

2002 SOMALILAND LOCAL ELECTIONS
(Source: Academy of Peace & Development)

Code of Conduct for the Political Organisations and the National Elections Commission

December 5, 2002

PREAMBLE:

After holding a series of discussions and consultations during the month of Ramadan regarding the upcoming elections;

Acknowledging that democratic elections will advance the noble struggle of the people of Somaliland during the past ten years;

Recognizing that free and fair elections offer new opportunities to enlarge freedom and justice in Somaliland;

Appreciating also the risks and threats arising from inexperience in political campaigns and elections, aggravated by limited technical know-how and scarcity of financial resources;

Having understood the apprehension and anxiety of our people about political campaigns and elections absent from their political life for over thirty-three years;

Realizing that the practice of democracy is never perfect yet, despite the hurdles and risks, the march forward toward democracy must continue with, courage, patience and patriotism,

Having further understood that the legal instruments for free and fair elections are incomplete, that trust among political stakeholders has been eroded by years of misrule and conflict, that therefore the upcoming election offer opportunities to rebuild confidence, hope, and genuine cooperation among key actors in the political landscape,

The National Election Commission (henceforth called the Commission) and the six registered and legitimate political Organizations agree to follow in letter and spirit this Code of Conduct they jointly had developed and signed on December 5, 2002.

First of all, the Election Commission and the political Organizations and agree to give utmost priority to:

1. The existence and independence of Somaliland over the success of political Organizations or personal interest;
2. the maintenance of peace since peace is foundational to democracy as it is life;
3. all disputes arising among the political Organizations through dialogue; and
4. the Commission and the Organizations are partners whose share responsibility is to ensure that fair, free, and peaceful elections take place in Somaliland

The political Organizations further agreed that **prior to, during, and after** elections:

1. The Commission will discharge its responsibilities as neutral and independent body – that is, it will be, in word and action, impartial and fair to all political Organizations; in addition, it will be autonomous from lobbies, pressures, and influence of political Organizations, groups, or individual pursuing special interest in the *process* and *outcome* of the elections.
2. The Commission will consult the political Organizations on key issues concerning the process, procedures, and implementation of the election; the consultation will be regular and timely, not ad hoc or after decisions had been reached by the Commission.
3. All disputes arising among the political organizations shall be resolved through dialogue. The Commission will take careful note of the decisions arrived jointly by all the political Organizations so long as these decisions do not contradict the law or undermine the national interest.

4. The Commission will follow the spirit and letter of the Election Law and Constitution; where ambiguities exist in these legal documents, the Commission will reach the best and independent decision it can, always giving priority to fairness, impartiality, and the national interest.
5. The Commission will remain vigilant to political problems, special groups, and external forces that can compromise the national interest; the Commission will develop plans to preempt, prevent, and counteract any group that seek to disturb the peace and elections of Somaliland.
6. The Commission will be transparent in all its work, including its financial dealings, process of operations, and what factors or who influences their decisions; the Commission will also *timely* reports on problems it encounters in its operation and hence it should not wait until the political Organizations discover the problems and fuss about them.
7. The Commission will fulfill its duties to ensure, to the best of its ability, that citizens in all areas of Somaliland will exercise the right to vote without pressure, intimidation, or delay.
8. The Commission will discharge its duties to ensure the proper protection, handling, distribution, counting, and recording of the voting boxes, voting cards, dye, voting venues, and any other materials, tools, or facilities used for the elections; benefiting also from lessons learned during the registration, the Commission will employ qualified and neutral personnel, allowing appropriate input and feedback from the political Organizations.
9. The Commission will have clear and transparent procedures for accepting, refusing, and managing complaints from or about the political Organizations; although its resolution of complaints must be timely and fair, the Commission must never be hasty or capricious; its decision must be careful, thorough, and judicious.
10. The Commission will review and monitor not only the language and behaviour of political Organizations but also the actions or inaction of the Executive Branch upon which much depends on whether free, fair, and peaceful elections take place.
11. The Commission will encourage active, neutral, and coverage on the elections by the media in order to raise public awareness and participation; in addition, the Commission will provide relevant and timely information (as information of remote areas) that may be inaccessible to the political Organizations.
12. In its communication with the political Organizations and the public, the Commission will avoid any contradictory messages, announcements, promises, and decisions; to avoid confusion, its communication will be timely, systematic, deliberate, coherent, and available equally to all the political Organizations.
13. Having studied carefully its legal power and prerogatives, the Commission will work with the political Organizations when and where new legislation is needed and to ensure that the Executive Branch discharges its duties appropriately and in due time.
14. The political Organizations on their part affirm that the Commission is the sole and legitimate “referee” of the elections; as such, they will give the Commission due respect and cooperation, avoiding at all times frivolous charges undermining the Commission’s integrity, respect, and name.
15. The political Organizations will cooperate with and assist the Commission to discharge its duties, avoiding at all times adversarial relationship; they will in addition carry themselves with civility and patience when the Commission reaches decisions with which the political Organizations do not agree.
16. The political Organizations will exercise their right to find legal recourse in the courts when they deem such action necessary; neither any unpopular decision of the Commission nor the right of political Organizations to seek legal recourse in the courts will be voiced publicly in personal or clan terms.
17. Before the complaints and conflicts involving Commission and the political Organizations degenerate to public acrimony or legal disputes in the court, both Organizations will give the Integrity Watch Committee (whose terms of reference are attached) chance to intervene, mediate, and arbitrate the dispute.
18. The political organizations must not engage in activities that may jeopardize the peace and stability during the elections.
19. The political organizations must refrain from activities that may be deemed threatening or offensive when dealing with the Commission; the Commission will likewise refrain from activities that may be deemed threatening or offensive when dealing with the political organizations.
20. In the same way that it is the responsibility of the political organizations to ensure that their members understand and enforce this Code of Conduct, it is also the responsibility of the

Commission to ensure that their staff and representatives understand and enforce this Code of Conduct.

Signatures

Chairman of the Election Commission

Name _____
Signature _____

Political Organizations (or their designees in writing):

Name of Person Signing Signatures

ASAD _____

HORMOOD _____

KULMIYE _____

SAHAN _____

UCID _____

UDUB _____