



## **WARBIXINTA DOORASHADA SOMALILAND**

### **DURUUFHAHA IYO CAQABADAHA KU HAREERAYSAN DOORASHADA WAKIILADA IYO DEEGAANKA**

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## *Election Monitoring Office*

*Xafiiska la socodka arrimaha doorashada (Election Monitoring Office) waa farac ama qayb ka tirsan Xarunta Daraasaadka Siyaasadda ee Center for Policy Analysis, kaas oo la hawlgeliyey bilawgii sannadkii 2017.*

*Xafiiskan ayaa si dhow ula socda hawlaha doorashada, wuxuuna soo saaraa warbixino la xidhiidha arrimaha doorashooyinka khuseeya ee ka socda Somaliland, sida halka ay marayaan diyaargarowga doorashada, shuruucda doorashada, caqabadaha dib u riixi kara doorashooyinka iwm.*

*Wixii faallo ama fariin ah waxaad la soo wadaagi kartaa cinwaanka xafiiska CPA.*

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## GUUDMARKA DOORASHADA

- Doorashadii ugu dambaysay ee golaha wakiillada waxaa la qabtay 25/09/2005, iyada oo wakhtiga golaha wakiillada la doortay oo ahaa shan sano uu ku ekaa October 2010, hase ahaatee shan jeer ayaa loo sameeyey muddo kordhin kala duwan.
- Golaha Deegaanka waxaa doorashadii ugu horraysay la qabtay 15/12/2002, Golahaas oo la doortay muddo shan sano ah ayaa xilka ka degey December 2012, iyada oo ay xilka la wareegeen golaha deegaanka ee haatan dalka ka jira, kuwaas oo la doortay November 2012, waxaana wakhtigoodu ku ekaa December 2017, hase ahaatee hal mar ayaa xilka loo kordhiyey iyada oo muddo kordhintaasi ay ku ekayd 28/04/2019.
- **7 June 2018**, Xeerka Guud ee Doorashooyinka Qaranka iyo Diiwaangelinta oo isku dhafan oo ay tahay in lagu maamulo doorashooyinka Madaxweynaha iyo ku xigeenkiisa, Wakiillada iyo golayaasha deegaanka ee dalka iyo weliba diiwaangelinta codbixiyayaasha, ayaa la horgeeyey golaha wakiillada, waxaana xeerkaas qayb ka ah kuraasa kootada ah ee haweenka iyo dadka la haybsooco ay ka helayaan golaha wakiillada iyo saami-qaybsiga kuraasta baarlamaanka ee gobolladu kala helayaan, Xeerkaas ayaa golaha loo gudbiyey ka dib markii ay anixiyeen golaha Wasiirada ee Somaliland. Illaa haatan xeerkaas looma dhaqaaqin, golaha wakiilladuna weli kama doodin, iyaga oo sabab uga dhigaya, in marka hore ay tahay in go'aan laga gaadho arrinta saami-qaybsiga kuraasta baarlamaanka si xeerka loo ansixiyo.<sup>1</sup>
- **27 July 2019** - Waxaa xarunta madaxtooyada ee Somaliland heshiis ku kala saxeexday saddexda Xisbi qaran ee Somaliland, iyada oo ay goobjoog ka ahaayeen madaxda beesha caalamka oo uu hoggaaminayo Danjiraha Midawga Yurub u qaabilsan Somalia Nicolas Berlanga, iyada oo uu sidoo kale goobjoog ka ahaa Stuart Brown, Madaxa Xafiiska Britian ee Hargeisa ku yaalla. arrintan ayaa ahayd tallaabo yididiilo abuurtay oo rajo gelisay inay dhici karaan doorashooyinku isla sannadkan. Heshiiska dhinacyadu gaadheen oo ka koobnaa 8 qodob ayaa isfaham lagaga gaadhay arrinta guddida doorashada, iyada oo la isla gartay in isfahamkan la horgeeyo golaha wakiillada ee Somaliland, sida ku cad qodobada 1aad iyo 2aad.<sup>2</sup>
- **6 August 2019** - Masuuliyiinta labada Xisbi Mucaarad ee Waddani iyo UCID ayaa tegey golaha wakiillada si ay ugu ololeeyaan in la ansixiyo isfahamkii ay wada-saxeexdeen labada guddoomiye ee xisbiyada mucaaradka ah iyo madaxweynaha.<sup>3</sup> Hase ahaatee markii mooshinkaas la horgeeyey golaha wakiillada, waxaa fadhiga ka dareeray xildhibaanada ka soo kala jeeday gobollada Galbeedka iyo Bariga Somaliland kuwaas oo sheegay inay ka soo horjeedaan in la ansixiyo isfahamka xisbiyada illaa go'aan laga gaadhayo arrimo ay ka mid yihiin saami-qaybsiga kuraasta baarlamaanka.<sup>4</sup>

