



# The political development of Somaliland and its conflict with Puntland

## INTRODUCTION

The Horn of Africa is the most militarised and conflict-ridden region on the African continent, with armed conflicts raging frequently within and between states. In 1991, Somaliland emerged as an autonomous entity in this turbulent region after unilaterally declaring its independence from the rest of Somalia. Over the past eighteen years Somaliland has managed to display an enviable measure of peace and stability. Through successive clan conferences, Somaliland established relatively viable institutions which paved the path for reconstruction of an entity mainly employing local resources. Somaliland has thus been depicted as 'an oasis of stability in an otherwise chaotic Somali regional environment'.<sup>1</sup> The accomplishments of Somaliland, however, have been overshadowed by the lack of international recognition of its statehood and also its territorial dispute with neighbouring Puntland. The overall objective of this paper<sup>2</sup> is to provide a detailed account and analysis of the political development of Somaliland and its conflict with Puntland.

## BACKGROUND

Somaliland came to the fore of the international political system immediately after it declared its independence from the rest of Somalia on 18 May 1991. The Grand Conference of the Northern People was held in Burao and was composed of the leaders of the Somali National Movement<sup>3</sup> (SNM) and representatives of all clans inhabiting north-western Somalia. The newly established entity assumed the borders of the former British colony which adjoins Ethiopia to the south and west, Djibouti to the north-west, the Gulf of Aden to the north, and Puntland to the east. The demarcation of these borders was the product of the Anglo-Ethiopian treaty of 1897.<sup>4</sup>

Somaliland covers a land area of 137 600 square kilometres and has a coastline of 850 kilometres. It had

a total population of about three million people in 1997.<sup>5</sup> Pastoralists make up some 55 per cent of the population, whereas the rest is composed of urban and rural dwellers. Territorially Somaliland is divided into six regions, namely Northwest, Awdal, Sahil, Togdheer, Sanaag and Sool, which are subdivided into 30 districts. The largest city and capital of Somaliland is Hargeisa to which Britain relocated its colonial administration in 1941, while Boroma, Berbera, Burao, Erigavo and Las-Canood are Somaliland's major cities. Somaliland's principal port is the strategic port of Berbera.<sup>6</sup>

There are three major clan families, namely the Isaaq, the Darod/Harti (including the Warsangeli and Dhulbahante) and the Dir (including the Iise and Gadabursi), representing 66 per cent, 19 per cent and 15 per cent respectively of the total population.<sup>7</sup> Pertaining to regional distribution, the west is inhabited by the Iise and Gadabursi clans.<sup>8</sup> The Isaaq live predominantly in the central part of the Somaliland, while the eastern parts are occupied principally by the Warsangeli and Dhulbahante clans.

The people of Somaliland share a common language, culture and religion among themselves as well as with the rest of Somalia. Economically speaking, they pursue a traditional livelihood system based on nomadic pastoralism.<sup>9</sup> Livestock production makes up the backbone of Somaliland's economy, accounting for about 65 per cent of its economy.<sup>10</sup> Somaliland's economy is also heavily dependent on remittances from the diaspora.<sup>11</sup> Estimated to reach US\$500 million per year, remittances constitute the largest single source of hard currency entering Somaliland. Remittances actually bring more currency to Somaliland than livestock export and international assistance combined.<sup>12</sup>

The 2001 constitution established a hybrid system of government.<sup>13</sup> Constitutionally, Somaliland has three branches of government. A president, elected for five years, heads and nominates a cabinet of ministers

theoretically subject to parliamentary approval. The legislature is composed of two chambers, the unelected upper House of Elders (the *Guurti*) nominated by the clans during various peacebuilding conferences and the lower House of Representatives, which is directly elected for six years but clearly lacks an understanding of its role and functional capacity.<sup>14</sup> The 82-member House of Representatives is supposed to be the main legislative chamber. It approves all legislation as well as the annual budget and acts as a check on the power of the executive, which is the strongest branch.<sup>15</sup> The ostensibly independent judiciary is complemented by a moderately vibrant print media.<sup>16</sup>

## ECONOMIC PERFORMANCE

Quite surprisingly, Somaliland has achieved a relatively significant degree of progress in certain social and economic areas. Provision of education and creation of a suitable environment for foreign investors are considered the key priorities, as Somaliland authorities clearly believe that human development will end poverty and thus ensure political stability.<sup>17</sup> Somaliland has no foreign debt, since its administration cannot get loans and has to function with the resources generated inside Somaliland.<sup>18</sup> (It has to be pointed out, however, that Somaliland has one of the world's largest gypsum deposits, which could be readily developed by foreign companies.<sup>19</sup>)

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Somaliland's economy has undergone substantial structural changes since the early 1990s and especially the destructive 1980s. The authorities have dissolved existing monopolies, done away with rigid economic controls, and pursued a deregulated free market economy in which the private business sector has thrived. This private sector expansion has in turn contributed significantly to the rapid growth of the economy compared to other Somali areas.<sup>20</sup> The economic growth has provided employment opportunities and capital investment for appreciable reconstruction. Much of Somaliland's economic growth has also been attributed to livestock production and trade, which is the dominant system of production in the country. Indeed, livestock is the most

important foreign exchange earner of Somaliland, which gets around US\$200 million from the export of livestock to mainly Saudi Arabia.<sup>21</sup> Fish, quality frankincense, gemstone, minerals, natural gas and oil<sup>22</sup> are other products for exploitation.<sup>23</sup>

The volume of Somaliland's trade has increased between 1993 and 1998. The growth in livestock production and the opening of the Ethiopia–Somaliland border are factors which led to the increase. In the same vein, the service sector, including airline business, telecommunications and financial transfer companies, experienced a sudden increase in the post-1991 period. Industrialisation is at its embryonic stage in Somaliland even though this period has witnessed the proliferation of light industries such as food-processing and fish-canning plants, and bottled-water factories.<sup>24</sup>

Primary school enrolment has rocketed from a dismal figure of 10 000 in 1991 to 150 000 in 2007, while enrolment in secondary schools increased by 56 per cent over the same period. Similarly, there is a renewed momentum towards modernisation within the universities of Hargeisa, Burao and Amoud.<sup>25</sup> Social services such as water and electricity are partly privatised, with indigenous businessmen teaming up in partnerships and joint ventures to provide these services at profitable but affordable costs.<sup>26</sup> Finally, the revenue system has had to start from scratch after the war. The prevailing peace and stability together with basic institutions improved the revenue collection system and provided the groundwork for a steady growth in the revenue collected by administrative agencies.

## SECURITY FORCES

After 1991, Somaliland embarked upon a robust intra-clan consensus-driven process of disarmament and demobilisation in order to make a distinction between the regular or authorised and irregular security forces.<sup>27</sup> A number of fighters were incorporated into the armed forces whereas others joined components of the police force. Therefore, ex-combatants were recruited into one of the three security forces, namely the armed forces, police and correctional force or custodial corps.<sup>28</sup> The formation of regular, uniformed and salaried security forces involved the transfer of heavy arms and weapons to central control. The rationale behind separating the militia and their armament from the direct control of their clans was obviously to prevent the eruption of inter-clan violence.

Upon the formation of Somaliland, the armed forces, including the army, navy<sup>29</sup> and air defence forces, absorbed around 15 000 clan-based militiamen, former SNM fighters, and also fighters belonging to other armed groups. Some armed groups bargained their

surrendering of heavy weapons in exchange of a place in the regular armed forces. Such arrangement ultimately led to the maintenance of roughly 18 000 members of the security forces on the administration's payroll at the cost of about 70 per cent of Somaliland's budget.<sup>30</sup> Moreover, the disarmament and demobilisation process was achieved with minimal international assistance.

