways, including):

Table 1 Roles played by intermediaries²¹

Role	Definition
Explorer	A person who carries messages between parties and reassures them about the room for negotiation and considers areas of common ground.
Convener	Begins the resolution process by encouraging parties to participate in and working to remove obstacles that impede peace-making activities.
Analyst	Conducts extensive economic, social, or political analysis to help other interveners make decisions and allows them to understand the causes of the conflict.
Designer	Helps conflict interveners and parties create resolutions that can address conflict issues.
Communicator	Serves as the communication interface between parties involved in the process and those outside the process, such as the media, public or international community.
Decoupler	Finds ways for external parties who have become involved in the conflict to disengage while saving face and attempts to engage other external actors who can play less biased roles in endorsing the process or encouraging parties to participate.
Unifier	Helps with intraparty negotiations to repair divisions and assists them in creating a common understanding of the conflict and their goals and objectives.
Enskiller	Empowers parties with the skills required to negotiate, communicate interests, analyse scenarios and research aspects of the conflict.
Educator	Provides expert opinion or technical information to parties about aspects of the conflict issues.
Envisioner	Helps parties think about the conflict and possible solutions in new ways by using creative option-generating processes or bringing in relevant data.
Evaluator	Helps parties assess possible solutions and their impact on the resolution of the conflict.
Guarantor	Ensures that parties do not incur unacceptable costs either through involvement in the process or if the process breaks down.
Legitimiser	Encourages parties to accept the process by granting their moral, political or financial approval.
Facilitator	Assists parties in communicating to one another by creating a safe process for discussions, framing or reframing the issues and parties' understanding of the conflict and fostering a forum for effective listening and problem-solving.
Enhancer	Brings in resources to expand the options for settlement or reward participation in the process.

²⁰ Managing intervenors' role integrity and role coordination, <https://journals.co.za/doi/pdf/10.10520/EJC111704>

²¹ Ibid

3.6 Skills for the Mediators

 <p>Good language skills (Communication)</p>	 <p>Empathy</p>	 <p>Analytical</p>	 <p>Problem-solving</p>	 <p>Simple and confident</p>
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Module 4

Election-related Violence



Time 4 hours



Activities

Group activities and illustrative examples



Objectives

At the end of Module 4, participants will be able to:

- Know and define possible election-related violence
- Outline the causes, triggers and motives of election violence
- Explain the roles that CSOs can play in defusing election conflicts
- Clarify possible 2021 election triggers in Somalia



4.1 Introduction

Elections represent a process of constructive conflict where people, especially those aspiring to acquire political power, contest through the ballot box. Elections represent a democratic system of governance where citizens are empowered to participate by casting their vote to elect their representatives for different levels of government such as the Upper House, Lower House, or the Federal Member States. Elections can sometimes hinder rather than enhance democracy as they can be used by an existing regime to manipulate the election system.²²

Violence could be:

- **Direct Violence:** Physical harm like one clan storms another clan's territory or a person is killed or tortured because of election results
- **Structural violence (indirect):** This is an unequal distribution of power and government resources. For instance, if some of the minority clans are not given political representation this will be structural violence. It includes social, economic, and political processes that manifest in both material and symbolic means of social exclusion.²³

4.2 Define election-related violence

Electoral violence is defined as actions of physical harm, intimidation, abuse aimed at impacting the outcome of the election or affecting the electoral process or delay the election process to win it.²⁴

Electoral violence usually targets persons such as candidates, voters, implementing teams of party supporter.²⁵ The incumbent government can try to influence election outcomes. To achieve this goal, it will start trying to do so prior to an election. Tactics such as dominating the **playing field, manipulating registration, changing contesting rules** and banning political parties are used by the incumbent to influence the election results. In the case of the 2021 elections, the target could be voters, elders, and candidates. FGS and FMS authorities could use force against the will of the clans; in the 2016 elections, the clan elders and members were the key stakeholders of the election; but, in the 2021 elections, more powers are being given to the FMS which could undermine the fairness of election results.

4.3 Causes of Electoral violence

- Electoral violence is more likely to occur in situations where the existing political structure is built on **patronage** and a rentier system where the leaders utilize this system to buy loyalties.
- Electoral implementing bodies (electoral commissions) are **not strong** because of poor capacity, lack of freedom in making decisions or are being influenced by the government.
- The existence of **unresolved conflicts** on land and other resources can create a conducive environment for electoral violence.²⁶

²² Paul Collier, *Wars, guns and violence: Democracy in dangerous places*, 1st edition, 2011 harpercollinsbooks,

²³ Lee, Bandy X. *Violence*, 2019, retrified from <https://onlinelibrary.wiley.com/doi/10.1002/9781119240716.ch7>

²⁴ European Commission United Nations Development Programme Joint Task Force on Electoral Assistance, thematic workshop on Elections, Violence and Conflict Prevention held in June 20 – 24, 2011

²⁵ Ibid

²⁶ Ibid

4.4 2021 Election Conflict Triggers

Conflict triggers are any events or incidents that could cause disagreement and tensions between the parties.²⁷ Triggers could be economic (monitory incentive), psychosocial (fear, seeking status, greed) and biological (uncertainty).²⁸ Triggers could be anything that can fuel the election conflict. The following are examples and scenarios of 2021 election conflict triggers that could worsen the situation.

6. The election interference by an FMS president in which the president selects who becomes a member of the Senate before the Senate election takes place in that FMS MPs. In this process, the FMS president has unlimited power to select who he/she wants in the Senate. By doing so, many hopeful candidates will be discouraged by this process and may resort to other means to oppose the selection, including violent conflict.
7. As it has been seen in the 2021 senate election, many **senate seats were changed** to the lower house parliament and vice versa. This can incite possible anger, which may ultimately cause conflict; it also affects the intra-clan arrangements on power-sharing.
8. Somali politicians are **deeply polarised** at this time and suspicions surfaced after the April 2021 violence that rocked the capital. This great divide erodes confidence in the electoral process as a willingness to negotiate and find a solution to differences currently does not exist.
9. **Authorities' apparent meddling** in the election process will create a conducive environment for conflict. Many presidential, as well as parliamentarian hopefuls, will be unable to compete for the election and this can prompt the use of other means such as intimidation and harassment by the prospective candidates and their clan support. Recently, hopefuls in some of the states espoused the use of violence if the election is manipulated by the state authorities.