<sup>1</sup> Golaha Wasiirada oo Ansixiyey Xeerka Doorashada isla markaana u gudbiyey Golaha Wakiillada Somaliland

<https://www.youtube.com/watch?v=N7fwhIAG2cg&t=7s>

<sup>2</sup> Saddexda Xisbi oo heshiis ku kala saxeexday madaxtooyada Somaliland <https://www.radiohormuud.dk/news/sadexda-xisbi-qaran-ee-somaliland-oo-kala-saxeexday-heshiis-ka-kooban-8-qodob>

<sup>3</sup> Masuuliyiinta Xisbiyada Mucaaradka oo tegey Golaha Wakiillada ee Somaliland si ay ugu ololeeyaan ansixinta isfahamka saddexda xisbi <https://www.youtube.com/watch?v=py7QSQagrIA>

<sup>4</sup> Xildhibaanada ka soo jeeda Gobollada Bariga iyo Galbeedka Somaliland oo ka dareeray fadhiga golaha iyaga oo ka soo horjeeda isfahamka xisbiyada isla markaana doonaya qodobo kale <https://www.youtube.com/watch?v=joNPN9w3p1E>

- **8 August 2019** - Sida uu dhigayo qodobka 9aad ee Xeer Lr 20/2001 oo sheegaya in guddida doorashadu ay ku dhawaaqaan qabsoomidda doorashada 120 maalmood ka hor maalinta ay dhacayso doorashadu, haddaba Guddoomiyaha Guddida Doorashada ee Somaliland Eng. Cabdulqaadir limaana ayaa shaaciyey inaanay suuro-gal ahayn inay doorashadu dhacdo farsamo ahaan iyo sharci ahaan xilliga haatan loo asteeyey oo ah 12/12/2019, maadaama aanu diyaar ahayn Xeerkii Doorashadu oo uu horyaallo golaha Wakiillada, sidoo kalena aan weli la samaynin diiwaangelintii codbixiyayaasha iyo xal ka gaadhista duruufaha sharci iyo farsamo ee ku gadaaman doorashooyinka golaha wakiillada iyo degmooyinka. waxaana guddoomiyaha guddida doorashadu sheegay inay qoraal u direen madaxweynaha ay arrintan ku ogaysiinayaan.<sup>5</sup>
- **17 August 2019** - La taliyaha sharciga ee Golaha Wakiillada Somaliland Mustafe Maxamed X Daahir ayaa golaha ka hor-sheegay inaanay banaanayn in la gudo-galo mooshin ku saabsan, qodobo uu hore goluhu uga dooday isla kalfadhigaas, isaga oo sheegay, in sidaas uu ku jabay mooshin ay soo gudbiyeen xildhibaanadu oo ahaa in la ansixiyo isfahankii xisbiyada qaranku saxeexeen, waxaana goluhu galay fasax. hase ahaatee arrintaas waxaa dhaliilay Xisbiyada UCID iyo Waddani oo ku eedeeyey Xukuumaddu inaanay daacad ka ahayn heshiiskii ay saxeexeen, isla markaana ku eedeeyey inay door ku lahayd in la fashiliyo isfahamka, iyaga oo ku eedeeyey in Xisbiga Kulmiye uu masuuliyaddaas qaadayo. Hase ahaatee Xisbiga Kulmiye ayaa eeddaas iska fogeeyey oo sheegay inay heshiiska saddexda Xisbi ku jirtay in golaha wakiillada loo gudbiyo, oo ay iyagu lahaayeen inay diidaan ama yeelaan. hase ahaatee aanay xukuumaddu wax lug ah ku lahayn arrintaas.<sup>6</sup>
