



PUNTLAND SITUATION REPORT

Somali Law & Policy Program

January 2020

1. EXECUTIVE SUMMARY

During the reporting month of January, Puntland State was relatively peaceful and the state government continued on the path of enacting institutional reforms. There were no major incidents of armed clashes reported during the month. The total number of violent fatalities decreased significantly by 73.3%, although Violent Extremist Organizations (VEO) carried out three targeted killings in Bossaso, while state forces seized and dismantled a bomb during search operations in Bossaso.

Tensions over territorial dispute between Puntland and Somaliland were heightened when unconfirmed media reports emerged claiming that 30 Puntland soldiers based in Bo'ame, Sool region, 'defected' to Somaliland. Puntland officials strongly denied the media reports, although Somaliland military officials presented 30 soldiers at an event in Somaliland-controlled Las Anod, administrative capital of Sool region.

Significantly, the anti-Somaliland leader Col. Said Awil Arre and the rebel militia he led based in parts of Sanaag region had 'rejoined Somaliland' after talks mediated by traditional elders. This development has brought significant change to security dynamics in Sanaag region, which is contested between Puntland and Somaliland. Security sector reforms during the month included some 300 recruits who completed police training and over 100 police officers removed from the payroll system. Meanwhile, the government's Security Reform Committee officially launched a registration process for state security forces, including direct salary payments and establishment of an ID system for state forces. The state's military court issued death verdicts for five persons, including a police officer convicted of murder of a police commander, and others convicted of terrorist attacks.

During the month, Puntland continued its international engagement strategy, with U.S. and Finnish ambassadors traveling to Garowe and Bossaso, to meet with the state leadership. President Deni also traveled to Nairobi, whereby he engaged a number of foreign ambassadors in discussions over development cooperation and Puntland's role in the Somali federal electoral process 2020/2021. Importantly, Puntland government issued a statement strongly rejecting the Somali Federal Constitutional Review Process, claiming that the process is not inclusive and accused the Federal Government of Somalia (FGS) of bypassing key benchmarks of the process. The report overviews Puntland's policy statement, within the context of the federalization framework. Separately, a brief dispute over the firing of Puntland State Bank Chairman was later resolved, but the incident highlighted the underlying challenges to ongoing institutional reforms.

In this month's *Puntland Situation Report*, the FGS Prime Minister's decision to 'suspend' a World Bank-funded urban development projects for four Somali cities – namely, Mogadishu, Garowe, Kismayo and Baidoa – is presented and its impact on development cooperation is analyzed and reviewed in detail. Simultaneously, the report presents how the suspension adversely affected federal-state relations.

Finally, this month's report reviews the state government's ongoing democratization process, its achievements and challenges, and the prospects for implementation. However, the report also analyzes the impact of arrests of local politicians and elders in Bossaso, in the context of the government's democratization objectives. The report objectively examines the democratization process benchmarks set by the Transitional Puntland Electoral Commission (TPEC), while highlighting risks that threaten to derail the process and suggestions for corrective action that can chart a path towards a smooth implementation process.

2. PEACE AND SECURITY

2.1 **Key Developments:** During the reporting period of January, a total of 4 violent fatalities were reported in Puntland State, representing a significant decrease of 73.3% from the previous month. About 75% of all reported violent deaths were attributed to VEO attacks, all in Bossaso targeting security personnel and state government officials. Local/clan conflicts accounted for about 25% of all reported violent deaths in Puntland during the month. Sub-national tensions between Puntland and Somaliland were heightened, especially in parts of Sanaag region. State police conducted security operations in Galkayo after last month's bomb attack on the central police station, while in Bossaso, counter-terrorism forces dismantled a bomb seized during search operations. State forces also conducted search operations in parts of Golis Mountains in Bari region, reportedly targeting areas used by militant groups.