The 2001 constitution recognises the armed force<sup>31</sup> responsible for protecting Somaliland's independence, the police force responsible for maintaining law and order, and the prison services responsible for guarding and reforming prisoners (articles 123 and 124).<sup>32</sup> It also establishes that the president is the commander-in-chief of the armed forces (article 90).<sup>33</sup> Over 50 per cent of Somaliland's budget is still spent on the security sector, the bulk going to salaries and food rations of the armed forces which were given proper military ranks. Furthermore, the administration had to shoulder the cost of maintaining security and servicing an active military situation in the contested regions of Sool and Sanaag.<sup>34</sup> There is also an internal security service which was established by the Egal administration through a presidential decree. 'It is a clandestine organisation, which evades parliamentary oversight and makes them only accountable to the president. According to a former Minister of Finance, the security services budget during the Egal era was included in the vice-president's budget.'<sup>35</sup>

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## HISTORICAL AND POLITICAL OVERVIEW

British involvement in Somaliland began in the second half of the 19<sup>th</sup> century. Somaliland's significance to Britain emanated from a purely geopolitical interest as the British government was only interested in Somaliland's meat supply as a necessary ancillary to the garrisoning of Aden.<sup>36</sup> Thus, Britain was intent on preserving the port of Aden where a coaling station and a garrison were established 'to safeguard the sea routes of its eastern trading empire and the imperial jewel, India'.<sup>37</sup> The British accordingly entered into a series of agreements with clan leaders in order to fulfil this rather utilitarian objective. These agreements were signed between 1885 and 1900 and culminated in the

transformation of the present-day Somaliland territory into a British colony.<sup>38</sup>

The Anglo-French treaty of 1888, the Anglo-Italian protocol of 1894 and the Anglo-Ethiopian delimitation treaty of 1897 constitute the legal regimes which largely determined the contours and borders of British Somaliland.<sup>39</sup> However, the subsequent agreement between Britain and Ethiopia in 1954 did not affect the implementation of the Anglo-Ethiopian treaty of 1897. Accordingly, British Somaliland was composed of the regions of Awdal, Wagrooyu, Galheed, Togdhhre, Sannag and Sool. Britain succeeded in establishing a system of indirect rule even though its expansion was somehow impeded by an anti-colonial uprising between 1899 and 1920.<sup>40</sup>

On 1 July 1960, former Italian Somaliland and former British Somaliland<sup>41</sup> voluntarily joined and formed the independent state of Somalia 'on the basis that Somalis are the same people, speak the same language, and have a common religion'.<sup>42</sup> The leaders of this newly emerging state sought, from the outset, to create a single supra-state, Greater Somalia, including the Ethiopian-administered Ogaden, the French-administered-Djibouti, and Kenya's Northern District.<sup>43</sup> The first and most essential political factor which led the Somali leaders to take up the idea of Greater Somalia was that it seemingly served as a unifying purpose for the consolidation of the various clan families into one Somali nation. It was also meant to serve as the most appropriate means to supersede the deep-rooted internal divisions between the former Italian and British colonies.

After a brief experience of civilian parliamentary democracy which was poorly adapted to the clan-based nature of Somali politics,<sup>44</sup> General Mohammed Siad Barre came to power in a bloodless coup on 21 October 1969. Barre pursued the policy of bringing together all the lost territories of Somalia. He devoted the lion's share of Somalia's national resources to an extensive military build-up and also secured the Soviet Union's foreign assistance. His determination for realising the vision of Greater Somalia culminated in the 1977-1978 war against Ethiopia. For many analysts, this war constituted a watershed in the political history of Somalia. It signalled the end of Pan-Somali nationalism and the beginning of the collapse of the Somali state. Somalia's defeat caused a crisis of confidence and undermined the morale of the Somali armed forces, even leading a group of officers to mount a coup d'état in 1978.<sup>45</sup> No fewer than ten clan-based opposition groups, including the SNM, took up arms against Siad Barre's regime.<sup>46</sup>

The insurgency was matched by harsh government reprisals involving indiscriminate artillery shelling and aerial bombardments which claimed the lives of many civilians and displaced hundreds of thousands from

their homes.<sup>47</sup> One such attack in the form of vicious aerial bombardments of Hargeisa and Burao took place in 1988 in response to simultaneous and stepped-up attacks by the SNM. These artillery shelling and aerial bombardments, which killed between 20 000 and 50 000 people and sent 400 000 refugees pouring into Ethiopia, only served to unite the Isaaq behind the SNM and still remain fresh in their memories.<sup>48</sup> The intensification of the conflict eventually led to the fall of Siad Barre's regime on 26 January 1991, after which the SNM took effective control of the north-western part of Somalia.<sup>49</sup> Since then the southern part of Somalia has been struggling with a complete absence of central government and consequently of the law and order which are prerequisites for the existence of a functioning state.

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## A BUMPY TRANSITION

After its takeover of Somaliland, the SNM opted for a cessation of hostilities and reconciliation with the non-Isaaq clans, which were largely associated with Siad Barre's regime, rather than engaging in retribution and the settling of old scores.<sup>50</sup> Reconciliation was the main theme at a peace conference convened by the SNM which took place from 15 to 27 February 1991 in Berbera. The gathering sought to restore trust and confidence between the Isaaq and non-Isaaq clans<sup>51</sup> which fought the war on opposite sides. The Berbera conference laid the groundwork for the Grand Conference of the Northern Clans, which was held from 27 April to 18 May 1991 in the town of Burao.<sup>52</sup> The original purpose of this meeting had been to cement the peace in north-west Somalia.<sup>53</sup> Following extensive consultations of nearly two months, the clan elders and the SNM leadership decided to expedite peacebuilding and restore Somaliland's sovereignty by voluntarily withdrawing from the union with the rest of Somalia. The principal factors which pushed Somaliland further along the road towards independence include the unsettling political and military situation in southern Somalia, the revival of Isaaq fears about southern domination, and the

prospects of a new relationship with Ethiopia, which also experienced a change of political regime.<sup>54</sup>

Accordingly, in May 1991 the SNM announced the independence of Somaliland and the formation of a transitional SNM-led interim administration to administer the newly independent entity for two years. The leaders of the SNM were initially reluctant about the secession of Somaliland for two main reasons. First, they were fearful of unintended complications and of the fact that the international community would not easily grant recognition to Somaliland. And second, many SNM leaders supported a federal form of association with the rest of Somalia. The declaration of independence was accompanied by the designation of Abdirahman Ahmed Ali Turr, the then chairman of the SNM, as president, and the Isaaq-dominated SNM Central Committee became the first legislative institution of Somaliland.<sup>55</sup> The SNM leadership was vested with the powers to draft a constitution and prepare Somaliland for elections. The interim administration was also entrusted to accommodate non-Isaaq clans by enlisting their participation in the new administration.<sup>56</sup>

However, Turr's interim administration faced serious political challenges. Within the SNM, which had not developed strong organisational structures,<sup>57</sup> tensions between a clan-based alliance of militias allied to the Turr administration and an opposing faction came to a boil. The closed-door policy and the financial weakness of President Turr's administration, which failed to restore law and order even around Hargeisa, exacerbated the problem.<sup>58</sup> Because of the rift within the SNM, it was virtually impossible to convene a meeting of the SNM central committee-turned-parliament during the two-year tenure of the interim administration. In January 1992, political consensus began to fracture and a serious conflict between the two SNM groups broke out in Burao and around the port of Berbera.<sup>59</sup>

