

# The recognition of Somaliland

## Questions & Answers

### 1. Why is Somaliland campaigning for recognition?

Somaliland is campaigning for recognition primarily for practical reasons. Non-recognition imposes major costs on the country – hampering the government's ability to raise funds on international capital markets, depriving the country of valuable forms of assistance from multilateral institutions, preventing countries from giving critical bilateral support, trapping the population behind its borders because their passports are not recognised, inhibiting investors because the country cannot sign up to key international treaties, imposing higher insurance costs on businesses, and preventing the country from controlling its fishing stocks and airspace.

The people of Somaliland - 97.9% of whom voted for the country's constitution which enshrines independence - also feel passionately that they have the right to self-determination. They have a clear legal case for recognition and, against all the odds, have overseen the restoration of peace, built a successful free-market economy and cultivated a stable, multiparty democracy.

### 2. Does Somaliland have a legal case for recognition?

Absolutely it does. According to the legal section of the South African Ministry of Foreign Affairs, "it is undeniable that Somaliland does indeed qualify for statehood, and it is incumbent on the international community to recognise it." Many other international lawyers and experts agree.

Somaliland's legal claim rests on its history – the fact that it was granted independence by Britain in 1960 and, having entered an unsuccessful union with Somalia, simply wants to return to its original sovereign borders.

Importantly, Somaliland has all the attributes of statehood as defined by the 1933 Montevideo Convention. It has a permanent population, a defined territory, government and capacity to enter into relations with other states.

### 3. Why has Somaliland not been recognised so far?

This is because recognition is essentially a political act, not a legal one. The advancement of Somaliland's case is dependent upon the will of the international community. So far, countries have not been willing to expend the necessary diplomatic effort to recognise Somaliland.

### 4. Why should this change any time soon?

We think that countries in Africa and around the world are increasingly aware that their strategic interests would be served by recognising Somaliland. The simple act of recognition would enhance security, drive economic development and entrench democracy in one of the world's most unstable regions. All countries would stand to benefit.

In the sphere of international relations, it is hard to think of a comparable act that would cost so little, be so easy to undertake and yet deliver so much.

**5. Do problems on Somaliland's eastern border constitute a complicating factor regarding Somaliland's recognition?**

They certainly shouldn't. While the eastern border has been contested, border disputes do not in general invalidate statehood. Somaliland has been investing considerable effort into resolving the dispute and there has been real progress in recent months.

**6. What is Somaliland doing to engage Somalia on the issue?**

Initiated at the London conference on Somalia in February 2012, President Ahmad Silanyo of Somaliland held talks with his Somali counterpart, Sharif Shaykh Ahmad, in London, Istanbul and Dubai. The Dubai discussions in June 2012 led to the joint signing of the Dubai Charter to reinforce "international efforts for reconciliation among all Somali parties". We welcome the pragmatic remarks of Somalia's new President,

Ahead of talks, the government managed to persuade Parliament to suspend an existing law that had explicitly forbidden the government from entering a dialogue with Mogadishu – proof that the government is keen to forge progress pragmatically and constructively.

**7. What is the government doing in practice to win the case for recognition?**

We have in place a vigorous multi-pronged strategy. Somaliland formally applied to join the African Union (AU) in 2005, but the application is still pending. The government is continuing to lobby the AU. In 2010, the Peace and Security Council directed the AU Commission Chairperson to 'broaden consultations with Somaliland and Puntland' which we welcome.

We are strengthening ties with African countries alongside the UK, US and EU. The President and Foreign Minister have been received warmly in Addis, London and Washington in recent months. Senior Ministers and diplomats from across the world have also visited Hargeisa.

At the same time, Somaliland is building its relationships with key multilateral institutions such as the Intergovernmental Authority on Development (IGAD), the UN and the African Development Bank.

Finally, of course, there have been fruitful discussions with Mogadishu, which we are hopeful will continue.

**8. What will happen if Somaliland does not gain recognition soon?**

It is difficult to say. The critical point is that the status quo is not sustainable forever. Somaliland faces big internal pressures - youth unemployment is estimated at 60-70%, described by the Speaker of the House as a potential time-bomb. At the same time, Somaliland is using limited resources to consolidate peace, combat terrorism and contain piracy.

Somaliland is not asking for favours. We simply want to take our rightful place in the community of nations so that we can enhance security, drive economic development and entrench democracy – serving both our own interests, and also those of the international community.

**9. If Somaliland has achieved so much without recognition, why does it need it now?**

Somaliland's success to date has been achieved *in spite* of non-recognition; not because of it. In development terms, we have reached a glass ceiling. Recognition would enable us to receive forms of assistance such as infrastructure investment and institutional capacity-building – critical to enabling us to better harness our resources and trade our way to greater poverty.

**10. Is Somaliland confident it will achieve recognition?**

Yes – we have a strong legal case and we have proven what we can achieve together. Our job now is to persuade the international community that it is in their interests to recognise Somaliland.