2.1.1 **Violence Against Women:** On Jan. 12, Puntland Prosecutor-General Mohamud Hassan Aw'Osman announced that three men convicted of rape-murder case of 13-year-old Aisha Ilyas in Galkayo in February 2019, will be executed at 08.00AM on February 11, 2020. The three men's court case passed through regional court and appeals court, and the conviction was upheld by the High Court on Aug. 22, 2019.¹

2.1.2 **Sub-National Conflict:** On Jan. 15, Somali media reported that Somaliland troops 'seized' a town in Sool region, which was previously controlled by Puntland security forces. The Somaliland forces reportedly seized the police station in Bo'ame, about 90km southwest of Garowe, and raised Somaliland's flag, while Puntland forces withdrew.² On Jan. 19, however, Bo'ame mayor Haile Hassan Shire denied that Somaliland troops captured the town. There were no reports of armed clashes in the area.³ On Jan. 19, Somaliland presented to local media in Las Anod soldiers that 'defected' from Puntland, with local media reporting that 30 soldiers in Bo'ame district of Sool region shifted loyalty to Somaliland. Puntland has denied the credibility of Somaliland's claims.⁴ On Jan. 22, Puntland Civil Aviation Minister Hussein Osman Lugatoor and police commanders told local media that reports that Puntland police defected to Somaliland in were "false reports".⁵ On Jan. 28, a Puntland government delegation led by Minister Lugatoor visited Bo'ame and with the minister saying that Puntland constructed 10 government facilities in the district, including central police station and Darawish base.⁶

2.1.3 **Regional Fault-Lines:** On Jan. 4, Somaliland rebel leader Col. Said Awil Arre agreed with local elders mediating a peace process to rejoin his militia into the Somaliland army. There were reports that some of the militia "left for Buhodle" in protest and many stayed in parts of Sanaag region.⁷ On Jan. 6, Col. Arre reportedly travelled to Ethiopia after agreeing to incorporate his militia into Somaliland army. Local reports said Somaliland elders in Sanaag region mediated Col. Arre's talks with Somaliland.⁸

On Jan. 15, a delegation led by Puntland deputy information minister was attacked at Ulheed village in eastern Sanaag region by unidentified gunmen and one of the delegation's vehicles was burned. Local media reports claimed that the delegation "included foreigners seeking minerals"; however, this information could not be corroborated independently. Some media reports varyingly attributed the attack to "Al Shabaab" and some reports said "local militia" opposed to claims that the Puntland delegation was seeking mining resources.⁹

2.1.4 **Violent Extremist Organizations:** On Jan. 4, Puntland police officer Isse Duale was killed in Bossaso. Al Shabaab group claimed responsibility for the attack.¹⁰ On Jan. 9, Puntland traffic police officer Omar Haji Yusuf was gunned down in Bossaso and the attackers escaped.¹¹ On Jan. 16, Puntland parliamentarian Farah Mohamed Dalmar told local media that he survived an assassination attempt near his house in Garowe after unknown gunmen opened fire on him. Local police said they were investigating the incident.¹² On Jan. 21, former Qandala mayor Jama Mohamed Qurshe was

killed by unknown assailants in Bossaso, who escaped the scene before state police arrived.¹³ The next day, local branch of ISIS group claimed responsibility for the assassination.¹⁴

2.1.5 Counter-Terrorism: On Jan. 5, Puntland troops conducted security operations in Galkayo to strengthen local peace after a number of attacks last month, including assassination and a bomb attack on central police station in Galkayo.¹⁵ On Jan. 6, Puntland military court convicted four other former soldiers and police officers convicted of killing Somali civilians. The court also began hearing a case of Al Shabaab and ISIS suspects detained on terrorism charges.¹⁶

On Jan. 20, Puntland counter-terrorism special forces (PSF) conducted operations in parts of Golis Mountains in Bari region, including a reconnaissance mission.¹⁷ On Jan. 21, Puntland police announced that they dismantled roadside bomb in Bossaso during home search operations of Bossaso neighbourhoods. The operation was jointly carried out by state police and PSF forces.¹⁸ On Jan. 30, President Deni, in a speech to the Somali community at an event in Nairobi, called for “economic war” against Al Shabaab group.¹⁹

2.1.6 Local/Clan Conflicts: On Jan. 25, a school teacher named Mohamed Hayan Gelle was killed in Burtinle, about 120km south of Garowe, by unknown assailants who escaped the scene.²⁰ Local police reported they were investigating the crime.²¹