As Somaliland became engulfed in conflict,<sup>60</sup> non-Isaaq clan elders intervened and called a meeting at a town named Sheikh. The Sheikh conference first resolved the conflict over the port of Berbera. The port reverted to the Turr administration, which was now endowed with an important source of revenue. The conference also established a mechanism for the effective participation of clan elders in Somaliland's post-war political system by creating a council of elders called the *Guurti*.<sup>61</sup> The participation of the non-Isaaq clans in the mediation process indicated that the SNM's influence was declining and that the buy-in of the non-Isaaq clans was imperative.<sup>62</sup>

## THE BOROMA CONFERENCE

The Boroma conference was a defining event in Somaliland's political development. It was attended

by five hundred politicians, elders, religious leaders, businessmen, intellectuals, and civil servants. It was organised in the principal town of the Gadabursi clan and lasted five months.<sup>63</sup> The conference oversaw the peaceful transfer of power in May 1993 from the SNM to the new civilian administration headed by Mohammed Haji Ibrahim Egal, a widely respected Isaaq statesman who had been Somalia's last civilian prime minister before Siad Barre's 1969 coup.<sup>64</sup> It also produced a Transnational National Charter and an Interim Peace Charter. The National Charter defined the political and institutional structures of a three-year administration until a constitution was promulgated. The Peace Charter entrenched the use of the *Xeer* - a sort of an unwritten traditional law of social conduct among the clans of Somaliland in accordance with their traditions and Islamic principles - as the basis for law and order.<sup>65</sup>

The Boroma conference was decisive in the sense that issues of representation and powersharing were dealt through the institutionalisation of clans and their leadership into the system of governance.<sup>66</sup> The political system established in 1993 became known as *beel*, meaning clan or community, and fused indigenous forms of social and political organisations with modern institutions of government. It was portrayed as a dynamic hybrid of Western form and traditional substances and consisted of an executive president, an independent judiciary and a bicameral parliament comprising an upper House of Elders incorporating the *Guurti* and a lower House of Representatives the members of which were nominated on a clan basis by an electoral college of elders.<sup>67</sup>

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“The *beel* system of government established at Boroma recognised kinship as the organising principle of Somali society. In essence, the government became a power-sharing coalition of Somaliland's main clans.<sup>68</sup> The framework aimed at fostering popular participation in governance or participatory governance which might best define the essence of democracy without the encumbrance of Western connotation.<sup>69</sup> Appointments to the executive were made in a way that clan balance was ensured. Indeed, in the upper and lower houses

of parliament, seats were proportionally allocated to clans according to a formula initiated by the SNM. Similarly, the *beel* system seemed to have limited the development of a fully representative and effective democracy and to have given rise to the marginalisation of the Harti clan, creating a sense of alienation among members of that clan.<sup>70</sup> It was also criticised for lack of transparency, nepotism and corruption, with individuals from more powerful lineages favoured in government appointments.<sup>71</sup>

The *beel* system was intended to be in place for three years, but remained for decade.<sup>72</sup> Despite two years of damaging civil war between November 1994 and October 1996, there was a high degree of stability in Somaliland which experienced relatively considerable economic restructuring with the establishment of customs offices and the restarting of revenue collection facilitated by the creation of the Berbera Port Authority.<sup>73</sup> Apart from that, the ministries and the civil service were reorganised, a central bank with a new currency was introduced, militias were melded into regular armed forces, and roadblocks were removed.<sup>74</sup> Much of Somaliland's urban infrastructure was repaired, and the education and health systems were restored. The formal ending of the civil war was signalled by a conference held in Hargeisa from October 1996 to February 1997 which was locally financed and managed (just like the Sheikh and Boroma conferences) and equally confirmed the existence of 'some common values and trust between northern clans.'<sup>75</sup> The conference extended the administration's tenure for a further four years, ratified an interim constitution and increased the number of seats available to non-Isaaq clans.<sup>76</sup>

## CONSTITUTIONAL REFERENDUM AND SUBSEQUENT ELECTIONS

In 2000, a 45-member committee appointed jointly by the president and Parliament came up with a commonly acceptable draft constitution, copies of which were distributed throughout Somaliland.<sup>77</sup> A referendum was held on 31 May 2001. The major factors for undertaking the referendum were the establishment in 1998 of the Puntland autonomous entity, which laid territorial claims to areas in eastern Somaliland (as will be developed in the last section of this situation report), and also the establishment after the 2000 Arta Conference of the Transitional National Government of Somalia, which claimed authority over the entire Somali territory. Both Puntland and the Transitional National Government simply threatened Somaliland's claim to sovereignty.<sup>78</sup> Article 1 of the constitution clearly reaffirmed Somaliland's sovereign and independent status. The endorsement of the final version of the constitution

by 97 per cent of the electorate in Somaliland asserted an unequivocal declaration of their aspiration to preserve Somaliland's independence,<sup>79</sup> even though there was the greatest opposition to the referendum in the Sool region's Las Anod district where limited voting took place.<sup>80</sup>

The adoption of the constitution, in a rather peaceful manner, also put in place the necessary steps to change Somaliland's political system from a clan-based administration to a limited form of multiparty democracy. The constitution introduced universal suffrage, enshrining particularly the right of women to vote. It also provided that the executive, the legislature and local administrative units were to be formed through regular elections, although it restricted the number of political parties to participate in presidential and parliamentary elections to three (article 9). Indeed, only the three political organisations which obtained the highest percentage of votes during local elections could register as political parties and contest presidential and parliamentary elections.<sup>81</sup> The rationale behind this restriction was to promote the development of political organisations which would represent a cross-section of the population and thus avoid the sectarian politics which plagued Somalia in the 1960s when numerous and fragmented parties used to chaotically contest elections thus contributing to Siad Barre's coup in 1969.<sup>82</sup>

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Although the public overwhelmingly endorsed the constitution, there was considerable unease about the move to multiparty democracy.<sup>83</sup> President Egal, who had survived an impeachment vote in August 2001 and unexpectedly died of natural causes in May 2002, had linked the adoption of the constitution to Somaliland's effort to acquire international recognition, considering that the international community would not recognise Somaliland's independence unless it installed a constitutionally based, appropriately elected and authentically democratic government.<sup>84</sup>

The change from a system of selected representation to elected representation in Somaliland's political institutions occurred in three phases. First, in December 2002, local elections were held and resulted in the

appointment of 332 district councillors in Somaliland's six regions. Six political organisations run for the local elections, with three of them winning sufficient support to become accredited national parties: the UDUB (United Democratic People's Party) which was virtually the ruling party, Kulmiye (Unity Party) and the UCID (Justice and Welfare Party). Accordingly, the UDUB managed to win by receiving 40,76 per cent of the total votes, with Kulmiye coming second with 18,90 per cent and the UCID third with 11,24 per cent.<sup>85</sup>

Second, presidential elections were held peacefully in April 2003. The UDUB's Dahir Riyale Kahin - the former vice-president who was born in 1952 and hails from the Gadabursi clan, had worked as a colonel in Siad Barre's National Security Service<sup>86</sup> and was the target of an assassination attempt in 2002 - succeeded in winning by beating his closest rival, Ahmed Mohamed Silaniyo, chairman of Kulmiye and former Minister of Planning and Minister of Commerce in Siad Barre's regime,<sup>87</sup> by the slimmest of margins of only 80 votes out of almost half a million ballots.<sup>88</sup> Kulmiye challenged the results in courts, but accepted the election results when its appeal was rejected.<sup>89</sup> Finally, elections for the House of Representatives were held in September 2005. These elections saw 246 candidates contest 82 seats in an undertaking that involved 982 polling stations, 1 500 ballot boxes, 1,3 million ballot papers, 6 000 party agents, 3 000 police, 700 domestic observers, and 76 foreign observers.<sup>90</sup> The ruling party, the UDUB, repeated its successes in the local and presidential elections by winning the largest number of votes and 33 MPs, while Kulmiye came second with 28 MPs and UCID third with 21 MPs. Thus, the two opposition political parties had managed to control together 49 seats, an almost 60 per cent majority.<sup>91</sup>