- **18 August 2019** - Hoggaamiyaha Xisbiga Waddani Xirsi Cali Xaaji Xasan ayaa sheegay in cidda keliya ee heshiiska awood u lahayd inay diido ama ansixiso ay ahayd golaha wakiillada oo cod geliya, hase ahaatee aanay habboonayn in la taliye sharci uu sharci-darro ku tilmaamo, heshiis uu saxeexay madaxweynihii dalka iyo labadii guddoomiye xisbi, waxaana Hoggaamiyaha Xisbiga Waddani uu sheegay inay ka baxeen heshiiskaas maanta wixii ka dambeeya, ayna ku eedaynayaan Xukuumadda inaanay daacad ka ahayn.<sup>7</sup> Hase ahaatee Guddoomiyaha Hay'adda dib-u-dejinta barakacayaasha Cabdikariin Xinif oo ka mid ah saraakiisha sarsare ee Xisbiga Kulmiye ayaa sheegay, in saddexda Xisbi ay heshiis ku ahaayeen in golaha loo gudbiyo isfahamka, ayna iyagu xaq u leeyihiin inay diidaan ama yeelaan, hase ahaatee aan heshiis lagu ahayn in Xisbiyada qaarkood ay golaha tagaan oo ka dhex ololeeyaan, aanayna xisbigoodu golaha tegin, wax lug ahna aanay ku lahayn tallaabada lagu laalay, haddiise caddayn ay hayaan ay keenaan.<sup>8</sup>

<sup>5</sup> Guddoomiyaha Guddida Doorashada oo ka hadlay in doorashadu aanay dhacay xilliga loo asteeyey

<https://www.youtube.com/watch?v=6uTIZDiBgXY>

<sup>6</sup> La taliyaha Sharciga ee Golaha Wakiillada oo ku tilmaamay inaanu sharci ahayn mooshin ka hadlayey ansixinta isfahanka Xisbiyada oo golaha loo gudbiyey <https://www.youtube.com/watch?v=fcMdToNBctQ>

<sup>7</sup> Xisbiga Waddani oo ka baxay isfahankii Xisbiyada, ka dib markii ay ku eedeeyeen in Xukuumaddu ka masuul ahayd in goluhu ansixin waayo isfahanka <https://www.youtube.com/watch?v=9WdODrtF-lc>

<sup>8</sup> Xisbiga Kulmiye oo iska fogeeyey eedda Xisbiyada Mucaaradka ah <https://www.youtube.com/watch?v=p2FIFf4vBAY>

## CAQABADAHA UGU WAAWEYN EE DOORASHADA HORTAAGAN:

### 1. SAAMI-QAYBSIGA GOLAHA WAKIILLADA

Bishii February 2005, waxaa golihi wakiillada ee Somaliland ee xilligaas jiray uu ansixiyey Xeer Lr. 20/2005 kaas ay ku jireen qodobdo caqabad ku noqonayey qabsoomidda doorashadii golaha wakiillada ee la filayey inay dhacdo isla sannadkaas, waxaana qodobada caqabadda ku ahaa doorashada ee ku jiray xeerkaas doorashada ka mid ahaa, qodobdo ay tahay in la qabto doorashada baarlamaanka ka hor oo ay ka mid yihiin:

- Inay mudan tahay in la sameeyo diiwaangelin codbixiye,
- In la sameeyo tirakoob dadweyne,
- Sugidda xuduudaha dalka
- In la kala xadeeyo degmooyinka cusub.