2.1.7 Security Sector Governance: On Jan. 1, President Deni attended a graduation ceremony for about 300 Puntland police recruits who completed five months of police training.²² On Jan. 5, Ministry of Finance commenced enrolment of Puntland security forces with identification and direct salary payment system.²³ The system was commenced at Horgoble military training camp in Qardo and attended by ministers and senior commanders.²⁴ On Jan. 6, Puntland military appeals court in Bossaso convicted to death a former soldier who killed former Bossaso airport director Hassan Shire Ammaan.²⁵ The convicted killer, Ahmed Aden Mohamed Gagale, was an airport police officer before killing the director on Dec. 7, 2015.²⁶ Puntland state police arrested the convicted killer who was on a fugitive from law for over three years.²⁷

On Jan. 11, President Deni appointed a new police chief for Sool region, Col. Osman Yusuf Muse, as part of ongoing security reforms in the state. Many districts of Sool region remain under the control of Somaliland forces.²⁸ On Jan. 11, Puntland prosecutor-general announced that some 4,379 criminal acts were recorded in Puntland in 2019, including 162 murders and 90 rape cases.²⁹ On Jan. 20, Puntland government announced that security management in Garowe transferred from state police and handed over to a joint security force.³⁰ Nugal Governor Abdisalam Hassan Hersi ‘Gujir’ announced the decision at a meeting of Nugal Regional Security Committee.

On Jan. 21, Puntland state police removed from its payroll 100 police officers in ongoing police reforms.³¹ The government declared that the officers were removed as they were not working on police duties and receiving monthly payroll. On Jan. 27, Puntland Vice President and Acting President Ahmed ‘Karash’ Elmi Osman nominated Col. Jama Sahardid Barre as the new regional police chief of Ayn Region (Buhodle), in a presidential decree that cited the new commander’s knowledge and experience.³² On Jan. 28, Puntland Parliament Speaker Abdirashid Yusuf Jibril ‘Abwaan’ led a delegation that included Security Reform Committee, including finance and security ministers and Darawish commander, to Badhan in eastern Sanaag region.³³ The committee commenced registration process for police and prison guards in Sanaag region.³⁴

2.2 Security Forecast

2.2.1 Violence Against Women: The saga of Aisha Ilyas case is headed to its final stages as the public desperately waits for justice to be handed to the culprits of the heinous attack. The justice process dragged out for a year, which led to enduring public doubt stemming from historical reservations of

traditional justice processes overriding government-led justice processes. The firm date set by the Puntland judiciary for February will likely not falter. However, Puntland will have to continue its efforts to protect women from violence as there are a number of high-profile cases pending in court.

- 2.2.2 **Sub-national Conflict:** Although it was refuted by Puntland security officials, January saw another alleged defection by Puntland soldiers to Somaliland. It seems the reported defection in December of Puntland soldiers in Taleh gave way to an offensive in the town of Bo'ame by Somaliland armed forces. Puntland did not refute the offensive by Somaliland forces and reports by Somaliland media that Bo'ame was briefly captured. In 2019 there were several reports of defection from Somaliland armed forces to Puntland, especially in Sanaag region. The reported Bo'ame incursion by Somaliland is reversing the trend of 2019, with two successive months of reports of Puntland soldiers defecting to Somaliland. This will likely escalate conflict in the region and contribute to further instability in Sool region. The past two years has seen the sub-national conflict between Somaliland and Puntland continue to intensify into a highly active territorial conflict with several bouts of armed hostilities erupting. This kind of intensification of conflict has not been witnessed since the Puntland and Somaliland conflict erupted in 2007. This worrying trend is likely to continue, as international stakeholders have largely ignored the conflict in the region.
- 2.2.3 **Regional Fault-lines:** The ceding of Col. Arre's rebel movement will likely impact the stability in Sanaag region and may impact it for the worse. The timing of Col. Arre's agreement to join Somaliland armed forces comes at a crucial time in Sanaag region. In November, a conflict over gold mining area led to a number of deaths. Although this may be classified as a clan conflict, the existing factors such as the sub-national conflict between Puntland and Somaliland over Sanaag region, which has seen a recent spike in violence, is likely to accentuate conflict in the area. There is a possibility that Col. Arre, hailing from the region of Sanaag, may find himself involved in the conflict in the near future. If in fact he is, it will be crucial to observe the capacity of his involvement. Although efforts to de-escalate the conflict by elders in the region are underway, the sub-national connotations of the conflict may impact the elders' arbitration and efforts for peace. Media reports of Al Shabaab or local militia attacking the Puntland delegation over rumors of seeking mining resources, adds another destabilizing factor in the ever-growing regional fault-line of Sanaag.
- 2.2.4 **Violent Extremist Organizations:** As NAI predicted in its December report, there was an uptick in VEO attacks, especially in Bossaso. This is a troubling development, as the Puntland government has prioritized the port city's security throughout 2019. The 'assassination attempt' in Garowe on a Puntland MP bears the hallmarks of VEO attacks; however, no group claimed the attack as it was not successful. Nonetheless, it is a brazen attempt and the Puntland government will need to do more to ensure that it does not over-prioritize security in one city over other urban centers. It is likely that attacks in Bossaso will continue, but it is less likely that attacks in Garowe will increase.
- 2.2.5 **Counter-Terrorism:** As there was an uptick in VEO attacks, there was also a surge in domestic counter-terrorism operations specifically in Galkayo and Bari region, which saw a spate of attacks in the latter half of 2019. The executions of Al Shabab convicts in Bossaso, is an attempt by the Puntland government to send a strong signal of zero leniency. There were no foreign counter-terrorism operations reportedly, specifically no reports of air strikes in Bari region, which were common in 2019. The counter-terrorism efforts will likely not dissuade VEOs, however, it will likely cause a change in strategy by VEOs. Due to uptick in VEO activity, it seems that counter-terrorism will continue to be prioritized in Bossaso and to a lesser extent Galkayo.
- 2.2.6 **Security Sector Governance:** Relative gains were made by the Puntland government in their Security Sector Reform (SSR) strategy as the automation of salaries through an identification system is a step in the right direction. This will likely curb corruption and improve the morale of the security forces. But steps like these have been far from where they need to be. The government's SSR approach has been geared towards nominations and change in leadership, while this is a necessary approach, the