4.5 What can the CSOs do?

1. CSOs should be engaged in efforts of resolving conflict by the conflict resolution committee at the federal level. They should contribute and encourage mediation processes and conflict prevention at state levels.
2. CSOs should campaign for the reduction of election interference by FGS and FMS authorities.
3. The use of media outlets is necessary to hold election stakeholders/actors accountable. EISA has organised multiple election debates and forums like Let's Talk Elections. Such events encourage accountability and civic awareness on elections. Hundreds of thousands of Somalis use social media. This could be an effective channel for information sharing; election-related content and awareness videos can be promoted and circulated via social media platforms.
4. Observation and monitoring of the election activities and the process is essential for conflict prevention. So far, election conflict assessors and monitors are already working to prevent and resolve election-related conflicts in the State and Federal elections to monitor the election process and document election-related abuses.

²⁷ What is conflict trigger? <https://prezi.com/c-98vico2cvs/conflict-triggers/>

²⁸ Michael Caldara, Michael T. McBride, Matthew W. McCarter and Roman M. Sheremeta, a Study of the Triggers of Conflict and Emotional Reactions,

5. As the politicians are divided, CSOs groups should be well-coordinated and impartial to have the confidence of all parties. The neutral position of CSOs allows them to be trusted by all stakeholders; neutrality is leverage for CSOs to facilitate conflict resolution and mediation processes.
6. CSOs could contribute to the capacity building activities for the electoral colleges/delegates, elders and other stakeholders on conflict prevention and resolution skills to prevent conflicts.
7. Faith-based actors like Islamic scholars or the national Ulama forum, for example, are well suited to be called upon and trained as election mediators, as this is a key part of their everyday job

4.6 Motives of Electoral Violence²⁹

Motives of the election violence can be a lengthy list. Below is an overview of some of the key motives that can cause electoral violence.

Seeking electoral advantages – The use of threats, intimidation and coercion against political competitors and their supporters. *In the 2021 election context, voters could be intimidated by the state authorities or powerful candidates.*

Disrupting elections – This is often an incentive for those who do not compete in elections. They may be excluded from the electoral processes (disenfranchised groups) or have a particular interest in elections being spoiled or not taking place at all.

For example, Al-Shabab has previously targeted and executed some of the Electoral College members of the 2016 elections. They have also issued a warning against involvement in the 2021 election process.

Preventing election manipulation – This is an incentive to those who share perceptions that elections are manipulated or rigged. Electoral processes may be designed and implemented in a way that will favour one electoral contestant over another. Parties and individuals who feel that the process is manipulated to their disadvantage may take action to bring an end to such practices, even through violent means.

In the 2021 election, there could be concerns and calls from the presidential candidates and other community members on the fairness of this election since more powers have been given to the FMS presidents. The process could be perceived (real or imagined) manipulated and controlled.

Violence against women is an important tool and can be motivated by a desire to punish women for their participation in the electoral process as their participation threatens the dominance of the male power structure. Certain clans are not happy with their current female representation due to society's male domination structures. *Some of the clans and candidates are planning to change their female representatives in the parliament, this could undermine the women's 30% quota.*

²⁹ <https://aceproject.org/ace-en/topics/ev/prevention-and-mitigation/ev302/default>

Group Discussion

In your group discuss:

What was the cause of the late election impasse of Somalia in 2020/2021?
Objectively narrate your views in a manner that encourages learning

We know that dozens among the 2016 Electoral College voters were assassinated by Al-Shabab; they have also forced others not to vote for the upcoming election granting them amnesty; more details on the election-related threats of the Al-Shabab group can be found the link below.³⁰ What can be done to ensure the safety of Electoral College voters (Ergooyinka)? How can threats from terrorist organizations and other organized criminal entities be minimised?

³⁰ Blunting Al-Shabaab's Impact on Somalia's Elections, accessed from <https://www.crisisgroup.org/africa/horn-africa/somalia/b165-blunting-al-shabaabs-impact-somalias-elections>

6 hrs



Module 5

Integrated Approach to Election-related Violence



Time 6 hours



Activities

Group activities and illustrative examples



Objectives

At the end of Module 5, participants will be able to:

- Understand the key concepts of integrated election approaches to election conflict
- Describe the synergy between the electoral cycle and the conflict cycle
- Recognise approaches to managing election disputes

5.1 Integrated approach to election-related violence

This approach brings civil society, the EMB, Faith-based organizations, academia, and the legal fraternity together. The electoral cycle approach is used by many organisations to highlight that an election is not an isolated event but a continuous event that starts as soon as an election is complete to begin preparations for the next elections and covers the pre, during and after election phases.

