

Elections, Human Rights and Women's Political Participation in Somaliland: Challenges and Prospects

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Abstract: Most recent reports present a bleak and gloomy picture of the state of human rights and democracy around the world. This is particularly true in Africa, where the renaissance of democratic revival in the 21st century is rapidly giving way to narratives of doom and gloom. Though Somaliland approved its constitution in 2001, established a multi-party political system, and held local council, presidential, and parliamentary elections in the first decade, there are some challenges hindering democratization processes, holding creditable elections, protecting human rights, and women's political representation. Therefore, the aim of this paper is to assess the current status of Somaliland's elections, human rights, and women's political participation, it also reviews electoral challenges, human rights abuses, and gender-based violence that have been encountered and considers the prospects for the future. However, this article revealed that there is a poor legal framework, strong clan politics, and limitations on free media expression. Somaliland adopted laws and policies to protect human rights but faced implementation issues. In addition to that, opposition leaders and party members faced imprisonment and intimidation, whereas women's political participation remained low. The paper therefore calls on Somaliland government to review the electoral laws to address gaps and ensure transparency, fairness, and inclusivity in the electoral process; take immediate measures to protect freedom of media expression; enforce existing laws and policies aimed at protecting human rights; and introduce gender quotas to increase women's representation in all levels of government.

Keywords: Elections, Human Rights, Political Participation, Challenges, Prospects, Somaliland

1. Introduction

Somaliland formally declared its independence from Somalia on May, 18, 1991 and began the process of reconciliation within the borders of British Protectorate of Somaliland. Legitimate government was restored and statehood reclaimed, ushering in a period of healing and growth [1]. There has been little external intervention in the Somaliland recognition process, meaning it has been and continues to be a predominantly self-led endeavor that has been domestically supported since 1991 [2]. Once Somaliland retreated from the union with Somalia, with little or no experience concerning democracy and other government systems, the people agreed to stick with the traditional system, meaning that all government positions were to be based on clan power sharing. The traditional system succeeded in

disarming and stabilizing the majority of the country, but it was short on developing the country forward [3].

Elections are very important to the democratization process. They enable citizens to choose their future leaders and make their government accountable [4]. Somaliland's first legislative election was held in February 1960, while the area was still a part of the British Empire. While peace was elusive, traditional leaders often solved the frequent conflicts. The last traditional conference was held in Hargeisa from October 1996 to February 1997. This conference reelected Egal as president and scheduled a transition from the clan system to a Democratic Party system [5]. Following the death of President Egal in 2002, Vice President Dahir Riyale fulfilled his constitutional mandate and assumed the vacant office within thirty days, and this peaceful transition of power was an impressive feat of democratization [6].

Since 2001, a series of elections and electoral processes,

including a constitutional referendum, have taken place in a generally peaceful fashion [4]. Somaliland's system of governance combines clan leadership with a representative democratic system. Parliament is bicameral, consisting of a lower house (Parliament) and an upper house called Guurti. [7]. The ratification of the constitution paved the way for the 2002 local council elections, Somaliland's first multiparty polls since independence. The 2002 local council elections aimed to establish robust, popularly-elected local governments that were directly responsible for local constituencies [8].

Notably, the succession of elections saw the orderly transfer of power following the 2010 presidential election, when the incumbent accepted defeat, and attended the ceremony [7]. These elections were judged free and fair, and represented a landmark occasion as the people of Somaliland elected their own representatives for the first time. While there were also significant and undemocratic delays prior to the 2010 presidential elections [6]. Somaliland's democracy so far remains somewhat 'narrowly legal' and at a fragile and formative stage. A deep democratic transformation, embracing society and delivering a sustainable and functional democracy, is still pending [9].

Freedom of the press lies at the heart of human rights. Its role in building democratic governance by nurturing key democratic values such as rule of law and accountability is no longer an issue of debate in Somaliland [10]. Print media is largely independent and capable of holding government officials accountable for their actions [6]. Somaliland also introduced legal provisions for the protection of freedom of speech to operate freely without government restrictions [10]. However, the highest rate of arbitrary arrests for journalists occurred during political tensions in the country, during election seasons, or during social grievances. Gender-based violence is prevalent and rampant in Somaliland. Solutions to curbing sexual assault, sexual harassment and rape have seen little to no legislative effort [11].

Throughout history women were regarded as naturally weaker and therefore inferior to men. Women are often the voiceless victims of war-ravaged societies, yet they find ways to contribute peace and reconciliation. Fundamentally, the need for women to be involved in politics impacts both policy formulation and implementation [12]. Somaliland women, estimated to be more than 60% of the nation's population and have actively participated in the reconstruction of the country since its independence [13]. However, Somaliland can be described as a male dominated society and their position inside the country is unclear [14]. Political power in all government spheres rests in the hands of men. Women's participation in the decision making processes are all minimal [13]. In addition with that, Somaliland women have not achieved 'descriptive', let alone substantive representation due to the current political settlement [15].

2. Objectives of the Study

2.1. General Objective of the Study

The general objective of this study was to assess the

current status of elections, human rights, and women's political participation in Somaliland.

2.2. Specific Objectives of the Study

The specific objectives were:

1. To investigate the current state of elections in Somaliland by analyzing the electoral process, political parties and electoral laws.
2. To examine the state of human rights in Somaliland including freedom expression, assembly and associations.
3. To explore the institutional, cultural and social constraints that limit women's political participation in Somaliland.