security apparatuses are bogged down by weak institutional governance and operational capability. Committed SSR strategy requires policy and administrative reforms that go beyond nominations.

3. POLITICS AND GOVERNANCE

3.1 Puntland Actively Promotes International Engagement

3.1.1 Key Developments: Throughout January, Puntland state continued on its trajectory of increasing its international outreach and meetings with foreign diplomats. On Jan. 8, President Said Deni received at Puntland State House in Garowe a delegation led by Finland ambassador to Somalia, Erik Lundberg, to discuss sectors where the Finnish government provides support to local projects, including education, healthcare, youth, and humanitarian aid programs.³⁵ On Jan. 11, President Deni received US ambassador to Somalia Donald Yamamoto at Puntland State House in Bossaso, and discussions focused on “counter-terrorism cooperation, general situation in Somalia, the economy and debt relief process for Somalia”, according to Puntland press statement.³⁶ On Jan. 12, Puntland Ministry of Health announced that medical visa to India will be granted at an Indian Consulate Camp in Garowe.³⁷ On Jan. 15, Puntland and Somali Regional State (SRS) of Ethiopia officials met in Wardheer, Ethiopia, to discuss cooperation in security and trade.³⁸ Puntland ministers of planning and interior attended the meeting, alongside governor of SRS region of Dollo and Ethiopian military commanders.³⁹

On Jan. 22, President Deni travelled to Nairobi for meetings with foreign ambassadors and diplomats to engage in discussions over Somali national elections 2020/2021 and the political dispute between the Federal Government of Somalia (FGS) and the Federal Member States.⁴⁰ The president’s delegation met with a number of foreign ambassadors in Nairobi representing U.S., U.K., France,⁴¹ Sweden, and IGAD special envoy to Somalia, among others, with discussions focusing on security matters, federal affairs, development cooperation, and Somali federal elections 2020/2021.⁴²

3.1.2 Analysis: Over the course of 2019, the new administration invested time and energy to reactivate the state’s international engagement, with leaders hoping that the policy pays dividends towards increased security and development cooperation with the international community. In addition, the increasing interest of major-power ambassadors, including the American ambassador who visited Bossaso two times since President Deni’s election, is indicative of the importance attached to Puntland state’s strategic location in the ongoing competition over the Horn of Africa. However, the success of Puntland’s international engagement policy depends on a number of key factors working in harmony. With increased engagement, the objective is to attract more development cooperation and investment opportunities, and to build a conducive environment including improved security and institutional performance. Rightly, the government’s focus on security sector reforms must go hand-in-hand with international engagement to yield sustainable results. However, the main risk partly lies with an understanding (or lack of) on Somali federal electoral model 2020/2021 between Puntland and the FGS, with foreign ambassadors primarily focused on bringing together the FGS and the States in a national dialogue process to agree on the way forward. The extent to which Puntland state’s international engagement policy can succeed, at least in the short-term, partly relies on progress in the federal electoral process.