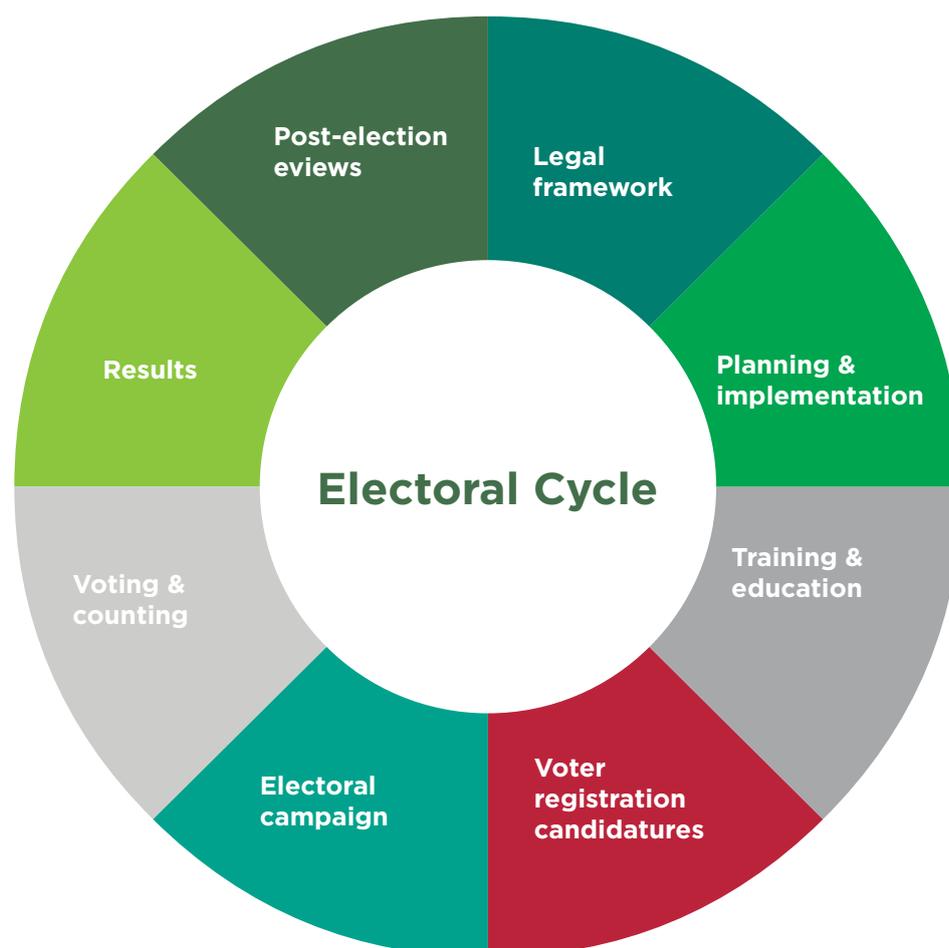


Figure 5 Electoral cycle

Lisa Kammerud proposes the application of an integrated approach to mitigate and prevent violence at elections. Kammerud suggests that the electoral cycle approach is not sufficient and should be coupled with a conflict cycle to complement each other's efforts in tackling and preventing violence during the election period.³¹

Kammerud suggests that election implementers should not only look at conducting elections using the electoral cycle approach but also incorporate their interventions within the conflict cycle, which goes hand in hand with the election cycle. This integrated approach also proposes the establishment of multi-stakeholder technical expertise that works with the electoral management body to facilitate the process

³¹ Lisa Kammerud, An Integrated Approach to Elections and Conflict, retrieved from https://www.ifes.org/sites/default/files/integrated_approach_to_elections_and_conflict.pdf

of conflict mitigation and resolution. Kammerud also indicates that election violence is better captured and comprehended when it is placed under the lens of the conflict cycle. Managing successful elections without violence requires well-thought-out strategies to resolve, prevent and mitigate election-related violence.

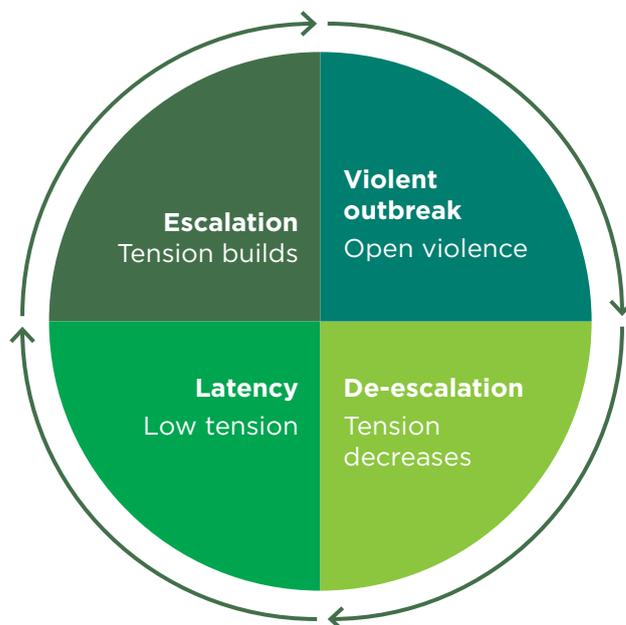


Figure 7 conflict cycle Source Lisa Kamarud

Figure 5 illustrates the election cycle where Election Day is preceded by the time for the preparation of the election time. Figure 6 depicts the cycle of conflict. In the first phase (Latency) the conflict does not appear externally as the root causes exist within the community. Figure 6 demonstrates the likelihood of violence. This phase constitutes the existence of the various election triggers been mentioned above which can cause violence to erupt on Election Day. The second phase (Escalation) is when tension builds and surfaces through heated discourse and verbal threats. The third phase (Violent outbreak) occurs when the heated arguments and verbal threats turn into physical acts of conflict. What was supposed to be constructive conflict becomes destructive violence. The campaign period and expression of a voter's support to a particular candidate/party is understood as a threat to one's life. The fourth phase (De-escalation) is when a third-party/parties of conflict turn to defusing tensions and the period of calmness prevails.



Figure 8 Conflict Response Cycle

Figure 7 illustrates the conflict response cycle. An integrated approach to election-related violence argues that the election cycle which starts from the pre-election period should be looked at through the lens of the conflict response cycle. Each stage of the election cycle is linked to the conflict response cycle. Many countries that have gone through a conflict crisis have experienced socio-economic, political, ethnic cleavages that are aggravated by elections. Some countries are threatened by insurgents who hamper the smoothness of the electoral process. Many other countries are ruled by a single party that uses an iron fist to intimidate and abuse political aspirants and ban them from participating in the elections.³²

³² Ibid

Table 2: Integrated approach- election cycle within conflict response cycle

Election Cycle	Conflict Response Cycle	Proposed Activities
Pre-election period	Conflict Analysis	Assess campaign routes and Schedules
	Conflict Prevention	Electoral codes of conduct and enforcement mechanism
	Conflict mitigation/mgmt.	Train election workers including the EMBs in election mediation
	Conflict Resolution	Establish credible conflict resolution mechanisms for nomination, registration and polling complaints ³³
Election Period	Conflict Analysis	Review of results about conflict patterns, history, parities, issues and options.
	Conflict Prevention	Civic education programme adopted in schools
	Conflict mitigation/mgmt.	Election conflict monitoring/Early warning alerts
	Conflict Resolution	Conduct local political dialogues to allow groups to reconcile their differences
Post-election period	Conflict Analysis	Risk mapping by election management body and security sector
	Conflict Prevention	Legal framework reform
	Conflict mitigation/mgmt.	Setting up multi-stakeholder bodies that work to mediate disputes
	Conflict Resolution	Adopt a more inclusive electoral system