2.3. Research Questions

The research questions to be answered were:

1. What is the current electoral process and what are the opinions or perspectives of political stakeholders?
2. How are freedom of expression, assembly, and associations protected in practice in Somaliland?
3. What are the existing institutional, cultural, and social structures that influence women's political representation in Somaliland?

3. Significance of the Study

Somaliland faces numerous challenges in conducting elections that meet international standards of fairness. The article discusses issues such as voter intimidation, restrictions on political participation, and inadequate electoral infrastructure. By shedding light on these challenges, the article emphasizes the need to address them in order to safeguard the democratic principles of Somaliland. The article provides valuable insights into the unique political landscape of Somaliland and sheds light on the challenges faced in conducting credible elections and upholding human rights. The article also highlights the intricate relationship between elections and human rights. Elections are seen as a fundamental pillar of democracy, but their fairness and inclusivity are contingent on respect for human rights. Article explores how the interplay between these two factors can shape the democratic processes and overall governance in Somaliland.

This study also examines the status of human rights in Somaliland, particularly during electoral periods. It explores the impact of elections on the enjoyment of human rights, including freedom of expression, assembly, and political participation. By highlighting potential infringements on these rights, the article emphasizes the importance of protecting and promoting human rights in the electoral process. The article examines the prospects for enhancing human rights practices in Somaliland's electoral process. It discusses potential measures such as strengthening electoral laws, ensuring the independence of electoral bodies, and fostering civic education. By presenting these prospects, the

article contributes to the ongoing dialogue on improving the electoral system and human rights situation in Somaliland.

This paper sheds light on the significance of women's political participation as a means to achieve gender equality and empower women in Somaliland. It emphasizes that inclusive political participation is crucial for a democratic society where all citizens, irrespective of gender, have equal opportunities to engage in decision-making processes. The article also explores barriers such as cultural norms, discriminatory practices, limited resources, and political exclusion that hinder women's ability to actively engage in the electoral process. By addressing these challenges, the article highlights the potential for improving electoral processes and fostering a more inclusive political environment.

Finally, the analysis of this study has significant policy implications for stakeholders, including the government of Somaliland, international organizations, and civil society. The article's insights can inform policy decisions aimed at promoting free and fair elections, protecting human rights, and increasing women's political participation in Somaliland. It can also serve as a source of reference for scholars, policymakers, and activists working in the fields of democracy, governance, and human rights.

4. Somaliland Electoral Challenges

In Somaliland, the people of the country approved the country's constitution by majority vote in May 2001, which sets out a multi-party political system, equality of citizens, education and economy, and extra [12]. After the death of President Egal in 2002, Vice President Dahir Riyale fulfilled his constitutional mandate and assumed the office with thirty days' notice [6]. In 2002, the first multi-party system election in the country was held. It was a local council election, and 23 mayors for the districts were elected. The main purpose of the election for the registered political organizations is to transform political parties [12]. Following the 2003 presidential election, in which an eighty vote margin separated the winner and the runner-up, the House of Elders negotiated the concession of the runner-up candidate; this intervention was viewed as a politically neutral action for maintaining stability [2].



Source: Center for Policy Analysis, 2019

Figure 1. Women queue up to cast their votes in the 2017 Presidential Elections.

In 2012, there was a political party's registration, these associations included Kulmiye, UCID, UMADDA, DALSAN, RAYS, WADANI and XAQSOOR which were approved to run for municipality elections. The gaps in the electoral laws of the country were: parties were allied with two or more clans, and the second was that no voter registration was available in the elections, so double voting was very easy [3]. The registration of Somaliland's voting age first became a serious issue in the run-up to the second presidential election, when key stakeholders decided that a list of eligible voters should be compiled [8]. The elections conducted in were successful for an unrecognized country. However, the system worked very well in the first decade. A number of elections, including municipal, presidential, and parliamentary elections, were held. But the system was hindered by a poor legal framework, strong clan politics, and the legacy of the totalitarian government [3].

In the election process, the absence of a ready-to-hand census or civil register was a significant drawback, threatening to hamper the effectiveness and transparency of voter registration, or even lead to abuse [8]. In spite of these deficiencies, the political parties and the NEC agreed that this voter register should be used for the 2010 presidential elections. However, in November 2011, the House of Representatives voted overwhelmingly to nullify the 2008 Voter Registration Law and throw out the voter list [8]. In addition, other concerns, such as the absence of essential registering tools (e.g. reliable census, delimitation of constituencies, and lack of an official birth registration) pose serious challenges to the conduct of credible voter registration in Somaliland [16].

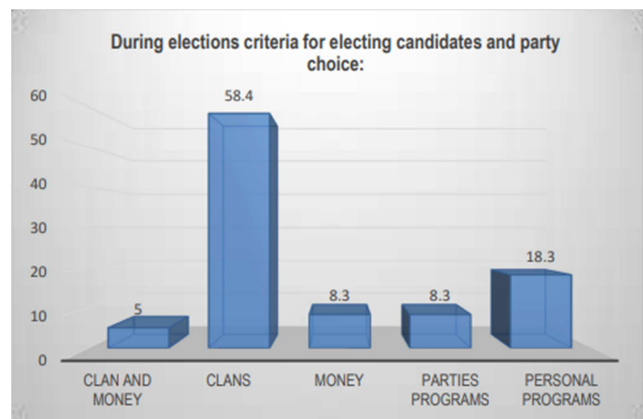


Figure 2. Criteria for party and candidate election in Somaliland.

