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Africa Programme Conference Summary

Somaliland's Place in the World

December 2011

Introduction

In July 2011, Chatham House held a small roundtable meeting with Somaliland politicians, civil society, diaspora and thinkers along with experts and observers from key international partners. The roundtable aimed to discuss Somaliland's place in the world twenty years after it's self-declared, and still unrecognised, independence.

The meeting sought to encourage new thinking about Somaliland in a neutral and private environment, and was held under the Chatham House Rule. This short meeting note presents some of the issues raised in the discussion. It is not intended to comprehensively cover the debates held, but simply aims to raise some important questions for Somaliland and its partners.

What is Somaliland's status?

A core element of the problem for Somaliland and its partners is the question of status. While the Somaliland government is able to exercise control over much of the territory it claims, can collect taxes, provide some services, and has held a number of successful democratic elections, Somaliland does not benefit from formal international status. Somaliland claims recognition but has no constitutionally or internationally recognised route to achieve it.

New initiatives seek to find practical ways for Somaliland to function in the international sphere despite its lack of recognition. Ideas include enabling international donors to contribute to a fund which could be administered jointly by donors and the Somaliland government – which as an unrecognised entity is not eligible for direct budgetary support. Innovative relational mechanisms, be they financial or diplomatic, give an impression of progress yet their innovation can be seen as recognition of Somaliland's unique status rather than implying de facto or future political recognition in any formal sense.

Somaliland's primary foreign policy aim is to seek international recognition as a sovereign state. Its partners are happy to encourage stability but are concerned about the potential negative impact formal recognition might have on the wider Somalia issue. African partners in particular are sensitive to the creation of new countries on the continent, as respect for borders inherited from colonial rule is a key principle underpinning the African Union (AU).

Internationally, there is a hierarchy of status.

Recognised state: the recognised state is at the pinnacle, and enjoys uncontested recognition of its status as a legal entity.

Partially-recognised state: the state is recognised by some, but because its legality and/or independence is contested, it does not have access to all international bodies. Kosovo is an example.

Unrecognised entities: such an entity may have the objective characteristics of a state, but is unable to actualise this statehood. Somaliland falls into this category.

Somaliland argues for its right to recognition on the basis that it voluntarily entered a federation with Somalia in 1960, and so independence would be the result of Somaliland's secession, and would not equate to the creation of a new state. This argument has strength but without political support from other nations it is not sufficient.

Somaliland has a choice in picking the focus of its lobbying. It could aim to obtain recognition from an influential external state, such as the US or Ethiopia, which may help it achieve a status similar to Kosovo's. Alternatively, it could try to get consent from Mogadishu for its independence, which would lead to wide international acceptance. Neither route is simple or, at present, likely.

Existing links across Somalia and Somaliland

Somaliland is not insulated from the course of events within Somalia. 2008's terrorist attacks in Hargeisa and the border dispute with Puntland are but two examples of Somaliland's continuing, albeit unwilling, entanglement in wider Somalia politics. The separatist movement Sool, Sanag and Cayn (SSC) demonstrates that the trend for micro-entities in the rest of Somalia also impacts on Somaliland.

However, there are also positive links. Civil society groups across Somalia make use of Somaliland as a safe haven, and people displaced by fighting in the South are able to live in Somaliland. Businesses operate across the Horn of Africa's Somali-inhabited lands from Somaliland. There are strong cross-border links between elites and ordinary people.

Can Somaliland help the South?

At present Somaliland is able to operate independently with relatively little obstruction as there is little in the way of effective government at a national level in Somalia. However, if Somaliland fails to resolve its relations with the

rest of Somalia problems are likely to be stored up for the future. Possible challenges include the potential for a spillover of violence from the South, or a future political or military contestation of Somaliland's right to exist by a functioning central government of Somalia. Though the issue of relations with Somalia is highly contentious, it cannot be ignored.

It was apparent through the course of the meeting that there is a disconnect between what Somaliland considers to be its position in the world and what its international partners feel are important issues to focus on. International concern remains centred on the problem of Somalia's weak governance and instability. Somaliland's success is seen as offering some hope for resolving problems in south-central Somalia. International partners are keen to find a way to involve Somaliland in the search for peace in the South, believing that as an entity which has emerged from a successful Somali-led peace process and has undergone democratic transformation, Somaliland could contribute important insights to the wider peace process.

On the other hand, Somalilanders are far from enthusiastic about any kind of engagement in the problems of Somalia. They see little to be gained and much to be lost in becoming entangled in seemingly intractable negotiations and war that could spread destabilisation to the north-west. Many also argue that Somalia's issues are not their responsibility. Since Somaliland declared independence Somalia's instability is seen as a concern only because they are neighbours.

However, Somaliland may also lose out if it is excluded (or excludes itself) from discussions about Somalia's future. Such discussions could lead to an internationally recognised and enshrined constitutional settlement which runs against the interests of Somaliland. From this perspective there are important risk-avoidance reasons for Somaliland's engagement in wider Somali peace processes.

The Importance of a Process

One key idea emerging from this meeting highlighted the pragmatic advantages for Somaliland in entering an internationally recognised process, rather than trying to forge a path based on solitary lobbying and appeals to justice or historical rights.

This argument was not accepted by all meeting participants, and it is understandably hard for many Somalilanders to accept that they have more to do. Many feel that after fighting the Barre regime and struggling to build

peace they deserve recognition. Likewise for Somaliland's politicians there is very real political risk in being seen to accept that Somaliland must do more before recognition is achieved, or that it should engage more widely in discussions on Somalia's future. However, many participants saw some benefit in trying to build a process which puts Somaliland on a legally recognised course towards defining its status.

The experience of the Sudan People's Liberation Movement/Army (SPLM/A) was given as an example where an organisation entered an internationally-recognised process that delivered recognition. In the case of Sudan, this process was agreed between partners who were suspicious of each other. Despite this, a constitutional arrangement was reached which may have been seen as less than perfect by some, but which crucially guaranteed certain rights for both sides and a path to recognised independence. The Sudanese Comprehensive Peace Agreement (CPA) became the constitutional guarantee of recognition and put South Sudan in a secure legal position.

For South Sudan, the CPA provided that route. Despite the nervousness of some about South Sudan's viability as an independent state, its right to recognition in July 2011 could not be disputed because the CPA was formally accepted by both parties and had already been internationally recognised.

Many external partners will not recognise Somaliland until a Mogadishu-based government does so. However, if Somaliland were to enter a process similar to the CPA, a situation could be created where Somaliland has its current status guaranteed and international partners are able to engage more fully with Hargeisa, despite the lack of immediate recognition. Entering talks or beginning a process does not require any party to initially accept the positions of others. In theory, all sides could agree that they disagree on certain issues, such as Somaliland's status, but still engage in useful discussions.

Conclusion

There remains tension between international hopes that Somaliland can become involved in the wider Somalia peace process and the insistence of Somaliland on remaining separate. However, Somaliland could benefit from being part of a formal process that would offer a path to regularising its position in the eyes of Somalia, the AU and the wider international community.

This does not mean abandoning the advances that Somaliland has made. Indeed those advances mean Somaliland is in a position of strength when it comes to designing a path forward. But such a process offers the chance to attain a fully recognised status in a way that relying on a strong emotive case or appealing to history does not. It is not easy for many people in Somaliland to accept that there is more they need to do; indeed it may seem highly unfair to ask them to do so. Yet if it is the only realistic path to the recognition Somaliland deserves, then perhaps a pragmatic re-engagement with the wider Somali search for peace may be a price ultimately worth paying.