Source: Lisa Kammerud 2012

Table 2 above summarizes how the election cycle can be integrated into the conflict response cycle. The four components of conflict response cycles are incorporated into each stage of the electoral cycle by proposing certain activities that can help undertake/facilitate the smooth functioning of the electoral process where conflict resolution can mitigate against election related conflict. The election management body and other relevant agencies work within the election cycle and not only in the election period. The pre-election period is regarded as preparation for the election time where necessary pre-requisites are put in place, for instance, training election workers on mediation disputes. Tracking and monitoring are important during election time to capture sensitivities and possible violent activities. After the election is conducted, EMB should draw lessons learnt from the election experience and suggest legal framework reform including setting up a more inclusive electoral system that enables all stakeholders to participate in the election freely and without restraint.³⁴

³³ EISA has developed an election conflict management panel model that illustrates a mechanism to resolve election related conflict

³⁴ Lisa Kammerud, An Integrated Approach to Elections and Conflict <https://www.ifes.org/sites/default/>

5.2 Approaches to managing election disputes³⁵

There are different approaches to managing election disputes. Below are four approaches that are commonly used in dispute resolution.

- The **power-based approach** (Confrontation) The powerful party determines the outcome of the conflict.
- The **rights-based approach** (Legal) Decisions are based on laws, norms and values of a given society or organization. A dispute is resolved through a court of law.
- The **consensus or interest-based approach** (Problem-solving) negotiation tries to reconcile parties' concerns and grievances. The keywords in this approach are cooperation and **compromise** as part of this approach. CSO can use this approach to intervene 2021 elections in Somalia. The outcome could be a WIN-WIN solution.
- The **avoidance approach**. Denial or avoiding the problem rather than confronting and trying to find a resolution to the conflict.

The diagram below illustrates the different approaches to managing conflict

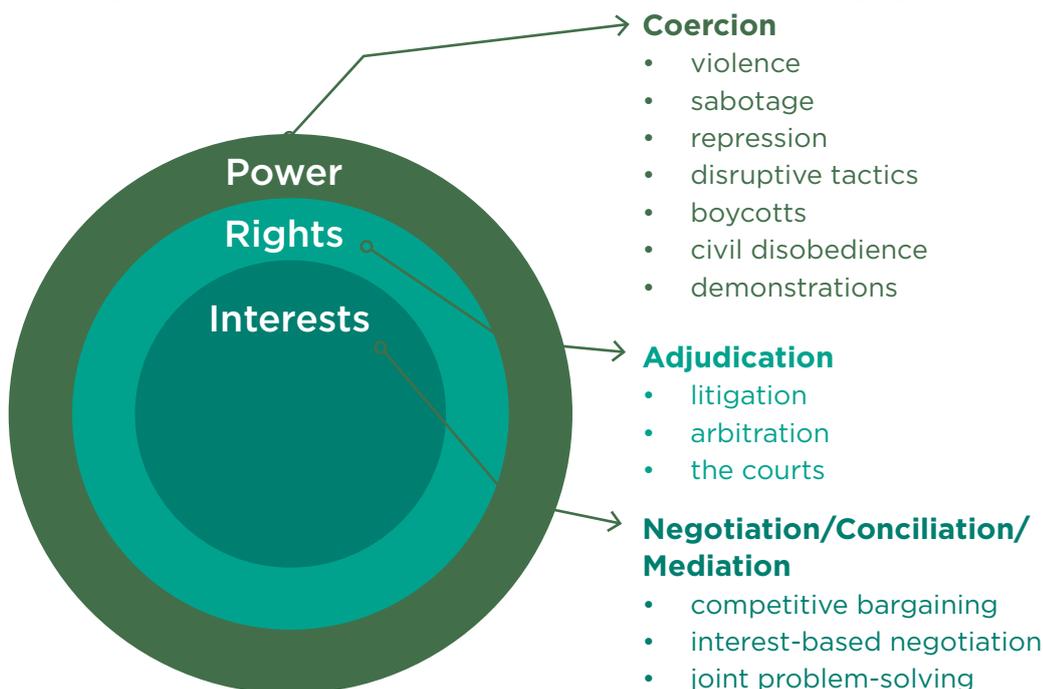


Figure 9 Power, Rights and Interests³⁶

files/integrated_approach_to_elections_and_conflict.pdf

³⁵ This section was adapted from the EISA Democracy, Elections and Conflict Management: Manual, 2002

³⁶ Ibid

Group work

In groups ask each group to read through the scenarios below and identify the conflict approach.

NB. These scenarios are intended to increase your thinking and understanding of the conflict approaches, some of the examples are not Somalia specific ones rather they are based on an election context with political parties.

Note for facilitators: Print out the scenarios cards and hand them out when training asking participants not to look at their guide but work from the sheets you give them then you go through them together and refer them to their manual afterwards.

Table 3 Scenario cards: Typical Approaches to Conflict

Typical approaches to conflict

Power / Rights / Consensus / Avoidance

Card 1

Problem:

Some of the current MPs changed their electoral districts to another location in other FMSs to secure their personal agenda. A HOP seat allocation has been changed by an incumbent MP to arrange his re-election.

Response:

The National Consultative Forum altered the seat allocation resolution of the parliament since some of the MPs shifted their seat locations after consulting with stakeholders including the FMS and FGS. Seat locations were modified and adjusted by the Forum.

Consensus

Card 2

Problem:

Party A has planned to have a rally at a football stadium on a particular day. Party B has a rally the day before and decides to occupy the stadium, to prevent party A from holding its rally.

Response:

Party A puts pressure on the police using its contacts in the Ministry of Safety and Security to clear the stadium. The police clear the stadium using tear gas, without warning.