Source: Mustafe Osman, Challenges in Democratization & elections in Somaliland, 2016.

The constitution and the electoral framework are fundamental documents that serve as the basis for holding credible elections. Although the constitution outlines the fundamental rights and freedoms for free and fair multi-party elections, it remains weak and limited on electoral matters [16]. In Somaliland, one can observe that it has passed a decade of political fragility and social disintegration. But there are also increasing international community pressures

on issues of elections, whilst Somaliland delayed both presidential and parliamentary elections in March 2017 [17]. Political parties and clan leaders mobilized people on the basis of clan affiliation, which might retard the electoral and democratization processes and could cause deep social divisions. However, eliminating clans from Somaliland politics would be very difficult, because people trust their clans more than other systems [4].

In the 2012 local council elections, the most widespread fraud method was multiple voting. The ink was said to be weak, and people used bleaching chemicals to remove it easily [10]. Somaliland's political leaders were not fully respecting the rule of law, but sometimes following their

interests' even if it against the constitution. The Electoral Monitoring Committee is an independent body of locally-respected people established to investigate for breaches of electoral codes and laws. CPA Election Monitoring Office noted that political leaders and heads of government branches violated more than 8 articles of the constitution, and it has become standard practice to violate laws [18]. The EMC showcased and perceived the bias of state-controlled TV as the most prominent and problematic in election campaigns. The committee also found allegations that the incumbent was using public resources in campaigning and that civil servants were playing an active role in promoting the governing party, which compromises the fairness of the election [19].

Table 1. Extensions made by Guurti, during the last 18 years.

#	The institution that was extended his term	Time of extensions			Time in office without extension**	Number of extensions
		Years	Months	Days		
1	House of representatives	12	8	4	Not found	9 Times
2	House of elders (Guurti)	17	8	5	Not found	9 Times
3	Presidential Elections	6	7	23	Not found	7 Times
4	Local Councils	8	11	0	** 4 years & 11 Months	3 Times
Totals		45	11	2		28 Times

Source: Somaliland elections (ISCO & CPA, 2019)

The major curse of the Somaliland state is not only the election of Silanyo as President in 2010, who planted the seeds of future social crisis, but also House of Parliament, whose responsibilities are to check and balance three tiers of government which has engaged in pockets of corruption [20]. Somaliland held its presidential election in November, 2017 which was conducted in a peaceful manner, but was overwhelming dominated by long-sitting, election delays, and undemocratic and authoritarian leaders. According to available data, Guurti extended the terms of local councils, presidential and parliamentary elections nearly 28 times [21]. When the 4th President of Somaliland, Ahmed Silanyo won an election in 2012, who had long opposed election extensions and delays, it did not solve the issue. Silanyo himself got an extension twice, his term expired in 2015, but the Presidential election took place on November 13, 2017. In 2012, when Kulmiye, UCID and Waddani emerged as the official parties, local council elections were scheduled five years later, in 2017, but this did not happen on time due to the postponements. Furthermore, due to postponement of elections, there are no local council elections scheduled in 2022 because of the licenses of the political parties will expire and the law obligates the registration of new political associations [22].

5. Human Rights Challenges in Somaliland

Somaliland, after a long year of instability and civil conflicts, has successfully grown into a non-violent and democratic state that has earned widespread support throughout the country. It also signed the Universal Declaration of Human Rights; and successfully prosecuted

suspected terrorists and pirates within its borders [6]. Somaliland has adopted a number of laws and policies to enhance the protection of human rights, including a policy on internally displaced persons and a national disability policy. However, such laws and policies have not been implemented [23]. Traditional and digital media are largely accessible throughout the country and provide thorough and balanced coverage. However, security forces have consistently harassed and jailed media members for highlighting corruption and nepotism within the government [6].

In August 2007, three prominent leaders of an opposition political association called Qaran were sentenced to nearly four years of imprisonment because of their political activities. Qaran leaders launched a public campaign in favor of their right to organize as a political association [24]. On July 20, 2017, the Presidential Candidate of the Waddani party claimed in a press release that 20 members of his party have been arrested by the government in the last ten days in different places, and he added that the party will demonstrate if the government does not stop intimidations [25]. There is a serious restrictions on free expression and media, including threats of violence against journalists, unjustified arrests of journalists, censorship, and the existence of criminal libel laws [26].

The UN Independent Expert remains concerned at the failure to observe fair trial guarantees to protect journalists against police harassment [23]. Authorities in Somaliland escalated their clampdown on the right to freedom of expression. Journalists were arbitrarily arrested and prosecuted. On April 13, 2022, Somaliland police arrested at least 15 journalists who were reporting on shootings at the Hargeisa Central Prison that day. Twelve of them were freed on April 19 but authorities continued to hold other journalists, including Mohamed Abdi Ilig, Abdijabar Mohamed, and

others [27]. Protests held by the opposition parties occurred on June, 9 and August, 11, 2022 resulting in mass protests across Hargeisa, Burco and Erigavo to protest the political stalemate of the presidential and party elections, which were to be held on November 13, 2022. According to Article 32, subsection 2, Somaliland guarantees every citizen the opportunity to organize peaceful demonstration without Interference. However, the protests led to mass arrests of the opposition members and citizens alike [28].