Dhammaantood waxay ahaayeen caqabado waaweyn oo dabar ku ahaa in doorashada baarlamaanku ay dhacdo sannadkii 2005, hase ahaatee Madaxweynihii Somaliland ee xilligaas Daahir Rayaale Kaahin, wuxuu 19/02/2005 uu qoraal u diray xafiiskii Xeer ilaalinta, iyada oo xeer ilaalintuna ay maalin ka dib u gudbisay maxkamaddii dastuuriga ahayd dacwad nuxurkeedu ahaa, in golaha wakiilladu ay ku xadgudbeen xuquuqdii muwaadinka ee ahayd in la doorto ama uu wax doorto, sidaas awgeed waxay maxkamadda ka codsadeen inay laasho qodobdo ku xusnaa xeerka doorashada baarlamaanku ansixiyeen oo ay xukuumaddii xilligaasi ku doodaysay inay caqabad ku yihiin in doorasho baarlamaan la qabto.

Haddaba 26/02/2005, waxaa maxkamadda dastuuriga ah ee Somaliland ay soo saartay qaraarkan:

*Waxaa Maxkamadda u caddaatay in ay qodobada 10aad, 13aad, 38aad, 44aad<sup>9</sup> ee Xeerka Doorashada Golaha Wakiiladu ka soo horjeedaan Dastuurka JSL, Dabar iyo carqaladna ku yihiin qabsoomida Doorashada Golaha Wakiilada mudada loo cayimo. Sidaa darteed, Maxkamadda Dastuuriga ahi waxay laashay qodobada 10aad, 13aad, 38aad, 44aad ee Xeerka Doorashada Golaha Wakiilada ee No. 20-2/05 ee 18/01/05. Qodobada la laalay wixii qaab farsamo ah ee looga maarmi waayo doorashada Madaxtooyada Socodsiinta Hawsha Doorashada Golaha Wakiilada, waxaa loo raacayaa xeerka Doorashada Madaxtooyada iyo Golayaasha Deegaanada Dalka ee Lam.20/2001.<sup>10</sup>*

Qaraarkaas maxkamadda ayaa horseeday in wax laga bedelo xeerka doorashada golaha wakiillada, isla markaana lagu qoro, sida ku cad qodobka 12aad ee Xeerka Lr. 20-2/2005

<sup>9</sup> Qodobdo ku jiray Xeerka Doorashada oo ay ansixiyeen Golaha Wakiillada ee Somaliland bishii February 2005, kuwaas oo ka hadlayey inaan doorashada la qaban Karin illaa la sameeyo, tiro-koob, diiwaangelin, kala-xadayn, sugida xuduudaha iwm.

<sup>10</sup> [http://www.somalilandlaw.com/Constitutional\\_Court\\_Decision\\_on\\_Election\\_Law\\_Full\\_Decision\\_Final.htm](http://www.somalilandlaw.com/Constitutional_Court_Decision_on_Election_Law_Full_Decision_Final.htm)

in saamiga kuraasta golaha wakiillada ee gobollada lagu geli karo oo keliya doorashadan (Doorashadii 29/09/2005).<sup>11</sup>

Haddaba, muddo 14 sannadood ah oo ka soo wareegtay Doorashadii Golaha Wakiillada, illaa maanta oo la joogo, xal lagama gaadhin arrinta saami-qaybsiga kuraasta golaha wakiillada. maaha arrin sharci oo keliya, hase ahaatee waa arrin siyaasadeed, oo u baahan hoggaamin siyaasadeed. dhammaan xukuumadihii dalka soo maray, midna uma badheedhin inuu xal ka gaadho arrintan, waxaana taas bedelkeeda ay doorbideen inay xilka u kordhiyaan golaha baarlamaan ee haatan jooga.