Power

<p>Card 3</p> <p>Problem:</p> <p>One of the senate candidates was excluded from the list of candidates for the upper house elections. The candidate threatened the use of violence against the FMS authorities. His message is being circulated on social media and it became an imminent threat since the candidate had support from his local militia.</p> <p>Response:</p> <p>CSOs mediated between the candidate and FMS authorities and the candidate has been enlisted in upper house candidates. The tension was successfully diffused before it erupted.</p>	<p>Consensus</p>
<p>Card 4</p> <p>Problem:</p> <p>Some of the clan youth members missed the registration date and are therefore excluded from the electoral college voters' roll. Candidate A, who feels he/she could lose up to 20 per cent of the vote, as a result, takes up the case of the clan youth members to SEIT to make an exception and allow them to register late.</p> <p>Response:</p> <p>The commission decides that the clan youth members cannot be accommodated. The candidate takes the case to the Election Dispute Resolution Team.</p>	<p>Rights</p>
<p>Card 5</p> <p>Problem:</p> <p>Delegate registration has begun, and the rule is that only people with CID security clearance and approval from the clan elder can register. A mob of potential voters who do not have these approvals storms the registration table and threatens the staff. They tear up the forms on the table.</p> <p>Response:</p> <p>The SEIT technical team called the police to handle the issues and the mob were arrested by the Police.</p>	<p>Power</p>
<p>Card 6</p> <p>Problem:</p> <p>One of the parliamentary candidates of the 2021 elections tried to use illegal means of securing the seat and was found using bribes, coupled with intimidation. Other candidates submitted a complaint regarding this violation to IEDRC and FEIT.</p> <p>Response:</p> <p>The electoral commission at the federal level (FEIT) decided to resume the election process again and changed the technical team to avoid further mistakes.</p>	<p>Avoidance</p>

<p>Card 7</p> <p>Problem:</p> <p>The Electoral Commission, despite several meetings with high-ranking officials, believes it does not have sufficient funds to execute the election.</p> <p>Response:</p> <p>The Commission Chair embarks on a major public awareness campaign through the media, pointing out the dangers of a poorly resourced election.</p>	<p>Consensus</p>
<p>Card 8</p> <p>Problem:</p> <p>Party A has planned a rally in the Mogadishu Stadium. The stadium is situated in the centre of a community that has always supported the opposition. Anonymous threats are made against the organisers and all their posters in the area are either defaced or taken down.</p> <p>Response:</p> <p>Party A, expecting trouble on the day of the rally, goes directly to the Regional Court to have its right to hold the rally in peace affirmed. The rally takes place under a high-security presence. Ninety per cent of the party's supporters are bused in and leave under police escort. A violent clash occurs around midnight when local youths accuse Party A's supporters of holding a hostile rally in 'their' stadium.</p>	<p>Rights</p>
<p>Card 9</p> <p>Problem:</p> <p>Two clan elders/leaders are in dispute over the status of the clan leadership; both want to influence the election. One of the elders is among the 135 elders who have played leadership roles in the 2012 and 2016 elections and are recognized by FGS while the other elder is newly appointed by the FMS authority. The new guidelines on the 2021 elections remove the role of the 135 elders giving the state to appoint FMS level elders.</p> <p>Response:</p> <p>SEIT approves the status of the late elder since he is recognized by the state authorities.</p>	<p>Avoidance</p>
<p>Card 10</p> <p>Problem:</p> <p>The forum for presidential candidates rejects the 2021 election guidelines for the house of parliament elections. The forum argued that the guidelines allocate more powers for the FMS instead of the clan elders.</p> <p>Response:</p> <p>The members of the National Consultative Forum meet with the presidential forum to address their concerns which have led to the modification of the guideline.</p>	<p>Consensus</p>

Card 11

Problem:

A clan leader refuses to participate in the election due to the threats from AS; the leader was among a group of 2016 delegates who were given amnesty after they accepted AS's call for forgiveness.

Response:

Other clan elders organized themselves and appointed a new clan leader. The authorities of the FMS approved the new clan leadership and provided the necessary identification cards.

Rights

In a plenary, discuss the responses to the scenarios. Ask them to explain their choices. Decide in plenary if all the groups agree with each other's choice of label for each situation. Move on to discuss the appropriateness of each of these choices in the situations in which they were used.

3 hrs

Module 6

Elections in Somalia (2020/2021)

