

Enhanced Legitimacy: Hybrid Option

The “hybrid option” is a selection-election model which allows Federal Member States (FMS's)/Interim Regional Administrations (IRA's), Federal Parliament, National Independent Electoral Commission (NIEC), political parties and traditional elders to play a joint role in designing and implementing this model.

I. Principles:

1. The 4.5 power sharing/distribution remains intact
2. Political parties are legalized and play a central role
3. FMS's & IRA's play a legitimizing role
4. Traditional elders play a supporting role
5. Geographic constituency is promoted
6. Any agreed dispensation is exclusive to 2016

II. Assumptions

1. All stakeholders agree that: a) 1 person 1 vote is impossible in 2016. B) that an ‘enhanced legitimacy’ option is necessary to sustain the domestic and international legitimacy of the Federal Government of Somalia (FGS)
2. All stakeholders (FGS, Parliament, FMS's/IRA's) reach a consensus on this option and take legislative and political steps necessary by end of 2015
3. Stakeholders agree (and Parliament passes) an interim ‘*electoral system*’ designed exclusively for the special situation of 2016. The ‘electoral system’ would include: strong political parties (with regulated structures, such as inclusive Central Committees) and detailed selection-election mechanisms.
4. Parliamentary system is adopted with executive PM and President with limited powers
5. All arrangements are exclusive to 2016 – a separate electoral systems will be designed for beyond 2016.
6. Dispute resolution mechanism is set-up to address issues

III. How selection-election works

1. Each MP is *elected* by 100 people (**electorate**) – That means a total of 27,500 electorate will be *selected* to elect 275 MPs to the Federal Parliament (each of the 4 main clans will have 6,100 electorate, and the .5 will get 3,050)
2. Each of the current 275 MPs declares his/her geographic constituency (out of 7 constituencies: Puntland, IJA, ISWA, Galmudug, Benadir, Somaliland, Hiiraan/Shabeelle)
3. The 27,500 will cast their votes from 6 locations based on where current MPs declare as their geographic constituency. The locations are: Mogadishu, Baidoa, Kismaayo, Garowe, Dhuusamarreeb/Adaado & Beledweyn/Jowhar.
4. The electorate representing Somaliland will be given a special waiver

5. The electorate representing Benadir will be endorsed by Benadir City Council

IV. Selection of Electorate

6. The same traditional elders who recently selected MPs for new IRAs (IJA, ISWA, Galmudug) will be tasked to select their respective electorate (based on the geographical area that each MP declared he/she's from).
7. In the case of Benadir, Puntland & Somaliland, the traditional elders who in 2012 selected their federal MPs plus any other recognized and agreed elders will select their respective electorate
8. State Legislative Bodies (Puntland/IJA/ISWA/Galmudug/Benadir, etc) will then endorse their respective electorate as the legitimate body to elect their federal MPs
9. Somaliland will be considered a special situation

V. Election of MPs

1. Registered political parties will submit to NIEC (or another agreed body) their list of 275 candidates to the Federal Parliament
2. The list must be based on 4.5 and current sub-clan power distribution
3. The list must be divided into 3 grades: the party's 'core' shouldn't be more than 68 people from all Somali clans, and should be in Grade A (15 from each of the 4 major clans and 8 for others); the party's Grade B shouldn't be more than 100 people from all Somali clans, and the rest should be in Grade C.
4. Once the all parties submit their list to the NIEC (or an agreed body), election begins in all six locations simultaneously, with parties and international representatives as observers.
5. Each of the 27,500 electorate receives a voting paper with political party names and symbols
6. Each electorate votes for one party, NOT an individual
7. The party with the highest percentage gets 'First Draft Rights' (the ability to appoint their list into the Federal Parliament, starting with their Grade A list, and going down from there); the party with the 2nd highest votes gets 'Second Draft Rights' and so on and so forth.
8. A party must win at least 10% of the electorate to be eligible for a seat in the parliament (minimum threshold). Votes for parties with less than 10% will be distributed among other parties, starting with the highest vote-getter.
9. No party can allocate more seats to any sub-clan than they currently have

VI. Government formation

1. Once all 275 MPs have been sworn in, the Parliament elects a President.
2. The party that wins 50% plus 1 (or 13,751) votes automatically gets the right to form a government (president asks the party to form a government)
3. If no party wins 50% plus 1, two more parties can form a coalition government.