The government of Somaliland has regularly violated human rights to free expression and assembly. On at least several occasions, the Regional Security Committees have sentenced people to prison for protesting government actions. For example, in March 2007, the committee sentenced 18 butchers from Hargeisa to six months in prison for protesting an increase in abattoir fees [24]. In 2008, while members of the public were demonstrating to demand elections be held on time, the police shot live ammunition, which resulted in two deaths and several injuries. On two other occasions, demonstrators were shot, and three were killed while others were injured [29]. Overall, dissenters and those with a voice to criticize the government's actions are arbitrarily arrested, such as traditional elders, for expressing their views about actions taken by the government and delayed elections [11].

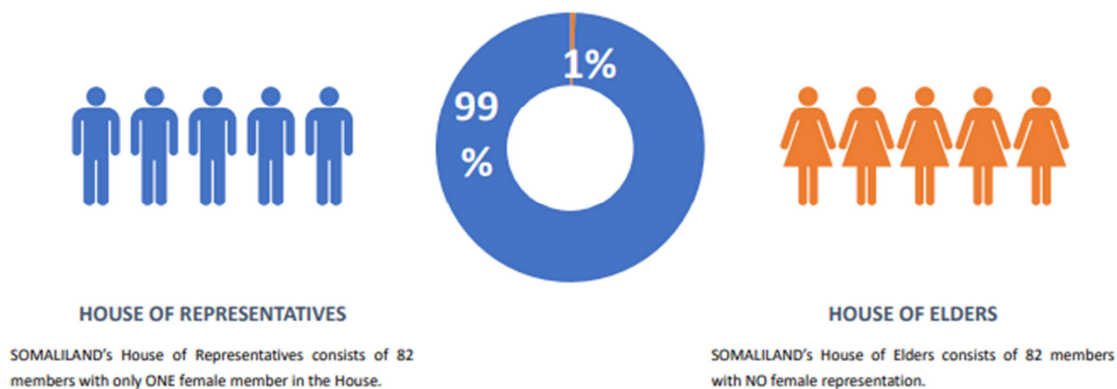
Gender-based violence is prevalent and rampant in Somaliland. Solutions to curbing sexual assault, harassment, and rape have seen little to no legislative effort. CSOs and women's empowerment groups have called for government intervention by passing the Sexual Offenses Bill and reforming gender issues, but have yet to receive responses from the government [11]. Rape was mentioned as an issue affecting women in all the communities in Somaliland. Women and girls are vulnerable to rape and other forms of sexual violence, forced and early marriage, and FGM [30]. Rape is often conflated with fornication when cases are brought to court, thereby making the cases difficult to convict. Oftentimes, rape cases do not see the light of the court system, as they are usually mediated through the customary law system [11]. However, women carry the heaviest burden when it comes to caring for the family, in addition they are often the breadwinners. Women did not often have access to quality education, and families considered the fee expensive

and let children go without schooling [29].

6. Challenges to Women's Political Participation

Political participation encourages collective decision-making by providing extra importance to every citizen as well as extending responsibility to everyone in the society which deeply promotes the competency of the people in the political matters [12]. The President of Somaliland released a presidential decree announcing the formation of a National Consultative Committee to advise him on how women can be mainstreamed with decision-making and legislative bodies of the country, but this decree should not come an effective and yet not changed women's political agenda. The argument for gender quotas made by women's rights activists in Somaliland has come about in response to women's continued collective marginalization from political power in the country [13]. Though the country is one of the best democracies in the region, but has failed either to approve the quota system or to have more women representation in the different levels of Government [31].

Women in Somaliland, despite carrying major responsibilities at the family, have very little political power. In the outgoing Lower House of Parliament, there were no women [5]. Somaliland's people and the international community are deeply concerned about the critical issue of women's participation in politics. They were dissatisfied with the small number of women represented in politics [12]. In Somaliland, political power in all government spheres, such as the legislative, judiciary, and executives, rests in the hands of men. Despite these formidable challenges, women have been striving courageously to achieve their rights since 1991 [13]. Of the 2,368 candidates that contested the local elections in 2012, only 172 (7.6%) were women. Out of these, only ten were elected. This might be considered an achievement compared to the 2002 elections, in which only woman was elected. However, cultural norms, and other challenges mean that women's participation in local politics continues to be very weak [8].

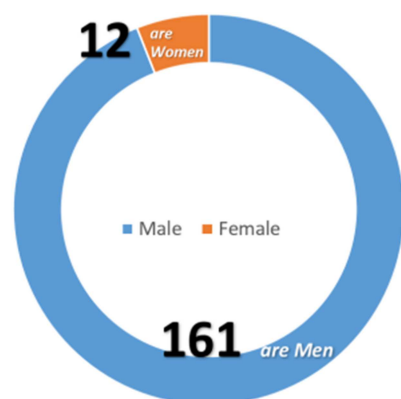


Source: A democracy without women representation (CPA, 2020)

Figure 1. Women representation of both House of Parliament in Somaliland.