Somaliland has aptly demonstrated that it has the capacity to hold peaceful elections which are conducted in a reasonably efficient manner.<sup>92</sup> The fact that the elections were principally funded by the Somaliland administration, with additional assistance from foreign donors, confirmed the perseverance of the political elite to establish a constitutionally based democracy. Moreover, the peaceful resolution of the tightly fought presidential elections showed that there was a determination in Somaliland to settle political differences through constitutional means rather than resorting to violence.<sup>93</sup> Furthermore, the election of a non-Isaaq president from a minority clan lent more credibility to the claim that Somaliland was a comparatively tolerant multi-clan entity.<sup>94</sup> However, the election process also revealed some serious flaws. The process was mainly criticised because it was not inclusive given that most of the population of the eastern Sanaag and Sool regions did not fully participate in it.<sup>95</sup> It was also criticised for the ruling party's attempts

to consistently stifle the media and incessantly harass opposition sympathisers, and also for the general lack of opportunity for women to occupy elected positions.<sup>96</sup>

## THE 2009 ELECTIONS

President Dahir Riyale Kahin was elected for a five-year term on 14 April 2003 but, as mentioned before, with the narrowest of margins – less than 80 votes over Ahmed Mohamed Silaniyo. President Riyale has promised repeatedly that if he loses the 2009 elections he will step down and hand over political power to the winner of the electoral process. The three presidential candidates – Riyale of the UDUB, Ahmed Silaniyo of Kulmiye, and Faisal Ali Warabe<sup>97</sup> of the UCID – had all competed in the 2003 elections. The president's term in office was extended for one year by the House of Elders (the *Guurti*) in April 2008, a development which brought about a constitutional crisis and was resolved only after opposition political parties agreed to a new election date. It was again extended on 28 March 2009.

### The National Election Commission has been recently criticised for being biased in favour of the ruling party

The European Commission, individual EU member states and the US are supposed to fund 70 per cent of the election's expenses, including financing the voter registration process which began in October 2008. Because of the impossibility to provide funds directly to the National Election Commission, funds would be filtered through Interpeace, an international NGO which, through its Nairobi office and with its partner the Academy for Peace and Development, would monitor and assist in the implementation of the elections. The package would have three elements – registration, local and international elements – and cost around US\$18 million, of which registration would account for US\$8-9 million.<sup>98</sup> The voter registration process, however, has been tainted by disputes within the National Election Commission and registration data which has annoyed some clans. The estimated number of eligible voters in Somaliland are over one million. Of these, 440 067 voted in the 2002 local government elections, 488 543 in the 2003 presidential elections, and 670 332 in the 2005 parliamentary elections. It is thus realistic to presuppose that about 700 000 people could vote in the 2009 elections.

During the past few years, the National Election Commission had come to be 'generally recognised as being independent'.<sup>99</sup> Yet, it has been recently criticised for being biased in favour of the ruling party. Three of its seven members whose term of office are five years were appointed in 2007 by President Riyale, the House of Elders (the *Guurti*) – often seen to be aligned with the president – nominated two candidates, while the other two were appointed by the opposition.<sup>100</sup> The first National Election Commission had adequately established a reliable organisation and supporting infrastructure. With the support from the administration and several donors, it had evolved into a fully functioning institution with clear work-plan and long-term strategy. The first National Election Commission had thus held three successful elections, without prior experience or training in planning, organising, monitoring, implementing or evaluating democratic elections.<sup>101</sup> However, in its present state, the National Election Commission lacks institutional structure, a governing body of regulations and standard criteria for recruitment; it lacks clarity of mandate and scope of work. It also lacks sense of permanency and lasting institutional memory.<sup>102</sup>

The National Election Commission mediated talks between the ruling UDUB party and the opposition Kulmiye and UCID regarding the election timetable. The elections were postponed five times, on 14 April 2008 to 31 August 2008, then to 31 December 2008, after that to 29 March 2009, then to 31 May 2009, and finally to 29 October 2009. This was mainly due to technical problems such as lack of planning time, lack of funding (the Somaliland administration is supposed to allocate 25–30 per cent of funds) and problems with the voter registration process (biometric voter registration, where fingerprints of all citizens are saved in a centralised database, eliminating multiple registration).

The opposition political parties have continuously accused the National Election Commission of ignoring the UDUB's misuse of public media and resources to advance its political campaign. President Riyale's ministers, on their part, have accused the opposition political parties of inciting violence. President Riyale's inability to tackle corruption, lack of job opportunities and rising food prices, and disagreement over the appointment of a presidential nominee have led the UDUB to split into two factions. Moreover, the administration's interference with free media and civil society, the arbitrary arrest of opposition political leaders and over-reliance on police force on national security grounds,<sup>103</sup> the declaration in February 2009 of Somaliland vice-president Ahmed Yusuf Yasin that Somaliland could be federated with Somalia have all led to general disillusion with the UDUB. Nonetheless, President Riyale is still regarded as a politician with wide appeal who delivers influential

speeches and frequently conducts foreign travels to advance Somaliland's policy of attaining recognition. The National Electoral Commission has officially invited the development agency Progressio to coordinate a team of election observers. Progressio will be working in partnership with the Development Planning Unit at University College London, the Forum for Peace and Governance in Somaliland and the Somaliland Focus UK.

## SOMALILAND'S QUEST FOR RECOGNITION

Proponents of Somaliland's right for international recognition advance a number of arguments which try to make a clear legal and political case for it. First of all, Somaliland had gained independence from British colonial rule on 26 June 1960 and held the status of an independent state for five days, until 1 July 1960. In the process, it was properly recognised by the United Nations and 35 sovereign states. The US secretary of state, Christian Herter, sent a congratulatory message, and the United Kingdom signed several bilateral agreements with Somaliland in Hargeisa on 26 June 1960.<sup>104</sup> Second, Somaliland's voluntary union with former Italian Somaliland to form the state of Somalia constitutes a compelling legal basis for its case for international recognition because, under international law, Somaliland has the right to abrogate the union into which it voluntarily entered.<sup>105</sup>

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The African Union is worried that accepting Somaliland's request would open a Pandora's Box of secessionist claims across the entire African continent

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The political basis for Somaliland's claim for recognition emanates from two points. For one, the aspiration for independence is undoubtedly very strong among the bulk of the Somaliland people, who have constantly tasted the bitter fruits of discrimination, brutal political repression, atrocious military attacks and economic deprivation until 1991, making the prospect for reunification with Somalia very distant, even if the latter may regain stability at some point in the future. Indeed, 'thirty years of unfulfilled promises and brutal policies ripped the fabric of the already fragile north-south political compact'.<sup>106</sup> The Somaliland people had voiced their opposition by

boycotting the 1961 referendum, staging a coup d'état in that same year, and later on engaging in armed struggle.<sup>107</sup> In addition, the May 2001 constitutional referendum was effectively a plebiscite on independence.<sup>108</sup> Furthermore, Somaliland already has a distinct territorial base and is already exercising sovereignty with the symbols and internal dynamics of a state.<sup>109</sup>