3.1.3 Forecast: While Puntland state is expected to continue its international engagement policy, the international community is likely to welcome the state’s reactivated approach. It remains to be seen if the new approach jump-starts development projects that have stalled over the past two years.

3.2 State Governments Reject Federal Constitutional Review

Key Developments: On Jan. 9, at an event marking the one-year anniversary since his election, President Deni gave a policy speech about state and federal affairs, and extended an invitation to federal and state leaders to Garowe to discuss⁴³ constitutional review, federal elections, national

security, foreign aid, and resource-sharing model.⁴⁴ At the same event, President Deni declared that Puntland rejects the Petroleum Law which was “not consulted” with state governments, as “required by the federal constitution”.⁴⁵ The House of the People (Lower House) of Federal Parliament approved the revised Petroleum Law on May 20, 2019, and the Upper House of Federal Parliament approved the law on Jan. 6, 2020, although Puntland senators walked out of the vote.⁴⁶ During his speech, the president thanked the senators of Federal Parliament who walked out of the Petroleum Law vote.⁴⁷ Importantly, he opposed the federal constitutional review process as flawed, saying that state governments were “excluded” from the review process and called for an “inclusive process”.⁴⁸

On Jan. 10, Puntland government released a policy paper entitled, “*Somalia Constitutional Review Process: Puntland’s View*”. The statement argued that, “Puntland state does not recognize the legality of said laws – until such time that the Constitutional Review Process is completed in an inclusive, transparent and consultative process with the Federal Member States”.⁴⁹ Puntland’s rejection was reaffirmed in a Puntland-Jubaland joint communique issued in Bossaso on Jan. 18, when a Cabinet-level meeting was held and attended by state ministers and the presidents of Puntland and Jubaland. Discussions focused mainly on inter-state cooperation and relations with the FGS in Mogadishu.⁵⁰ A 16-point communique issued from outcome of the inter-state meeting called for increased inter-state cooperation and appealed to FGS leaders to open dialogue with Federal Member States on national issues, including federal elections 2020/2021.⁵¹ Importantly, the joint communique noted that the “constitutional review process, led by FGS, does not conform to the procedures clearly stipulated in articles 133rd and 134th of the PFC” (Provisional Federal Constitution) of Somalia.

- 3.2.1 **Analysis:** The Puntland government’s rejection of the constitutional review process is rooted in a dispute that the concerns of state governments were not considered during the process. This claim has legitimacy because state delegates have not included as members of the peak review body, the Independent Constitutional Review and Implementation Commission (ICRIC), as required by the federal constitution. The Puntland government’s policy paper is detailed and highlights some of the key shortcomings of the process. It is unclear whether or not the FGS will consider Puntland’s view, however, the matter remains among the key points of contention between the two sides.
- 3.2.2 **Forecast:** In the short-term, it is likely that some state governments’ calls for a more “inclusive” constitutional review process will be considered, if the process is expected to be concluded before the June 2020 deadline announced by the FGS.

3.3 State Bank Nomination Dispute

Key Developments: On Jan. 11, President Deni nominated a new State Bank Chairman Abdirizak Warsame Seerar and Deputy Chair Anisa Abdirahman Mohamed, as part of ongoing finance sector reforms. The former chairman, Ismail Abdalla Boos, contested the new nomination as “illegal” although the matter was later resolved behind the scenes.⁵² Mr. Boos claimed that President Deni “cannot unseat me” but the president “can request state parliament to remove me from office”.⁵³ On Jan. 15, the new state bank chairman Abdirizak Warsame Seerar officially took over the position.⁵⁴

- 3.3.1 **Analysis:** It was not the first time in Puntland that a new nomination to a government position sparked a dispute. It was also atypical that the dispute was resolved quickly and quietly. However, the matter marked a moment that requires the government to seek long-term solutions to prevent similar episodes in the coming years. This can be achieved by drafting and approving laws, policies, and regulatory bodies that guide each sector and position. A comprehensive approach would ensure that similar disputes are resolved through a lawful approach within an established legal and regulatory framework. The state’s ongoing reforms should give more a focused approach to strengthening the institutional capacity of government agencies and strengthening the regulatory framework to ensure effective performance and institutional delivery.

