



Statement of Preliminary Findings on the Somalia Indirect Presidential Elections

22 May 2022

Introduction

The ESR's assessment of the presidential electoral process is conducted in the context of the provisions of the Provisional Constitution, 2012 as well as the political agreements and procedures. It has a specific focus on election-related conflict incidents, potential conflict triggers, and compliance with procedures. This statement presents a summary of the preliminary findings. The ESR will shortly issue a final comprehensive report covering the entire electoral process including recommendations for future improvements.

Context: the electoral system

The electoral system to elect the president is provided for in article 89 of the Provisional Constitution. To become president, a candidate needs to win 2/3 of the votes of both houses of the legislature. If no candidate wins two-thirds of the votes, the four top candidates in the first round compete in a second round of voting. A third round between the two candidates with the most votes from the second round is conducted if no candidate wins two-thirds of the votes in the second round. The candidate with the highest number of votes in the third round is then declared president. The president was elected in indirect elections by 329 elected members of parliament in a joint sitting of the two parliamentary chambers by secret ballot. The Upper House consists of 54 senators, while there are 275 members of the Lower House.

Main findings:

Preparations: Stakeholders demonstrated high levels of confidence in preparations. Electoral and security procedures were developed by the committee responsible for conducting the election in a transparent and consensual manner despite some attempts to disrupt preparations by a small minority in parliament.

Administration of the presidential election: A joint parliamentary election committee consisting of 16 representatives nominated by the speakers of both legislative houses and endorsed by the members of the houses on 5 May 2022 to prepare the presidential election conducted these elections in a professional manner and transparently. The procedures and schedule for the election were released in a timely fashion.

Registration of candidates: Candidate registration took place between 9-11 May 2022. 39 candidates initially registered, although three withdrew to endorse other candidates. This was a record high number of candidates to contest a presidential election in Somalia. There were a number of requirements for the qualification of candidates, including being endorsed by 20 legislators, being a Muslim, being a Somali citizen aged 40 or older, being of sound mind, and not having been convicted by a court of a major crime. There was also a very high registration fee of USD40,000 that could have excluded some candidates. Out of the 36 candidates to finally contest the election, only one was a woman.

Election campaign: Presidential candidates generally conducted their campaigns in a peaceful and orderly manner. There are no rules or procedures for regulating campaign finance, and therefore there was a lack of adequate safeguards and transparency regarding both campaign spending and the sources of funds. This can undermine a level playing field. Security concerns may have played a role in limiting the campaigns of candidates. However, candidates campaigned through small groups or by holding bilateral meetings within clans and with members of parliament. Some public meetings were also held. All candidates were able to present their manifestos on 11-12 May 2022 to the voting members of parliament. Journalists from the private media were denied access to the event, restricting the right to report freely on a key public interest issue.

Civil society participation: The ESR, established by a group of civil society organizations (Puntland Non-State Actor's Association (PUNSA) and Somali Non-State Actors (SONSA) with the support of the Electoral Institute for Sustainable Elections in Africa (EISA), actively monitored the presidential elections. These organizations also held several side events with presidential candidates, speakers of parliament, and election committee members, highlighting the need for increased transparency. There was a success in this regard as members of the ESR were accredited to observe the voting process. However, only a limited number of three people were allowed due to space limitations inside the election venue.

Election day observations

The ESR members observed the opening, voting, and counting procedures for all three rounds of voting. The election was held in a generally calm and peaceful environment, with observers not reporting any incidents. Overall, observers reported that all election day procedures were conducted in line with stipulated procedures.

- **Access:** The ESR noted challenges by the private media in accessing the election venue on election day that were resolved by the joint committee, allowing for increased transparency. Candidates and their agents, members of parliament and civil society were permitted access to the venue without any reported problems.
- **Opening:** The presidential poll started at 2:00 pm local time. The polling centre was laid out in an appropriate manner that allowed for free movement of members of parliament, candidates and party agents and guaranteed the secrecy of the ballot. All opening procedures, including the display of the three empty ballot boxes, were conducted professionally by the committee in full view of journalists, election observers, and candidate agents.
- **Voting:** Voting procedures were adhered to, with the election committee demonstrating a high level of competency and professionalism. Election materials were available in sufficient quantities throughout the voting process.
- **Closing and counting:** The process was orderly, efficient, and conducted in a transparent manner. Candidate agents were present for each of the three rounds and had clear sight of ballot papers whilst counting was conducted in an open and transparent manner.
- **Results announcement:** An announcement of results for each round followed counting. In the final round of voting, Hassan Sheikh Mohammad won the election with 214. The incumbent president, Mohamed Abdullahi Farmajo received 110 votes. Three votes were invalid. A total of 327 members of the legislature cast votes in the third and final round.
- **Acceptance of results:** The election results were widely accepted, and the incumbent president congratulated the elected president. The process was transparent, although there were widespread allegations of vote-buying in the run-up to the voting process.
- **Security:** Security officials were present in and around the polling centre and acted professionally without interfering or impeding the process.

CONCLUSIONS

The ESR commends the people of Somalia, the election organizing committee, members of parliament, candidates and their agents for conducting presidential elections in a peaceful and transparent manner. The ESR encourages all stakeholders to sustain the prevailing peace by engaging in consultation and building consensus. Based on these findings, the ESR concludes that the 2022 presidential elections were conducted in a peaceful and orderly manner.

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