The feeling of political marginalization is quite strong among young women, as the concern of one of them well illustrates: 'Women's participation in political affairs is very limited. Women don't show interest in to campaigning because their families and clans would not support them.' [16]. The continued importance of clan in determining candidate selection in elections means that the patriarchal structures of that system continue to make it difficult for women to secure candidacy. In the 2002 local elections, only two women were successful out of a total of 379 council seats, while in the 2005 Lower House Elections, a mere seven women stood as candidates out of a field of 246 people; of those, just two women won seats in the 82-seat chamber [15]. Clan politics is perceived as one of the challenges in Somaliland because of the clan-based political structure. In addition, women face an identity crisis in this political system, as they cannot represent either their clan of origin or the clan of their children [8].

Although women make up nearly 50% of the population, Somaliland's Democratic system failed to empower women and include in decision-making platforms. Compared to other countries of the region, Somaliland has the lowest women's representation [31]. Somaliland's election campaigns are expensive compared to the national GDP and rely mainly on the private sector. Both the required registration fees for candidates and campaign finances are doubling each year. Marginalized voices, including women and minority groups, cannot meet those financial requirements [32]. In other words, there are 95 high profile decision-making leaders in Somaliland who led the most influential policy offices, including the President, Speaker of the Parliament, the 19 mayors, 14 governors, 23 cabinet ministers, head of governments, etc. Women lead of 3 offices out of 95 decision-making offices in the country [33]. Since 14th December 2017 up to April, 2019, President Muse Bihi has had more than 173 presidential appointments without women, according to the government's official gazette, including the cabinet ministers, and the independent commissions, etc., though are not included National Army and Judiciary nominations [34].



Source: Somaliland: A Male Democracy (CPA, 2019)

Figure 4. President Muse Bihi's Presidential Decrees and Appoints (2017-2019).

7. Future Prospects

Somaliland has conducted a number of elections since the constitution was approved, which stipulates a multiparty system as illustrated in Article 9 (1) "The political system of Somaliland shall be based on peace, cooperation, democracy and plurality of political parties." The elections conducted after that were successful for an unrecognized country in Africa with limited resources [3]. The ratification of the constitution paved the way for the 2002 local council elections, Somaliland's first multiparty polls since independence. In preparation for these elections, the first political associations formed. Six associations contested the elections, but because the constitution stipulates that only three political parties can exist in Somaliland [8]. The production of electoral laws was parallel to the practice, and people were both doing and learning from their practice, though there are obstacles for political elites to prove their commitment to genuine democratization [4].

The first parliamentary election of 2005 replaced clan-selected representatives with popularly elected parliamentarians. These individuals, having undergone the rigorous test of a highly charged, multi-party contest, would enjoy stronger democratic credentials and more formalized institutional foundations [8]. These elections were part of an effort to shift the country from a clan-power sharing system to a western style multi-party democracy. Somaliland overcame a critical period in its history by successfully holding elections. However, since then, the people of Somaliland have faced significant challenges to institutionalize the electoral process by holding elections on time and to democratize political institutions [16]. In Somaliland's first local council elections held on December 15, 2002, the three top vote-getting political associations were: UDUB, Kulmiye and UCID. These parties were destined to contest three of the four elections held in subsequent years, and Kulmiye and UCID also participated in the most recent elections in 2012 [8].

The constitution and the original electoral laws did not specify earlier the term for which three winning political associations would be recognized as political parties. However, a later amendment clarified that the term of recognition would be 10 years. However, most elections in Somaliland happened in a peaceful manner, though the lack of voter registration allowed multiple votes by some citizens. Public and civil society organizations upheld the fact that the 2012 elections boosted the democratization of Somaliland and happened in a free and fair manner [3]. The government's commitment to conduct elections attracted the attention of the international community, and later on, received technical assistance from international partners, including German organizations, by training election workers and observers [4]. Somaliland has adequate experience in matters of peaceful power transfer from one president to another elected president; and this occurred at the end of the two-year interim government headed by the Transitional

National Charter in 1993, when President Abdirahman Tuur handed over the power to President Mohamed H. Egal. Aftermath, President Dahir Rayale handed over the power to President-elect Ahmed Silanyo [17].

The Somaliland process of democratization has faced numerous problems, not least the crisis precipitated by the previous Rayale government's attempt to cling to power after 2008 with a questionable political mandate. The formal settlement that permitted the election centered on an agreement on September 30, 2009. This established the basis for the appointment of a new, effective Electoral Commission and the cleaning up of a corrupted voter. Informally, the resolution of the crisis was made possible by the strong desire of people of Somaliland to avoid a return to conflict [19]. Somaliland's democracy is a success story that can be emulated by other African countries, particularly neighboring Somalia, which usually adopts the election laws, lessons learned, and experiences of the democratization process [33]. Somaliland has a political culture of electoral dispute mechanisms that involve formal and informal processes through negotiations, though the constitutional legal bodies are on the ground. The election law No. 20/2001 which was amended in 2017, further clarifies the authority of the NEC to resolve election complaints [17].