Thus, according to Somaliland's authorities, the claim for recognition seems to be well-grounded. They also argue that Somaliland's case is not the secession of a territory which was incorporated into a sovereign state but rather the voluntary withdrawal from the union between two entities which were once separate sovereign states. Indeed, the two territories had been distinct colonial territories or fragments for over seventy years, and had grown independently, with widely divergent institutions and legal systems as well as colonial history and culture.<sup>110</sup> In this case, they draw parallels with a precedent in Somaliland's geographic vicinity, Eritrea. Indeed, Eritrea, which had led a separate existence from Ethiopia for sixty years as an Italian colony, organised by itself a referendum and gained *de jure* international recognition in 1993.<sup>111</sup> Proponents also draw from international legal instruments which support Somaliland's position, including the Montevideo Convention on the Rights and Duties of States. This convention ascertains that a full-fledged state needs to have 'a permanent population, a defined territory, a functioning government, and the capacity to enter into relations with other states'.<sup>112</sup>

A number of arguments have been advanced to rebut Somaliland's quest for recognition.<sup>113</sup> One of the arguments holds that Somaliland, with an inadequate annual revenue of around US\$20 million, is not economically viable to be independent.<sup>114</sup> Furthermore, recognition 'would set a bad precedent in a region where weakly cohesive states struggle to hold together'<sup>115</sup> in the face of multiple secessionist claims from different ethnic groups. The African Union is even more worried that accepting Somaliland's request would open a Pandora's Box of secessionist claims across the entire African continent. There are lots of centrifugal forces around Africa which could use the recognition of Somaliland as a stepping stone to claim recognition, thus standing against the Organisation of African Unity and African Union principle of taking colonial borders as inviolable, a doctrine which African states have a sacred obligation to uphold. The other critique pertaining to the argument for recognition is the fact that the eastern part, including Sanaag and Sool, of Somaliland's border is contested. Moreover, critics hold that the recognition of Somaliland may culminate in the widening of the recurrent crisis among the major clans inhabiting Somaliland. Other critics see Somaliland's move towards independence derailing the peace efforts in Somalia and even triggering

its uncontrollable balkanisation. It could even provoke conflict between Somaliland and Somalia proper, as has unexpectedly occurred between Ethiopia and Eritrea barely five years after the latter's de jure international recognition.<sup>116</sup>

But some of the above arguments lack conviction in certain respects. For instance, Somaliland's economy is considered to be highly self-sufficient and institutionally functioning although the would-be-recognised entity has absolutely no access to loans and financial assistance from international financial institutions including the World Bank, the International Monetary Fund and the African Development Bank.<sup>117</sup> Besides, 'few states are economically viable in the strict sense of the word'.<sup>118</sup> Indeed, 'this oasis of sanity ... [which] stands out in a region seemingly locked in a cycle of self-destruction ... exists in a state of limbo, lying between factual and actual independence. Without de jure international recognition, this de facto state is prevented from engaging in any substantial economic development'.<sup>119</sup>

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## The recognition of Somaliland may culminate in the widening of the recurrent crisis among the major clans inhabiting Somaliland

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Despite a wide range of contacts and visits, including the visit to Somaliland of the former Assistant Secretary of State for African Affairs Jendayi Frazer in February 2008, the international community has failed to extend any recognition to Somaliland's independence.<sup>120</sup> As a result, Somaliland has remained an unrecognised de facto state just like the Pridnestrovyan Moldovan Republic in Moldova, the Republic of South Ossetia and the Republic of Abkhazia in Georgia, and the Nagorno-Karabakh in Azerbaijan, 'illegitimate no matter how effective'.<sup>121</sup> This has a number of implications:

- Minimising the protection which Somaliland would receive in case of terrorist attacks like the suicide bombings which rocked Hargeisa in October 2008, or even external military aggression
- Denying the parliament international assistance for capacity-building
- Damaging the self-esteem of Somaliland's people who wish to be identified as normal citizens of a proper state in a community of states
- Diminishing their chances of getting a good education, finding jobs and enjoying medical treatment

abroad because they cannot travel legally without recognised documents

- Hampering the attempts of Somaliland's administration to attract international aid and foreign investments, which has had a negative bearing on the development of the entity's infrastructure<sup>122</sup>

## HORN OF AFRICA GEOPOLITICS

Ethiopia had militarily supported the SNM in the form of money and weaponry. It then established close beneficial economic relations with Somaliland, making use of the port of Berbera in order to receive imports, establishing banks near their common border and commencing in 2001 regular Ethiopian Airlines flights between Addis Ababa and Hargeisa. It even established a diplomatic office in Hargeisa, a quasi-embassy with a staff of twelve and upgraded in 2006 to ambassadorial level.<sup>123</sup>

Ethiopia is interested in preventing Ethiopian opposition forces supported by Eritrea from engaging in different types of cross-border operations. Simultaneously, Ethiopia props up Somaliland's foe, Puntland. Thus Ethiopia is forced to support two client entities which are in conflict with each other, just like the US backs its two NATO allies Turkey and Greece, which are at odds over Cyprus. It is widely held that Ethiopia would not benefit from an internationally recognised Somaliland and would be better off maintaining the status quo, which will make Somaliland malleable and prevent the emergence of a united and resurgent Somalia posing a security threat to it at any point in time. Also, Ethiopia does not want to be seen as trying to balkanise Somalia, especially in the eyes of its own sizeable ethnic Somali population, and thus wishes to avoid a backlash. Somaliland's longest border is with Ethiopia and ethnic Somali nomads on both sides of the border regularly cross it seeking seasonal pasture. Somaliland fully understands that its fate will be influenced by the diplomatic and military posture of Ethiopia and that it is a proxy among many others in a rather long and protracted geopolitical struggle in the Horn of Africa.<sup>124</sup>

Eritrea's sole foreign policy objective is to undermine the stability of its sworn enemy, Ethiopia, and create political and strategic discomfort for it in its various and delicate balancing acts in the Horn of Africa. Actually, in 1999, Eritrea opened a second front in Somalia by supporting rival proxies. Anything that Ethiopia supports, Eritrea goes determinedly against, with Ethiopia's support to Somalia's Transitional Federal Government and Eritrea's support to the Union of Islamic Courts being a case in point. Eritrea had provided training and arms to the Union of Islamic Courts with the objective of outflanking Ethiopia and making Somalia a second front against it. Eritrea has also been supplying arms and

giving training to armed Ethiopian opposition groups operating from Somalia to put additional pressure on Ethiopia and prevent it from using the port of Berbera through which food aid passed after 2003.<sup>125</sup> Eritrea has less at stake in Somaliland than Ethiopia, and thus does not have to pursue a more calculated course. On the one hand, by recognising Somaliland, Eritrea could embarrass Ethiopia, which Somaliland sees as an ally in its quest for recognition. On the other hand, Eritrea will resist recognising Somaliland as it is wary of offending Somali forces which it has been backing as proxies for its long-standing conflict with Ethiopia and which vehemently reject Somaliland's independence.<sup>126</sup>

Djibouti, along with Ethiopia, accepts Somaliland passports and has a Somaliland diplomatic office in its capital. But, it tends to see Somaliland as a threat to its port which motors its economy and on which Ethiopia almost totally depends for its exports and imports. There are clan and cultural affinities between Djibouti and Somaliland, although relations between the two are not warm and even went sour, occasionally leading to the closure of their borders. For instance, Somaliland felt some discomfort about Djibouti's initiative which established the Transitional National Government in Somalia after the Arta peace process and also about Djibouti's official commitment to Somali unity.<sup>127</sup>

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The dispute over Sanaag and Sool is, on the surface, an attempt to legitimise political control by both Puntland and Somaliland