3.3.2 **Forecast:** In the short-term, it is unlikely that similar disputes can be avoided by the state without establishing the required legal and regulatory framework to prevent such disputes in the first place.

4. SOCIAL AND ECONOMIC AFFAIRS

4.1 Somali Prime Minister ‘Suspends’ \$112million Urban Development Projects

4.1.1 **Key Developments:** On Jan. 18, Somali Prime Minister Hassan Ali Khairi “suspended”⁵⁵ a local government development project worth \$112million intended for Mogadishu, Garowe, Baidoa and Kismayo, arguing that two state capitals – Jowhar and Dhusamareb – were “excluded” from the World Bank financed project which was initiated in 2015.⁵⁶ Somali media was abuzz with speculation over the Prime Minister’s decision.⁵⁷ The World Bank funded project would provide “capacity building support to municipalities and strengthen government systems by channeling funds on-budget,” according to the project document. About \$89 million of the \$112 million would go to urban infrastructure and services.

4.1.2 **Analysis:** The move by Prime Minister Khairi was controversial, to say the least. The project was signed by the FGS Finance Minister Abdirahman Duale Beileh signed the agreement on Dec. 23, 2019. Less than a month later, and just days before pre-implementation arrangements would be made, Prime Minister Khairi suspended the project citing the exclusion of Jowhar and Dhusomareeb, state capitals of Hirshabelle and Galmudug, respectively. The standard practices with development of projects of that breadth usually involve rigorous planning and assessments during the design phase, which at the very minimum would require close cooperation with FGS ministries. Given that this is likely the road chartered during project design, it begs the question: why was the exclusion of Jowhar and Dhusomareeb not discussed during project design phase?

The suspension of the World Bank funded project, raises more questions than answers. Namely, does the Prime Minister have the legal authority to suspend development projects and what grounds constitute suspension? Secondly, does the reasoning of Prime Minister Khairi that the exclusion of Jowhar and Dhusomareeb, suffice for suspension of a vital urban infrastructure that would benefit other Somali cities? The ambiguity of federal powers and the legalities that govern them is mainly the reason that there is a lack of accord on the nature of federalism. Given this ambiguity, the PM Khairi is clearly navigating the wide cracks of Somalia’s legal system. PM Khairi and his administration did not mention that it had consulted any Federal Member States (FMS) or even its Cabinet before the hasty decision was made. Therefore, it seems no effort was made to promote transparency in the decision-making process.

Be that as it may, does the decision to suspend the project based on the exclusion of Jowhar and Dhusomareeb hold weight? The answer is no. There are a multitude of projects that work in select cities without covering all of Somalia, so why is this project any different from those? Is the Prime Minister’s stance that all FMS capitals be given the same opportunities? If that the case, then why have other multi-million-dollar projects been implemented in some cities and why did the FGS leadership not speak up before? What is different for this project, which focuses on urbanization? The FGS may argue that it is more nuanced than that, and there is no denying that Dhusomareeb and Jowhar are in need of a project that improves urban infrastructure, however, there was no need to suspend the project. Using the logic of ‘all cities or no cities’ is counterintuitive to development objectives and the genuineness of that argument is speculative. The project could have continued, while the FGS made efforts to expand and incorporate the two remaining state capital cities. Now, it seems the project will stall for the foreseeable future. The FGS has campaigned on development and empowering Somalia, but one letter has stalled one of the biggest projects in the country.

What is more troubling than the project being suspended is the precedence a decision like this sets. If the PM is allowed to stop mega-projects based on a decision solely made him, even though the project

had the support of FGS Ministries and the Aid Coordination Unit that comes directly under the Prime Minister's office, it signals a dangerous precedence that may be utilized in the future. Furthermore, it reaffirms the lack of confidence that state governments have for the FGS leadership to keep the best interests of states at heart. Was PM Khaire suspending the project to ensure that Dhusamareb, capital of Galmudug state, which underwent a tumultuous election process guided by the Prime Minister, also benefitted from the project? Was this the proverbial olive branch to a divided state by the top-down process? Regardless of motives, the decision is likely to be detrimental to the already-turbulent FGS-FMS relationship.