## **2. XEERARKA DOORASHADA:**

Illaa haatan lagama doodin, lamana ansixin Xeerka isku-dhafan ee doorashooyinka, oo ay ku jiraan arrinta qoondada kuraasta haweenka iyo dadka la hayb-sooco ay ka helayaan golaha wakiillada, sidoo kale Xeerka Maamulka Gobollada iyo Degmooyinka oo saamaynaya doorashada Golaha Deegaanka, waxaa ansixiyey golaha wakiillada ee Somaliland, hase ahaatee weli wuxuu horyaallaa golaha guurtida ee Somaliland. Ansixinta Xeerarkani waxay muhiim u tahay qabsoomidda doorashada Somaliland ee u muddaysan inay qabsoonto 12/12/2019.

## **3. ARRIMAHA NABADGELYADA IYO DOORASHADA**

Haddii la rabo in doorashadu ay qabsoonto, waxaa muhiim ah in la helo amni iyo xasilooni siyaasadeed, si muwaadiniintu ay fursad ugu helaan inay wax doortaan ama la doorto. Xiisadaha ka jira gobolka Sanaag, waxay caqabad ku yihiin hannaanka diiwaangelinta codbixiyayaasha iyo doorashooyinka, waana in si dhakhso ah arrintaas wax looga qabto, si loo helo jawi xasiloon oo lagu diiwaangelin karo muwaadiniinta.

## **4. WADA SHAQAYN LA'AANTA XISBIYADA.**

Shir jaraa'id oo uu qabtay guddoomiyaha Xisbiga Waddani Cabdiraxmaan Maxamed Cabdullaahi Cirro 22/03/2018, waxaa xisbigiisu ay shaaciyeen inay kalsoonida kala noqdeen guddida doorashada ee haatan jira.<sup>12</sup> tan iyo xilligaasna waxaa lagu guul-darraystay wadhadalo kala duwan oo la doonayey in xal lagaga haadho arrinta guddida doorashada. Sidoo kale waxaan meelmarin, heshiiskii ugu dambeeyey ee beesha caalamku dabada ka riixaysay ka dib markii golaha wakiilladu ansixin waayey, Xisbiga Waddanina sheegay inay ka baxeen heshiiskaas. Xarunta Daraasaadka Siyaasadda ee CPA ayaa aaminsan in muddo 21 bilood ah oo ka soo wareegtay doorashadii madaxtinimada ee dalka ka qabsoontay 13/11/2017, inay weli dalka ka jirto kala qaybsanaantii ka dhalatay doorashadaas. Inta ay jirto kala qaybsanaantaasi, waxaa adkaanaysa in la qabto diiwaangelin codbixiye ama doorasho. Sidoo kale Sidoo kale burburka ku yimi heshiiskii ugu dambeeyey ee beesha caalamku ka odayaysay, wuxuu abuurayaa, isfaham-darro cusub oo dhex marta Xisbiyada Mucaaradka iyo Xukuumadda.

<sup>11</sup> <http://garyaqaankaguud.com/wp-content/uploads/2016/06/Xeerka-Doorashada-Golaha-Wakiilada-JSL-Xeer-No-20-2-2005..pdf>