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## CONFLICT BETWEEN SOMALILAND AND PUNTLAND

In 1998, Puntland<sup>128</sup> was established as a homeland for the Harti sub-group of the larger Darod clan. The largest Harti subset, the Majerteen, predominates and is the chief architect of this autonomous entity. More significantly, one third of Somalia proper is inhabited by the Darod. Hence, Puntland favours the reconstruction of Somalia as a federal and united state comprising autonomous regions and within the borders of 1990.<sup>129</sup> Puntland is passionate about Darod unity,<sup>130</sup> fears Isaaq domination in borderland regions, and opposes Somaliland's independence.<sup>131</sup> On the other hand - as developed extensively in this report - Somaliland sees itself as an independent sovereign state. There is no middle ground between the two entities' mutually

exclusive political aspirations with regard to statehood, further complicating the hostilities which later surfaced between them.<sup>132</sup>

Two other, smaller Harti subsets, the Warsangeli and Dhulbahante, live mainly within the colonial borders of Somaliland and the areas claimed by Puntland. The Warsangeli mainly reside in eastern Sanaag, whereas the Dhulbahante almost exclusively inhabit Sool region.<sup>133</sup> There are perpetual tensions, occasionally flaring into armed conflict between and within the sub-clans of Warsangeli and Dhulbahante respectively predominating Sanaag and Sool.

Sanaag and Sool were part of British Somaliland when it became independent in 1960. Since 1998, Puntland has claimed Sanaag and Sool based on the ethnic composition of the regions' inhabitants and their clan ties to Puntland. The fact that voters in Sanaag and especially Sool were decidedly less supportive of Somaliland's 2001 referendum on the constitution and independence is explained by this clan situation.<sup>134</sup> Somaliland, which declared independence from Somalia in 1991 but is not internationally recognised, claims both regions on the basis of the clearly demarcated former colonial borders.<sup>135</sup> The dispute over Sanaag and Sool is, on the surface, an attempt to legitimise political control by both Puntland and Somaliland, and create the basis on which to establish new identities and citizenship.<sup>136</sup>

The tension between Somaliland and Puntland reached its climax in 2003 when Puntland forces effectively occupied Las Anod, the capital of Sool. Furthermore, on 1 July 2007, the subclan that controls the disputed area in eastern Sanaag proclaimed the semi-autonomous state of Maakhir in order to distance itself from both Hargeisa and Mogadishu.<sup>137</sup> On 15 October 2007 the armed forces of Somaliland and Puntland clashed, with Somaliland forces regaining the control of Las Anod, Puntland forces retreating to Garowe, and half the town's population fleeing. The Somaliland administration aimed at avenging the 2003 humiliating defeat and used the clash in order to divert the attention of the voters away from internal problems and towards an external threat.<sup>138</sup> It benefited from persistent clan tensions in Sanaag and Sool. Indeed, within the Dhulbahante clan, there were serious differences over split loyalties towards either Somaliland or Puntland.

The clash had, nonetheless, far wider national and regional repercussions. It primarily indicated the persistence of political splits and conflicts within the Dhulbahante clan, which inhabits most parts of Sool region as well as parts of eastern Sanaag and Togdheer regions in Somaliland. The clash accordingly deepened the rift between and among clans since they developed traditional blood feuds and brought war to an area which had not seen serious fighting before,<sup>139</sup> and somehow

tarnished Somaliland's positive image of peace and stability that was the basis for its bid for international recognition.<sup>140</sup>

## CONCLUSION

Somaliland can be taken as a role model for other African post-conflict entities and states in terms of building a peaceful and stable system making use of local resources. Indeed, peace in Somaliland was entirely brokered by the initiative and resources of its people, in contrast to other externally driven peace initiatives in Africa, including restive Somalia. Incorporating traditional institutions within the more modern structure of government makes Somaliland unique. Yet, however rosy they may seem, Somaliland's achievements are fragile. For one, the lack of international recognition has undoubtedly deprived Somaliland of the benefits which a state may claim as a member of the international system. Available local resources are limited and access to international economic and commercial interactions is unfortunately blocked.

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All political parties must act with a sense of responsibility, keeping in mind that Somaliland has made enormous strides in the establishment of a viable system of government

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Second, Somaliland's conflict with Puntland poses a serious threat to the hard-won peace in Somaliland. It could, at least, have very negative implications for Somaliland's quest for recognition. Worse, the simmering conflict might escalate into actual war as long as the situation on the ground continues to be volatile. Thus, the international community should do its best to find rapidly an innovative way of accommodating Somaliland in the international system and ending the uncertainty over its status, short of outright recognition which is an extremely delicate issue of African international law and may indeed set a dangerous precedent. Pertaining to the Somaliland–Puntland conflict, the international community should apply their tested local conflict management methods to encourage the two protagonists to establish a forum to openly discuss common issues and resolve their territorial dispute. Thus, the Somaliland–Puntland

conflict may actually provide a favourable backdrop for constructive involvement in northern Somalia by the international community.

Finally, Somaliland's electoral landscape is characterised by a lack of resources, low rates of comprehension of electoral processes, propensities towards political violence, and weak institutions including the central and local administration, the National Election Commission, political parties and civil society. More importantly, however, the Somaliland electorate will only accept the results of the upcoming elections if it has confidence in the institution which manages the electoral process. Thus, the National Election Commission should go beyond its previously disjointed and piecemeal efforts to adhere to standard rules and practices, thus producing a calming effect on all stakeholders. In a similar vein, all political parties should temper their unreasonable political discourse, especially before the repeatedly delayed elections which have disappointed many and already seem marked by extreme polarisation. Whether their allegations and counter-allegations have any substance or not, they could uncontrollably deepen the already dangerous mistrust among political parties further eroding the legitimacy of the whole electoral system and maybe leading to violence. Overall, all political parties must accordingly act with a sense of responsibility, keeping in mind that Somaliland has made enormous strides in the establishment of a viable and democratic system of government. The continuation of that process will have a far-reaching effect on the meaningful progress and promise of Somaliland.

## NOTES

- 1 Iqbal Jhazbhay, *Somaliland: post-war nation-building and international relations, 1991-2006*, PhD thesis, University of the Witwatersrand, 2007, 126.
- 2 Serekebrhan Fiquemariam and Mirtu Beyene provided invaluable research assistance for this paper.
- 3 The SNM was formed in 1981 in London by Isaaq émigrés and was engaged in hit-and-run operations: G Prunier, *Somaliland: birth of new country*, in C Gurdon, *The Horn of Africa*, London: University College London, 1994, 61; Hussein Adam, *Formation and recognition of new states: Somaliland in contrast to Eritrea*, *Review of African Political Economy* 21(59) (1994), 29 and 32. The Isaaq were closely linked to the British and became marginalised after the 1960 Somali unification, in fact becoming a small minority in a unified Somalia: M Hoehne, *Political identity, emerging state structures and conflict in northern Somalia*, *Journal of Modern African Studies* 44(3) (2006), 401. The Isaaq clan indeed formed the backbone of the SNM and continues to be the politically and economically predominant group in Somaliland: S Kaplan, *The remarkable story of Somaliland*, *Journal of Democracy* 17(3) (2008), 148; M Bradbury, *Becoming Somaliland*, London: James Currey, 2008, 52. The SNM used Ethiopia as a sanctuary for food supply, recruitment, medical treatment and also as a land base to conduct military operations.