**Time 6 hours****Activities**

Group activities and illustrative examples

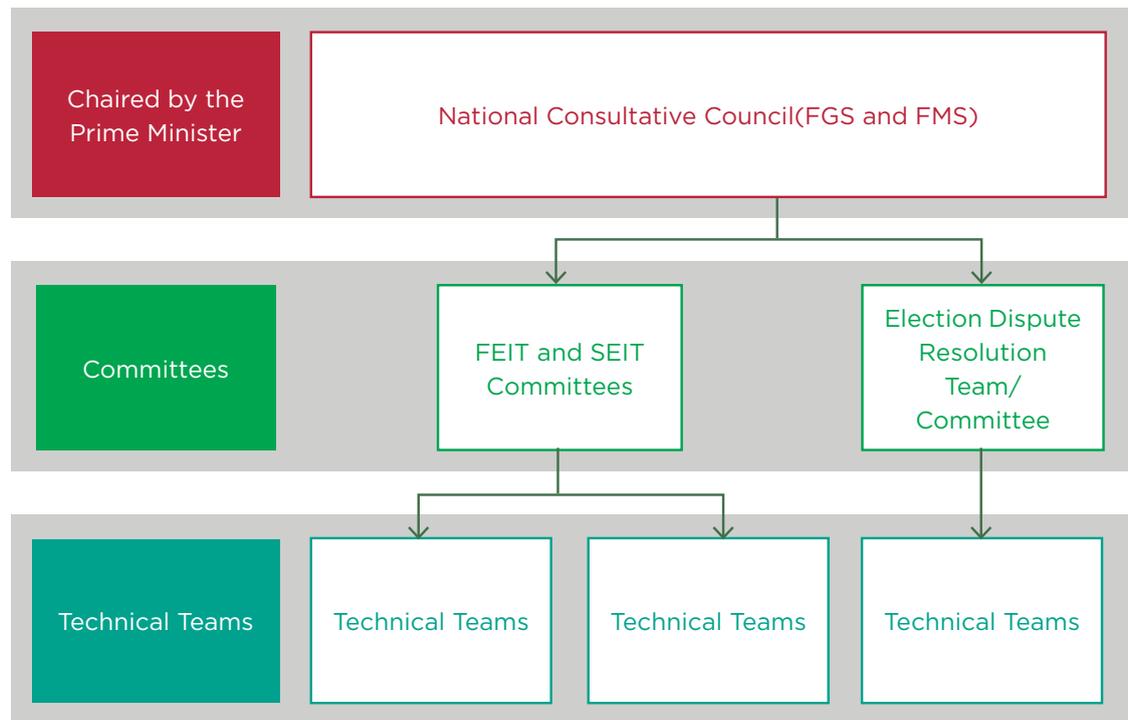
**Objectives**

At the end of Module 6, participants will be able to:

- Identify the key stakeholders of 2021
- Recognise the election leadership and security arrangement
- Describe the existing election committees and their functions
- Explain the role of the Indirect Election Dispute Resolution Committee (IEDRC)

6.1 Election Leadership Teams

The National Consultative Council is the lead body that has the responsibility for the implementation of the 2020/2021 elections. This body includes the Federal Member States and Banadir Regional Administration and is headed by the Prime Minister.



6.2 Key Stakeholders



Figure 11 2021 Election Key Stakeholders

Engaging the above stakeholders is essential for the smooth implementation of election processes. They can be used to reduce election-related conflicts. These actors can be grouped into **external** (International community) and **internal** stakeholders (FMS).

6.3 Committees

Two levels of independent committees were established for the 2021 election, the Federal Electoral Implementation Team (FEIT) and State Electoral Implementation Team (SEIT). FEIT has the overall responsibility of conducting elections at the national level where it establishes standards and guidelines for the election process while SEIT is responsible for state-level election implementation. In addition to these two committees, there is a federal level committee on election conflict resolution that consists of 25 members, 13 of whom were appointed by the federal government while the remaining 12 were appointed by each of the States (Puntland, Galmudug, Jubaland, Hirshabelle, Southwest and Somaliland).

In addition, Somaliland representatives have special committees, and their seats will be elected in Mogadishu. The following chart outlines the 2021 election committees and their responsibility.

Table 4 Election Committees

Committee/Team	Level	Responsibility
Federal Election Implementation Team (FEIT)	Federal Level	The overall mandate of the 2021 elections implementation. Provision of guidelines and other standards for the election. Supervision of elections in electoral zones. Capacity development for the state level teams and actors to hold elections.
State Election Implementation Team (SEIT)	State Level	Implement state-level parliamentary elections, train electoral college for each constituency,
Election Dispute Resolution Team	National Level	Handle election-related conflicts and disputes. Establish complaint mechanisms for voters, candidates and other stakeholders
Somaliland Election Implementation Team	Somaliland	This is a special committee to implement parliamentary elections for the Somaliland seats.

6.4 Election Security

6.4.1 National Election Security Committee

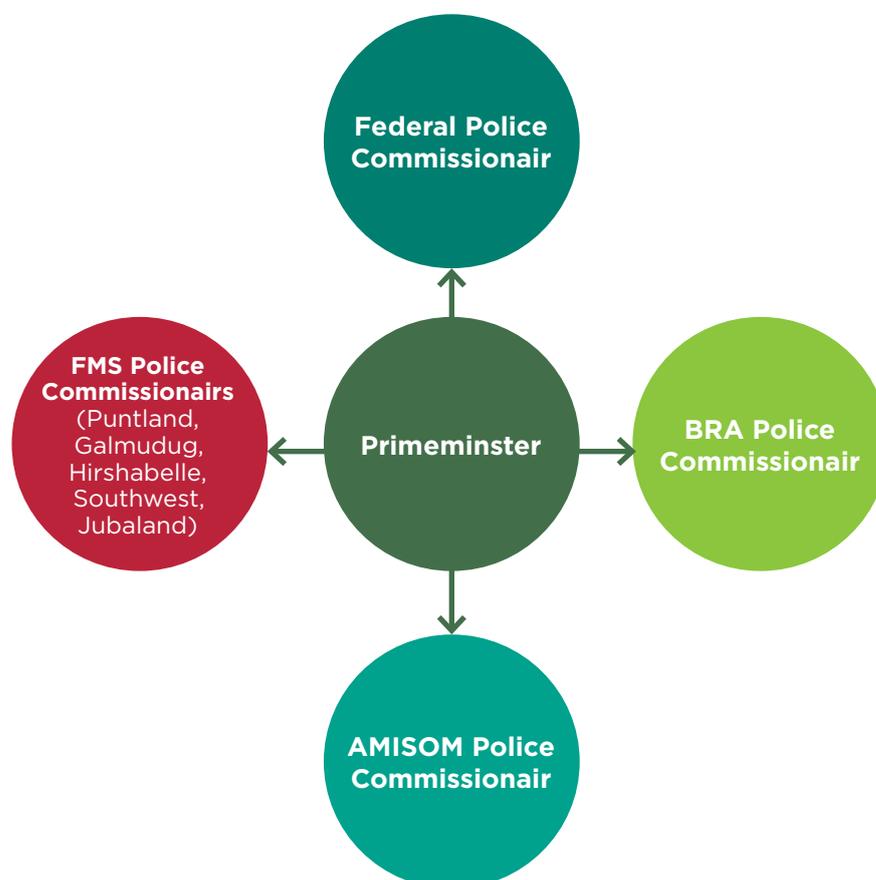


Figure 12 National Election Security Committee

The security of election stations is important. The above-mentioned nine-member committee has the overall responsibility of election security and they should not intervene in the election process. The committee members include the Federal Police Commissionaire, six FMS and BRA Police Commissionaires, AMISOM and chaired by the Prime Minister. The committee is tasked with arranging special forces for the election, particularly the election stations of both houses, Somaliland seats, and the presidential election. This committee reports to the National Consultative Council(NCC). The committee will work closely with the Election Dispute Resolution Team.