Beyond that, in 2016, Somaliland conducted the most advanced voter registration processes in Africa, according to Abdikadir Iman, Chairman of the Electoral Commission, in which an iris-based biometric system was used for the first time anywhere in the world. [33]. However, one can observe that Somaliland has passed a decade of political fragility and social disintegration. But there are also increasing international community pressures on issues of democratization, while Somaliland delayed both presidential and parliamentary elections [17]. On the other hand, one of the weaknesses of Somaliland government is that elected officials remain in office when their terms expire. In other words, that the extension to become a reward given to politician who have failed to do their jobs [33]. For the last 20 months, there has been ongoing political tension between the ruling party of Kulmiye and the opposition leaders about election issues. They met more than 30 times to solve their political differences, but they still don't agree or have resolved any of the main challenges of the upcoming 2022 elections. However, the President of Somaliland, H. E. Muse Bihi, is now promising to hold the forthcoming elections on time [35].

Somaliland's human rights gains are both limited and fragile. Despite the achievements, human rights violations by government officials occur with impunity. Government officials have often harassed journalists and opposition figures. Numerous journalists and opposition activists have been briefly detained in retaliation for their activities [24]. The government escalated its clampdown on the right to freedom of expression. Journalists were arbitrarily arrested and prosecuted. At least four media houses were suspended, and the internet was shut down to muzzle reporting on protests against delayed elections. On April 13, police

arrested at least 15 journalists who were reporting on a shooting incident at the Hargeisa central prison that day [27]. The trajectory that Somaliland is experiencing currently is a downward trend, starting with restrictions on journalists covering topics relevant to civil society, and the lack of accountability in answers for the mass arbitrary arrests in the political stalemate due to the postponement of elections [28].

While Somaliland's civil society and print media are both independent and vibrant, government efforts to curtail the strength of both institutions have had a chilling effect. Months after it attempted to challenge in court the constitutionality of the government's use of illegal security committees as instruments of detention, Somaliland's preeminent independent human rights monitoring organizations were effectively dismantled after a leadership struggle that was characterized by overt government interference [24]. However, the Somaliland National Human Rights Commission was established in April 2006 by act of Parliament No. 39/2010. The Act, which entered into force on December 10, 2010 saw the full establishment of the Commission, clarification of its mandate, functions, and institutional structure [36]. Further, after five years of hard work and concerted efforts dedicated by the local HR activists, legal experts and Somaliland government, along with unlimited support and assistance from UNDP, the commission came into existence as a cornerstone to realize the protection of human rights in Somaliland [37].

A part from Human Rights Challenges in Somaliland but still there are minor progress towards Human Rights Situations. For example, killing journalists and media officials is very minimal, however, the Somaliland government drafted the FGM, Sexual Abuses, and Child Act, which is a step towards a more democratic and justice society for all. Human rights awareness and training are now taking center stage in political and social arenas. The government also supported the HR Commission in providing training for correctional officers on the importance of human rights [36]. Somaliland's courts tapped into local ideas of authority in the justice sector. Sharia law continues to underpin both customary law and the legal framework used in formal courts, it has contributed to minimizing cases of legal pluralism that may otherwise present a challenge to the government [38]. Currently, Somaliland's media industry has taken on a wider meaning where formal government structures have existed in fragile conditions and have lacked the legitimacy of internationally recognized statehood [39].

Women in Somaliland are the ones who took the country out of difficult days, laid the foundation of peace, were the backbone of the country's economy, and also contributed to different aspects of development [40]. Somaliland women have continued to be marginalized from the decision making process since the inception of their new state in 1991. Women are denied the opportunity to participate in peace and politics. [41]. Affirmative action is expected to empower women to participate in politics by taking positive steps to end discrimination, prevent its recurrence, and create new opportunities that were previously denied to qualified women.

However, women made an effort to empower women to participate in politics by attempting to remove cultural discrimination against women [14].

Consequently, some women activists organized women's groups in order to raise their awareness so that they could fight for their rights. Among these groups were Somaliland Women's Association and the Alla-amin Women's Association, which were both established in 1992. Many other groups followed suit in the following years [41]. For the last two decades, Somaliland's civil society organizations have advocated for women's voices to be heard at different stages. During the debate of the election bill in Parliament, civil society members led by ISCO Somaliland met the Acting Speaker to approve the election bill with women's agenda, but it seems that the House did not [42]. Women's non-governmental organizations (NGOs), associations, and networks and their supporters have adopted various strategies on matters related to the campaign for key government positions and decision-making [13].

Though Somaliland has the lowest women's representation in the region, the governments and political party leaders have promised many times to increase the women representation in both elected offices and nominated positions. Presidential candidates signed commitment letters promising 30% women's representation in government [31]. Women activists and civil society organizations started engaging supportive parliamentarians and requesting to establish quotas for women and minority groups in Somaliland in 2007 [41]. Fortunately, on September 7, 2011, the President of Somaliland released a presidential decree announcing the formation of the National Consultative Committee to advise him on how women can be mainstreamed within the country's decision-making. In his decree, he nominated nine persons from the two chambers of the Parliament and Cabinet and authorized them to conduct nationwide consultations, collate their opinions and recommendations in order to move forward with the women's quota, but this was not yet implemented successfully [13].