- The war actually 'served to create a political community among the Isaaq which was reinforced by the experience of self-organisation in the refugee camps in Ethiopia': Mark Bradbury, Adan Yusuf Abokor and Haroon Ahmed Yusuf, Somaliland: choosing politics over violence, *Review of African Political Economy* 30(97) (2003), 462.
- 4 Bradbury et al, Somaliland: choosing politics over violence, 456-457.
  - 5 Current estimates vary greatly, from 1,7 to 3,5 million, with an urban population of between 748 000 and 1,2 million: Adan Yusuf Abokor, Steve Kibble, Mark Bradbury, Haroon Ahmed Yusuf and Georgina Barrett, *Further steps to democracy: the Somaliland parliamentary elections of September 2005*, Progressio Report, 2006, 6.
  - 6 Ministry of National Planning and Coordination, Somaliland in figures, Hargeisa, 2004, 2-5.
  - 7 Hoehne, Political identity, emerging state structures and conflict in northern Somalia, 400; Bradbury, *Becoming Somaliland*, 52-53.
  - 8 International Crisis Group (ICG), *Somaliland: democratisation and its discontents*, Africa Report 66, 28 July 2003, <http://www.unhcr.org/refworld/docid/3f5218004.html> (accessed 31 August 2009).
  - 9 Yusuf et al, *Further steps to democracy*.
  - 10 Ministry of National Planning and Coordination, Somaliland in figures, 6.
  - 11 There are more than a hundred thousand members of the Somali diaspora living in the US and Europe: Kaplan, The remarkable story of Somaliland, 149. For instance, some figures estimate that more than sixty thousand politically organised and influential Somalis, mostly from Somaliland, live in London alone and advise the authorities in Somaliland: E Svedjemo, In search of a state creating a nation: the role of the diaspora in Somaliland's pursuit of recognised statehood, master's dissertation, University of Sussex, Brighton, 2002, 15, 22 and 27.
  - 12 Kaplan, The remarkable story of Somaliland, 150; Svedjemo, In search of a state - creating a nation, 29. It should be noted that accurate figures on the scale of remittances to Somalia (including Somaliland and Puntland) are virtually impossible to obtain: P Little, *Somalia: economy without state*, Oxford: James Currey, 2003, 149. Moreover, the international community, in an implicit acknowledgment of Somaliland's stability, has awarded it a growing amount of assistance. For instance, in 2007, the European Union directed approximately 70 per cent of its aid allocation for Somalia to the north in an effort to reward progress. Such investment is funnelled through NGOs to avoid facing the issue of recognition: F Mangan, Somaliland: a pressing need for recognition, *Journal of International Peace Operations*, 2(4) (2007), 17. See also C Rosendahl, The European Commission in Somaliland: development assistance in an unrecognised state, in E-M Bruchhaus and M Sommer (eds), *Hot spot Horn of Africa revisited*, Munster: Lit Verlag, 2008.
  - 13 Mohammed Fadal, *Institutionalizing democracy in Somaliland*, Study sponsored by CRS, York University, 2009, 5.
  - 14 Abdirahman Abdulle Osman and Mohamed Hassan Ibrahim, Strengthening the role of parliament in constructive conflict management: case study of Somali experiences, 2005, <http://www.parlcp.undp.org/pwdocs/Somalia.pdf> (accessed 31 August 2009).
  - 15 Bradbury, *Becoming Somaliland*, 220-229; U Terlinden and Mohammed Hassan Ibrahim, Somaliland: a success story of peace-making, state-building and democratisation, in E-M Bruchhaus and M Sommer (eds), *Hot spot Horn of Africa revisited*, Munster: Lit Verlag, 2008, 79-80.
  - 16 Somaliland's judiciary is criticised for being 'mired in incompetence, corruption and political interference': International Crisis Group, *Somaliland: democratisation and its discontents*, 27. Furthermore, the judiciary suffers from a lack of well-trained prosecutors and judges, regulation and professional competence, and operates in an atmosphere in which the pressure of the administration's influence is unmistakable. This state of affairs has rendered judges who are appointed, transferred or removed at will and are unwilling to reach decisions which might be seen to mark them out as critical of the administration: Terlinden and Mohammed, Somaliland: a success story of peace-making, state-building and democratisation, 80. On the judiciary, see Academy for Peace and Development, *The judicial system in Somaliland*, Workshop Report, 2002, 7; and also F Battera and A Campo, The evolution and integration of different legal systems in the Horn of Africa: the case of Somaliland, *Global Jurist Topics*, 2001, <http://www.mbali.info/doc113.htm> (accessed 9 September 2008). On the print media, consult M Hoehne, Newspapers in Hargeisa: freedom of speech in post-conflict Somaliland, *Afrika Spectrum* 43(1) (2008).
  - 17 Abdulaziz Al-Mutairi, Somaliland's economy remains steady and progressive, 2008, <http://www.somaliland.org/2008/07/08/somaliland%E2%80%99s-economy-remains-steady-and-progressive/> (accessed 10 October 2008).
  - 18 In fact, 'governing organs cannot receive bilateral technical assistance from other countries; the World Bank, the International Monetary Fund, the African Development Bank, and bilateral development agencies cannot offer it loans and financial aid; banks and insurance companies will not set up branches within the country; the cost of living is higher because local firms cannot directly import goods without local banks to issue letters of credit; international investors (and the jobs that they would create) stay away because insurance and other investment protections are lacking': Kaplan, The remarkable story of Somaliland, 148.
  - 19 Edna Adan, The case for unitary government, Speech delivered by the Minister of Foreign Affairs of Somaliland for the Ethnicity and Federalism in Africa Conference, 2006, [http://www.sirag.org.uk/case\\_unitary\\_government\\_edna\\_somaliland.htm](http://www.sirag.org.uk/case_unitary_government_edna_somaliland.htm) (accessed 4 April 2008).
  - 20 According to the ICG, the real engine of Somaliland's recovery had been neither the administration in place nor international assistance, but rather the private sector, International Crisis Group, *Somaliland: democratisation and its discontents*.
  - 21 The Somaliland economy was literally crippled between 2000 and 2002 following a livestock ban by Saudi Arabia due to suspicion of an outbreak of Rift Valley Fever, Bradbury et al, Somaliland: choosing politics over violence, 458.
  - 22 The Somaliland authorities had invited US oil companies to reclaim the 1980 exploration right. This development was downplayed by all sides because of the legal concern about Somalia's claim of sovereignty over Somaliland.