Also, the police commissionaire of each FMS will lead a state-level election security committee which consists of the state-level security agency, ministry of security, Darwish forces, Military Commands in the state and civil society organisations.

Group Activity

Divide participants into small groups and discuss the following questions. Write them on a flipchart for ease of reference for the groups.

How can we prevent election-related violence in the 2020/21 election using existing security mechanisms?

What role do CSOs play in preventing election conflict?

Participants have 15 minutes to discuss these questions, at the end of the session each group should present their points. The facilitator should also consolidate the discussion and encourage further responses.

6.5 Indirect Election Dispute Resolution Committee (IEDRC)

The National Consultative Council established an independent mechanism to handle 2020/2021 election-related conflicts/disputes in the form of the Indirect Election Dispute Resolution (IEDR) Team accessible to voters, candidates and other stakeholders. The mechanism adopts traditional and modern conflict resolution approaches.

6.5.1 Structure of the Dispute Resolution Committee

1. The dispute resolution committee will be established ahead of the candidate and voter registration (Electoral College). It will function until there are no further outstanding election rejections/complaints
2. The committee consists of 21 members, 9 of whom are appointed by the federal government and 12 of the members are appointed by the states, 2 persons per state.
3. The 30% quota for the women will be maintained
4. The committee's headquarter will be Mogadishu with offices in electoral districts of each state, Somaliland is given special consideration.
5. The committee members elect the committee chairperson and the deputy chair in simple voting (50%+1).
6. The chairperson appoints three members for each FMS, they will decide by majority.

6.5.2 The Process of Dispute Resolution for 2020/2021 Elections

1. A complaint can be submitted to the committee by the members of the Electoral College and candidates who are affected by election-related abuses.
2. The committee will decide on a complaint within seven days beginning from the submission date.

3. The committee must share the decisions of the complaints to the disputed parties within 24 hours
4. The committee meetings on complaints should be open to the public, including candidates or their representatives, Electoral College Members, state parliament members in case of upper house case/issue, media, and others who are permitted to attend the sessions if there are no security concerns.
5. Issues that require political reconciliation will be handled by the national consultative council on a consensus-based approach
6. Any person wanting to submit a complaint must pay compliant registration fees of USD 3000, submit payment receipts attached in the complaint submission file.

6.5.3 Role and Responsibilities of IEDRC

The IEDRC has the legitimate authority to review and decide the following issues:

1. The IEDRC is responsible for the harmonising and resolution of complaints and conflicts from the two committees (FEIT and SEIT).
2. The IEDRC has the right to investigate and handle complaints and rejections relating to the candidacy or voters (i.e., intimidation, bribery, breach of election activities or any other negative effects from election results).
3. The committee decisions will be based on a simple vote (50+1), if the committee members fail to decide then consensus will be sought, and the discussion will be elaborated and expanded to make decisions.
4. Rejections and disputes over decisions made by FEIT/SEIT on voters and candidate categorisations and arrangements or candidates for the two houses. This seems an incomplete sentence
5. Decisions of the committee can be reviewed by the authorities of FGS and FMS. The decisions made by the authorities (national consultative council) are final and cannot be resumed by any other entity.

Group Activity

Part A: Role Play

Divide participants into three equal-size groups who will act as Dispute Resolution Teams(DRT) and reserve three among the participants in each group as candidates for lower house elections and two in each group should be an observer who notes the main points of discussion and how the DRT responded to the complaint

Explain to the three candidates that they should create conflict issues that require the IEDRC's attention. The DRT groups should follow the standard procedures and guidelines for the 2021 elections.

Case hearing

Committee discussion

Committee decision with justifications

Present the final decision and the case details

REMEMBER to debrief participants after the role play.

Part B: Group Discussion

Divide participants into small groups and present the following scenario and ask them to discuss the following questions.

Imagine that two clans disputed over the female quota, none of the clan elders is willing to let female candidates run for a parliamentary seat.

- What would you do as CSO members?
- How can address this issue?
- What can we learn from past similar incidents in the 2016 and 2012 elections?

Module 7

Role of CSOs in Election Dispute Resolution and Management



Time 3 hours



Activities

Group activities and illustrative examples



Objectives

At the end of Module 7, participants will be able to:

- Identify the role of CSOs in conflict prevention and resolution
- Describe the functions and contribution of the Election Situation Room (ESR)

3 hrs



7.1 CSOs Role

Civil Society Organizations play a significant role in defusing conflict and election-related tensions. They proved effective in the late election impasse and advocated peaceful election processes. The following are the key contributions that CSOs could make during the election conflict resolution process, CSO can:

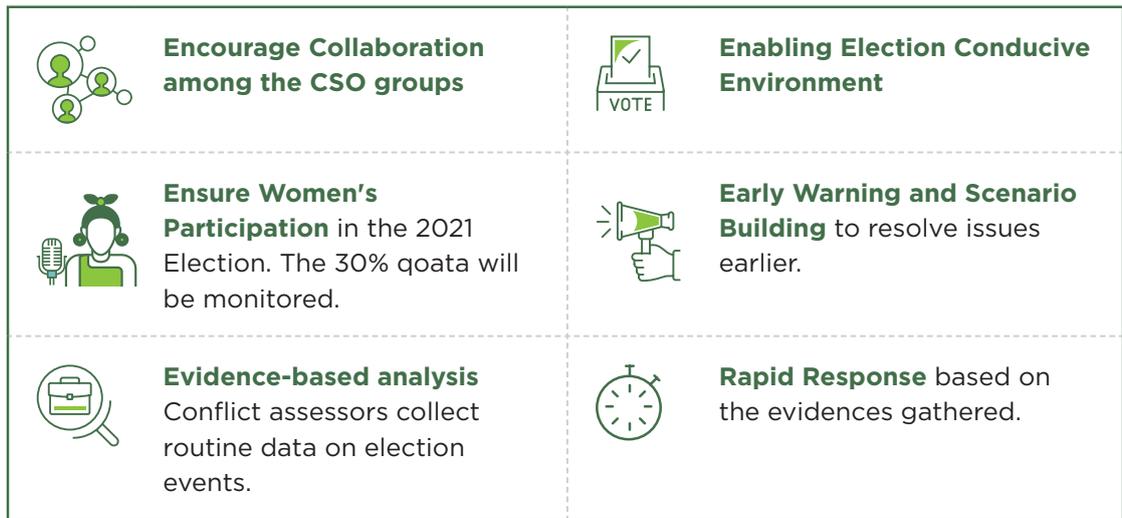
- Promote **civic education** and awareness campaigns to increase the knowledge of the public so that public violence can be prevented. Building the capacity of elders, youth and women can be an investment for conflict prevention as this can they save lives. In 2016, there was a dispute between two Electoral College members in Kismayo, in which one of them was killed due to this dispute.
- Promote and encourage **discussions** and consensus-based approaches to manage conflicts
- Advocate for **minority and women** representation in the parliament, more specifically they can ensure the 30% quota for women's political participation.
- Contribute to Conflict **Prevention Mechanisms and Early Warning**. CSOs can de-escalate tensions before they become a full-blown conflict.
- Encourage the coordination and collaboration of election stakeholders including FEIT, SEIT, IEDRC and others.
- Provide **consultations and recommendations** to the 2020/2021 election leadership team
- Establish a community-based election conflict resolution committee in the electoral districts.