8. Conclusion

In conclusion, Somaliland has made significant strides towards establishing a non-violent and democratic state since its approval of the constitution in 2001. The country has implemented a multi-parity political system, emphasized equality among citizens, and focused on equality in education and the economy. However, the democratic system has faced challenges due to a poor legal framework, strong clan politics, and remnants of totalitarian government. While Somaliland has signed the Universal Declaration of Human Rights and prosecuted suspected terrorists and pirates, there are concerns regarding the implementation of laws and policies that enhance human rights. The freedom of expression and media have been restricted, leading to the harassment, prosecution, and imprisonment of journalists who expose information or news related to corruption and nepotism within the

government.

Political participation is considered essential for collective decision-making and empowering citizens. However, women's representation in politics remains significantly low, despite their increasing responsibilities in society. There have been calls for gender quotas and increased women's political participation, but these initiatives have not been effectively implemented. Women in Somaliland face cultural norms and challenges that hinder their participation in local politics. In recent years, there have been instances of arrests and protests involving opposition parties, indicating political tensions and concerns about the fairness of elections. The country's journey towards a fully inclusive and participatory democracy is ongoing, and efforts are needed to address the issues of gender equality, media freedom, and political rights for all citizens.

9. Recommendations

Based on the information provided on this article, here are some pertinent recommendations for addressing the issues of elections, human rights, and women's political participation in Somaliland:

- 1) Strengthen the Electoral Framework: Review and revise the electoral laws to address gaps and ensure transparency, fairness, and inclusivity in the electoral process. Implement voter registration systems to prevent double voting and promote accurate voter lists.
- 2) Enhance Media Freedom: Take immediate measures to protect and promote the freedom of media expression. Review and amend laws that restrict media and journalists' rights, to ensure journalists can operate without fear of harassment, arrest, or prosecution.
- 3) Protect Human Rights: Implement and enforce existing laws, policies, and measures aimed at protecting human rights, including those related to internally displaced persons and individuals with disabilities. Ensure fair trial guarantees and protect journalists and activists against police harassment.
- 4) Promote women's political participation: introduce and implement gender quotas or affirmative action policies to increase women's representation at all levels of government. Provide support and resources for women's political empowerment, including training, mentorship, and capacity-building programs.
- 5) Strengthen Democracy: Continue to promote and strengthen democratic institutions, processes, and practices. Encourage political parties to operate based on ideologies and policies rather than clan affiliations. Encourage dialogue and reconciliation between parties and foster a culture of political inclusivity.
- 6) Enhance Civic Education: Invest in civic education programs to increase public awareness and understanding of democratic principles, political participation, and human rights. Educate citizens about their rights and responsibilities and encourage active engagement in the democratic process.

- 7) Engage stakeholders: Foster constructive dialogue and cooperation among political parties, civil society organizations, and the government. Encourage the participation of diverse stakeholders in decision-making processes and ensure their voices are heard.
- 8) Internal Support: Seek support and collaboration from the international community, regional organizations, and development partners to assist in capacity-building, institutional strengthening, and promoting good governance practices in Somaliland.