<sup>12</sup> <https://www.youtube.com/watch?v=0Na2gd7qbpQ>

## TALO SOO-JEEDIN.

1. Waxaan cambaaraynaynaa in Golayaasha Deegaanka ee dalku ay si sharci-darro ah ugu fadhiyaan kuraasta dalka, ka dib markii xilkoodii iyo muddo kordhintii loo sameeyey ay dhammaatay 28/04/2019, waa arrin dhaawac ku ah dimoqraadiyadda iyo dawladnimada inuu xafiis fadhiyo qof wakhtigiisii dhamaaday. Iyada oo la raacayo qodobka 30aad ee Xeer Lr. 23/2002 iyo Qodobka 111(9) ee Dastuurka JSL, waxaan ku baaqaynaa in Golayaasha Deegaanka ee wakhtigoodu dhammaaday inay xilka ku wareejiyaan Xoghayayaasha Dawladaha hoose ee dalka. Haddii sharciga la ixtiraami waayo waxay noqonaysaa arrin ay caadaystaan hoggaamiyayaasha la doortay.
2. Maadaama Guddida Doorashada ee Somaliland ay ku dhawaaqeen in doorasho aanay dhacaynin xilligii loo asteeyey, isla markaana ay u muuqato inay natiijo la'aan ku dhamaatay isfahankii Xisbiyadu kala saxeexdeen, waxaa xaqiiqo ah in haatan taladu markale gacanta u gelayso, golaha Guurtida, si ay muddo kordhin ugu sameeyaan golaha wakiillada, isla markaana iyagu wakhtiga u korodhsadaan, haddaba Xarunta CPA waxay walaac xooggan ka qabtaa, in markale doorashadu dib uga dhacdo wakhtigii loo asteeyey, sidaas awgeed waxaan ku baaqaynaa:
  - a. In daneeyayaasha doorashooyinka Somaliland ay wada-tashi degdeg ah ka yeeshaan, xilliga ugu horreeya ee ay qabsoomi karaan doorashooyinka Somaliland.
  - b. In Daneeyayaasha Doorashooyinka Somaliland, gaar ahaan Madaxweynaha oo leh masuuliyadda Koowaad, Xisbiyada Dalka iyo Guddida Doorashooyinku ay isla meel-dhigaan jadwal cad oo muujinaya jidka lagu gaadhayo qabsoomidda doorashooyinka Somaliland, inta aan la helin khariiraddaas, waxaa adkaanaysa inay doorashooyinku ku qabsoomaan xilli kasta oo lagu heshiiyo.
  - c. In Golaha Guurtidu aanu ku degdegin muddo kordhin uu sameeyo ka hor inta aanay daneeyayasha doorashadu isla meel-dhigin xilliga doorashada
  - d. In dalalkii ka qayb-qaatay isu-soo dhoweynta Xisbiyada Somaliland, inay markale ka shaqeeyaan, in dedaalkoodu aanuu guul-darraysan.
3. Arrinta Saami-qayb-siga golaha wakiilladu, waa arrin u baahan go'aan siyaasadeed, sidaas awgeed, waxaan soo jeedinaynaa,
  - a. In madaxweynuhu uu qaato hoggaanka, isla markaana ay la shaqeeyaan guddoomiyayaasha Xisbiyada, iyo cidda kale ee lagama maarmaanka u ah in xal laga gaadho, si looga go'aan gaadho hannaan saami-qaybsi kuraaseed oo lagu geli karo oo keliya doorashada inta aan la samayn tirakoob dadweyne. Arrintaasi waa dabarka ugu weyn horyaalla in la qabto doorashada golaha wakiillada, markasta oo xal ka gaadhisteedu dib u dhacdo waxaa dib u sii dhacaya doorashooyinka golaha wakiillada iyo deegaanka.

- b. In la sameeyo tira-koob dadweyne, si xal loogu helo arrinta saami-qaybsiga kuraasta golaha wakiillada ee Somaliland, iyada oo tixgelin iyo qorshe gaar ah laga yeelanayo meelaha uu ka dhici kari waydo tirakoobka dadweyne.
4. Xukuumadda waxaan ugu baaqaynaa inay wax ka qabato, xaaladaha nabadgelyo ee saamaynta ku yeelan kara doorashooyinka, gaar ahaan xaaladda ka jirta gobollada Bariga Somaliland si loogu diyaargarooobo qabsoomidda diiwaangelinta codbixiyayaasha iyo hawlaha doorashooyinka.

Wixii faahfaahin kala soo xidhiidh Xafiiska La Socodka Hawlaha Doorashada

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