7.2 Launch of Election Situation Room

The establishment of the Election Situation Room (ESR) on the 30th of June 2021 can be an effective platform to manage, prevent and reduce election-related conflict. The Somalia Non-State Actors (SONSA) and the Puntland Non-State Actors Association (PUNSAA), in collaboration with the Electoral Institute for Sustainable Democracy in Africa (EISA), launched the Civil Society Election Situation Room (ESR). This will serve as a base for coordination and information gathering on election-related conflict information, to enhance collaborative partnership, proactive advocacy and rapid response to conflict and disputes associated with Somalia 2020-2021 electoral process.

7.2.1 ESR Functions

The ESR is led by the CSO members in Somalia. The chart below summarizes the ESR functions for the 2021 Elections



7.2.1 ESR Structure and Information Flow³⁷

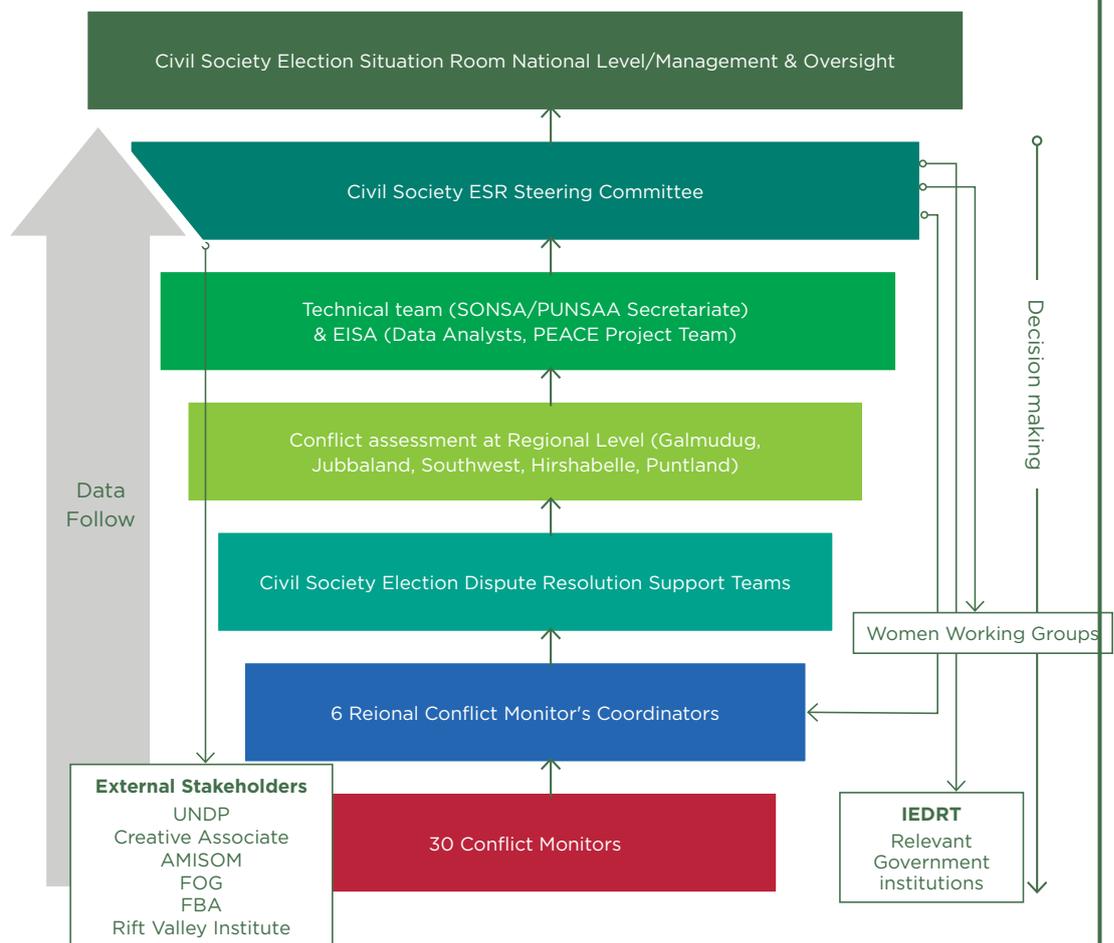


Figure 13 ESR Structure and Information Flow

³⁷ ESR Launching Document, retrieved from <https://www.eisa.org/pdf/som2021launch0.pdf>

Group Exercise

.....
Divide participants into groups. Each group should discuss the below question and report back in plenary after the discussion.
.....

We know that CSOs played a crucial role in de-escalating the recent election impasse in Somalia and the crisis after the term extension. CSO members have met with Somalia's political stakeholders including the Prime Minister, President, Opposition Leaders and Presidential Candidates; they have advocated the peaceful discussion of the election issues.

Discuss and analyse the role of CSO.



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