References

- [1] Mustafe M. Dahir, "Non-Recognition of Somaliland in international Law and Its Legal Implications for Foreign Investment. Dissertation Submitted in Partial Fulfilment of the Requirements of the Degree LLM (International Trade and Investment Law in Africa) at International Development Law Unit, Centre for Human Rights," Pretoria, South Africa, May 2012.
- [2] R. Richards, "Bringing the Outside In: Somaliland, statebuilding and dual hybridity," 2014.
- [3] Hamse Khayre, "Clan Democracy in Somaliland Prospects and Challenges High-quality Research Support programme (HQRS)," Hargeisa, Sep. 2016.
- [4] M. Wayel Osman., "Discovering Challenges in democratization and elections of Somaliland Mustafe Osman," Pisa, 2016.
- [5] R. Hollekim, S. J. Hansen, and G. M. Sørensen, "Somaliland: Elections for the Lower House of Parliament September 2005." [Online]. Available: <http://www.humanrights.uio.no/forskning/publ/publikasjonsliste.html>
- [6] D. R. Forti, "A Pocket of Stability: Understanding Somaliland Occasional Paper Series: Issue 2, 2011," 2011. [Online]. Available: www.accord.org.za.
- [7] by Michael Walls, C. Heine, A. Klingel, C. Goggin, and A. Farag, "The limits of consensus? Report on the Somaliland Presidential Election, 13th November 2017." [Online]. Available: <https://www.ucl.ac.uk/bartlett/development/>
- [8] Mohamed F. Hersi, *Pillar of Peace Confronting the Future of Somaliland's Democracy: Lessons from a Decade of Multi-Partyism and the Way Forward*. Hargeisa: APD, ECA, 2015. [Online]. Available: www.interpeace.org
- [9] Tobias H. and Didier Péclard, "Negotiating Statehood: Dynamics of Power and Domination in Africa," Sussex, Jan. 2011.
- [10] M. A. Demeke, "Paper Five: Freedom of Press and Democratization In Somaliland: Promises and Challenges," 2004. [Online]. Available: <http://www.amazon.com/Role-Regional-Organizations-Conflict>.
- [11] HRC, "Human Rights Center Second Quarterly Report August 2022," Hargeisa, Aug. 2022. [Online]. Available: www.hrcsomaliland.org
- [12] Jibril J. Abdi, "Challenges and Opportunities of Women Participation in Politics: A Case Study of Somaliland," Ankara, Jul. 2021.
- [13] H. Yusuf, "Chapter Seven: The Saga of the Pursuit of Women's Quota in Somaliland," Hargeisa, Sep. 2001.
- [14] A. Hassan and M. Khalif, "Affirmative Action and Women's Participation in Politics of Gabiley Region in Somaliland," Kampala, Uganda, Nov. 2014.
- [15] M. Walls *et al.*, "Political Settlement in Somaliland: A gendered perspective," Hargeisa, Mar. 2017.
- [16] I. APA, "Pillars of Peace, Democracy in Somaliland: Challenges and Opportunities," Hargeisa, Nov. 2010. [Online]. Available: <http://www.apd-somaliland.org>
- [17] M. A. Mohamoud -Barawani, "Policy Brief: Somaliland Presidential Elections: Political Context, Electoral Standards and Anticipated Challenges.," Costra Rica, Nov. 2017. [Online]. Available: http://www.somalilandlaw.com/NORDEM_Report_on_the_2003Pres
- [18] CPA, "Politicizing The Election Process," Hargeisa, Jan. 2020. [Online]. Available: www.cpahorn.net
- [19] E. U. E. and H. of A. Soradi, "Reflections and Lessons of Somaliland's Two Decades of Sustained Peace, State-building and Democratization. Presentations at the second annual SORADI conference held on 8-9 November 2011. Somaliland Development Series No. 2 Hargeisa, Somaliland July, 2012," Hargeisa, Nov. 2011.
- [20] N. M. Ali, "Somaliland: The Cost of Silanyo Election," *Asian J. Humanit. Soc. Sci.*, vol. 3, no. 2, pp. 1–29, May 2015, [Online]. Available: www.ajhss.org
- [21] I. CPA, "Somaliland's Election Process: Achievement's and Failures of Democratization Process," pp. 1–54, Oct. 2019.
- [22] CPA, "Somaliland's Renewed Stalemate: the Consequence of Extensions Hargeisa," Hargeisa, Jun. 2022.
- [23] UN, "Human Rights Council Situation of human rights in Somalia Report of the Independent Expert on the situation of human rights in Somalia*," Sep. 2019.
- [24] C. Albin-Lackey and HRW Org., "*Hostages to peace*": threats to human rights and democracy in Somaliland. Human Rights Watch, 2009.
- [25] CPA, "Briefing Paper: Somaliland Voter Cards Distribution," *Cent. Policy Anal. Brief. Pap.*, pp. 1–4, Feb. 2017.
- [26] US D. State, "Country Reports on Human Rights Practices for 2021 United States Department of State • Bureau of Democracy, Human Rights and Labor SOMALIA 2021 HUMAN RIGHTS REPORT EXECUTIVE SUMMARY," 2021.
- [27] House and Peter Benenson, *AMNESTY INTERNATIONAL*. 2023. [Online]. Available: www.amnesty.org
- [28] HRC, "Annual Review of Human Rights Center 2022 ii," Hargeisa, 2022. [Online]. Available: www.hrcsomaliland.org
- [29] SNHRC, "Somaliland National Human Rights Commission: Universal Periodic Review 2010," Hargeisa, Nov. 2010. [Online]. Available: www.slnhrc.org
- [30] Oxfarm, "Harmful Practice of Female Genital Mutilation (FGM)," Hargeisa, Dec. 2019.

- [31] CPA, "Somaliland: A Democracy Without Women Representation," Hargeisa, Jul. 2020. [Online]. Available: www.cpahorn.net
- [32] M. Ahmed and A. Llb, "Somaliland: Obstacles to Women Candidates in 2021 Elections," Hargeisa, Apr. 2021.
- [33] CPA, "Somaliland Democracy Versus Guurti Extention," pp. 1–11, Oct. 2022.
- [34] M. Abdilahi, G. Guleid, and A. Jama, "Somaliland: A Male Democracy," Hargeisa, Apr. 2019.
- [35] CPA, "The Somaliland Elections Center for Policy Analysis," Hargeisa, Nov. 2021. [Online]. Available: <https://www.newscientist.com/article/mg22329854-400-iris-register-to-eyedentify-voting-fraud-in->
- [36] SNHRC, "Somaliland National Human Rights Commission Universal Periodic Review 2015," Hargiesia, Jun. 1960.
- [37] SNHRC, "Republic of Somaliland National Human Rights Commission Strategic Plan 2009-2011," Hargiesia, 2009.
- [38] D. Progress, "Development Progress, Somaliland's progress on governance: A case of blending the old and the new," 2011.
- [39] SORADI, "Somaliland Press Freedom: Opportunities and Challenges," Hargeisa, Aug. 2013.
- [40] J. J. Abdi, "Women Political Participation in Somaliland: Challenges and Opportunities," Kocaeli, Turkey, May 2021. [Online]. Available: <http://www.ijeast.com>
- [41] Dr Becky Faith, "Women's Participation in Somaliland Society far Exceeds their Influence," Dec. 2019. [Online]. Available: <http://haqqi.info/en/haqqi/research/poverty-alleviation-and-women-refugees-middle-east>
- [42] CPA, "Press Statement: A Call Against the Rejection of Quota for Women and Minorities by the House of Representatives," *Cent. Policy Anal. Peace, Democr. Hum. Rights*, pp. 1-1, Sep. 2022.