4.1.3 **Forecast:** It is very difficult to predict how long the World Bank project will delay, but it is likely it will delay for at least another quarter as the donors will need to seek additional funding or will need to restructure the existing funding to incorporate Jowhar and Dhusomareb. Either way, the project design will be reassessed and the Prime Minister will enact his policy, in the absence of federal laws that clearly define the powers and limitations of the Prime Minister.

4.2 Electoral Consultations and Political Arrests

4.2.1 **Key Developments:** During January, the Transitional Puntland Electoral Commission (TPEC) continued its consultations with government and civil society to shore up support for reactivating the state's stalled democratization process. On Jan. 30, TPEC members led by Chairman Guled Salah held an event in Burtinle, Nugal region, presenting the commission's democratization work plan as part of awareness raising ahead of the planned introduction of multiparty Local Council elections.⁵⁸ While Puntland continues to pursue the democratization process, the administration struggles to manage what officials call "political incitement". Reports were circulating over the arrests and sentencing of local politicians and elders in Bossaso, who claim to be exercising the free speech. On Jan. 1, local politician Muse Ali Jama faced Puntland court in Bossaso after a one-month detention period. The government accuses the politician of "public incitement" in Bari region.⁵⁹ On Jan. 5, Bari regional court convicted Mr. Jama and two elders to three months in jail and a \$500 USD fine each. Two other elders were convicted to two years in jail and \$1,000 USD fine each. The court judge said all the men were convicted on public incitement and defamation charges.⁶⁰

4.2.2 **Analysis:** In Puntland Situation Report (December 2019), it was suggested for TPEC to present its strategic plan to the Puntland public. This would help to ensure that the public understand the goals and objectives of the democratization process and to foster ownership of the process. During January, TPEC launched its public consultations and planned to hold several consultations with the public throughout Puntland. Although the strategic plan is still not available online, the consultations are a step in the right direction. But while Puntland charts a trajectory of democratic elections, it struggles with the principles of democratization: defining the differentiation between free speech and political incitement. Since the 2019 election, the Deni administration has faced growing political opposition in Bari region, concentrated mainly in Bossaso. This opposition has been rooted in local resentments over the Bossaso port concession, which was signed by the former Puntland administration in April 2017. Local stakeholders have strongly opposed UAE-based port operator P & O Ports deal in Bossaso, citing lack of transparency and performance, as the company has been unable to start construction work for the port expansion after nearly three years, thereby agitating public concerns.

The arrested and sentenced local politicians and elders were expressing local concerns publicly and undoubtedly heading into a confrontation with Puntland government. While acts of public incitement and defamation are illegal, the state government must find a balance between its pursuit of democratization goals and managing local resentments in Bari region or other parts of the state. If the arrests are widely perceived as "political arrests", then this idea contradicts the administration's democratization aspirations to transition Puntland from clan-based politics to multiparty Local Council elections for the first time since the state's formation in 1998. Finding the right balance will undoubtedly be challenging; however, it is the only policy approach that can ensure that public safety

is paramount, while safeguarding the principles of democracy. The democratization process has gained public support and credibility, but this will likely rely on how the Puntland government manages political opposition.

4.2.3 Forecast: In the short-term, it is likely that the Puntland administration will seek a policy approach that is balanced and reflective of the government’s long-term political strategy, whilst developing successful approaches to managing local opposition that do not tarnish the state’s reputation. It is imperative this occurs, if the government is keen on making the democratization process successful.

*New Access International (NAI Somalia), founded in 2012, is a Civil Society Organization (CSO) based in Somalia. NAI Somalia specializes in research, organization and policy development, and advocacy programs, and launched its **Somali Law and Policy Program** in January 2019, publishing the monthly **Puntland Situation Report** that focuses on collecting, observing, recording, and analyzing all major events and developments linked to matters of law and policy, and its impact on peace, politics and development in Puntland State, Somalia.*

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ENDNOTES

- ¹ Puntland announces execution date for 3 men convicted in Aisha Ilyas case. Retrieved from <https://puntlandpost.net/2020/01/12/puntland-oo-muddaysay-wakhtiga-la-toogan-doono-saddexda-xukmane-ee-kiiskii-caaisha-ilyaas/>
- ² Somaliland forces capture base from Puntland. Retrieved from <https://www.caasimada.net/ciidamada-somaliland-oo-saldhig-qabsaday-puntland/>
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