- 23 See Adan, The case for unitary government.
- 24 For instance, a meat produce complex was constructed in Burao at an estimated cost of US\$160 000: Economist Intelligence Unit, *Somalia: country report*, 2008, 11.
- 25 M Torome, Somaliland: Africa's best kept secret, Somaliland. Org, 2007, <http://www.mbali.info/doc365.htm> (accessed 9 September 2008).
- 26 Social services are in less admirable shape, being heavily dependent on external support: International Crisis Group, *Somaliland: democratisation and its discontents*, 6. The Somaliland administration, together with Western donors, international NGOs and the United Nations, has been able to restore rudimentary education and health care services throughout Somaliland.
- 27 Prunier, Somaliland: birth of new country, 65-66.
- 28 Bonn International Center for Conversion, Demobilisation in the Horn of Africa, Brief 4, 1995, 12; Jhazbhay, Somaliland: post-war nation-building and international relations, 128-129. See also P Tatchell, Africa's success story: against all the odds, and with international support, Somaliland is well on the road to stability and democracy, *The Guardian*, 2007, [http://www.commentisfree.guardian.co.uk/peter\\_tatchell/2007/04/africas\\_sucsess\\_story.html](http://www.commentisfree.guardian.co.uk/peter_tatchell/2007/04/africas_sucsess_story.html) (accessed 10 October 2008); United Nations Development Programme, Somalia and Somaliland: strategies for dialogue and consensus on governance and democratic transition, Paper prepared for the Oslo Governance Centre, 2003, <http://www.undp.org/oslocentre/docsoslo/conflict%20prevention/OGC%20research%20paper%20on%20Somalia%20and%20Somaliland.pdf> (accessed 17 September 2008).
- 29 The navy is endowed with a marine college located at Berbera.
- 30 Jhazbhay, Somaliland: post-war nation-building and international relations, 129; Terlinden and Mohammed, Somaliland: a success story of peace-making, state-building and democratisation?, 71; D Shinn, *Somaliland: the little country that could*, Center for Strategic and International Studies, African Notes 9, 2002, 5.
- 31 The Somaliland armed forces are the main military system in the unrecognised Republic of Somaliland - along with the Somaliland police force - all of whom are part of the internal security forces and are subordinate to the military. Currently around 5 000 personnel are active in Somaliland. The Somaliland armed forces take the biggest share of the government's budget with the police and security forces. The army is organised into 12 divisions which comprise 4 tank brigades, 45 mechanised and infantry brigades, 4 commando brigades, a surface-to-air missile brigade, 3 artillery brigades, 300 field battalions, and an air defense battalion: Mohammed Omar, Somaliland: a state of faultlessness, 2008, 5, <http://www.somaliland.org/2008/09/23/somaliland-a-state-of-faultlessness/> (accessed 20 April 2009).
- 32 Constitution of the Republic of Somaliland, approved by referendum on 31 May 2001, 2001, 38, [http://www.chr.up.ac.za/undp/domestic/docs/c\\_Somaliland.pdf](http://www.chr.up.ac.za/undp/domestic/docs/c_Somaliland.pdf) (accessed 17 September 2008).
- 33 Constitution of the Republic of Somaliland, 30.
- 34 Fadal, *Institutionalizing democracy in Somaliland*, 17.
- 35 Osman and Ibrahim, Strengthening the role of parliament in constructive conflict management, 32. There is also a an omnipotent extrajudicial Security Committee made up of the Minister of the Interior, the Minister of Justice, the Minister of Defence, the Commander of the Police, the Commander of the Armed Forces, the Governor, and the Mayor of Hargeisa, which has the power to arrest citizens without court order and indefinitely: A Du'ale Sii'arag, A reality check on Rayaale's Somaliland, *Waardheernews.com*, 2007, [http://wardheernews.com/articles\\_07/august/04\\_reality\\_check\\_On\\_riyaale.html](http://wardheernews.com/articles_07/august/04_reality_check_On_riyaale.html) (accessed 31 August 2009).
- 36 I M Lewis, *The modern history of Somaliland: from nation to state*, London: Weidenfeld and Nicolson, 1965, 40.
- 37 Bradbury, *Becoming Somaliland*, 25.
- 38 Lewis, *The modern history of Somaliland*, 47-48.
- 39 Bradbury, *Becoming Somaliland*, 26; E H M Clifford, The British Somaliland-Ethiopia boundary, *Geographical Journal* 87(4) (1936), 295.
- 40 M Hoehne, *Traditional authorities in northern Somalia: transformation in positions and powers*, Max Planck Institute for Social Anthropology, Working Paper 82, 2006, 8.
- 41 British Somaliland had initially achieved independence on 26 June 1960.
- 42 Shinn, *Somaliland: the little country that could*, 1.
- 43 Bradbury, *Becoming Somaliland*, 32.
- 44 After independence, 'euphoria rapidly soured as signs of state dysfunction mounted. Corruption worsened, electoral politics became increasingly chaotic, and state programs delivered little public benefit. Clannism infected politics and administrative organs as each group sought to maximise the spoils that it could loot from the system': Kaplan, The remarkable story of Somaliland, 146.
- 45 Hussein Mahmoud, Somali nationalism and the new challenges of identity and citizenship in northern Somalia, Paper submitted to CODESRIA's Multinational Working Group on Citizenship in Africa, 2007, 12.
- 46 Bradbury, *Becoming Somaliland*, 35-39; Kaplan, The remarkable story of Somaliland, 147.
- 47 The Somali Salvation Democratic Front (SSDF) was established in 1979. It was composed of defectors from the Somali armed forces and was backed by Darod clans. Ethiopia accorded the SSDF quite generous support in terms of money, training and weaponry, even though the proportions of this Ethiopian support cannot be precisely estimated on the basis of available information, which is incomplete and unreliable.
- 48 Prunier, Somaliland: birth of new country, 61; Kaplan, The remarkable story of Somaliland, 148; Shinn, *Somaliland: the little country that could*, 1.
- 49 Bradbury, *Becoming Somaliland*, 45-46.
- 50 Terlinden and Mohammed, Somaliland: a success story of peace-making, state-building and democratisation, 70.
- 51 Prunier, Somaliland: birth of new country, 62; Bradbury et al, Somaliland: choosing politics over violence, 459. Many of the non-Isaaq clans had established their own militias in order to defend themselves against the SNM in the late 1980s, Hoehne, Traditional authorities in northern Somalia, 14.
- 52 Bradbury et al, Somaliland: choosing politics over violence, 456.

- 53 International Crisis Group, *Somaliland: democratisation and its discontents*, 6.
- 54 Prunier, Somaliland: birth of new country?, 63; Bradbury et al, Somaliland: choosing politics over violence, 457; Bradbury, *Becoming Somaliland*, 81.
- 55 Bradbury et al, Somaliland: choosing politics over violence, 459; Jhazbhay, Somaliland: post-war nation-building and international relations, 65.
- 56 Bradbury et al, Somaliland: choosing politics over violence, 459; International Crisis Group, *Somaliland: democratisation and its discontents*, 9.
- 57 Bradbury, *Becoming Somaliland*, 85.
- 58 International Crisis Group, *Somaliland: democratisation and its discontents*, 9.
- 59 Terlinden and Mohammed, Somaliland: a success story of peace-making, state-building and democratisation, 70.
- 60 The conflict, which lasted ten months and killed over 1 000 people, was triggered by the government's first attempts to extend its authority by reorganising the SNM forces into a national army and imposing control over revenue and aid coming into Somaliland through Berbera: Bradbury, *Becoming Somaliland*, 87.
- 61 Bradbury et al, Somaliland: choosing politics over violence, 460.
- 62 Jhazbhay, Somaliland: post-war nation-building and international relations, 68.
- 63 Bradbury, *Becoming Somaliland*, 98; Shinn, *Somaliland: the little country that could*, 2.
- 64 International Crisis Group, *Somaliland: democratisation and its discontents*, 10.
- 65 Jhazbhay, Somaliland: post-war nation-building and international relations, 68; Bradbury et al, Somaliland: choosing politics over violence, 460.
- 66 Bradbury et al, Somaliland: choosing politics over violence, 460; Terlinden and Mohammed, Somaliland: a success story of peace-making, state-building and democratisation, 73.
- 67 Bradbury et al, Somaliland: choosing politics over violence, 460; International Crisis Group, *Somaliland: democratisation and its discontents*, 10; Kaplan, The remarkable story of Somaliland, 148.
- 68 Bradbury et al, Somaliland: choosing politics over violence, 460.
- 69 Jhazbhay, Somaliland: post-war nation-building and international relations, 69.
- 70 Kaplan, The remarkable story of Somaliland, 151; International Crisis Group, *Somaliland: democratisation and its discontents*, 11.
- 71 Bradbury et al, Somaliland: choosing politics over violence, 465.
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- 81 International Crisis Group, *Somaliland: democratisation and its discontents*, 16.
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- 83 Bradbury et al, Somaliland: choosing politics over violence, 463.
- 84 Bradbury, *Becoming Somaliland*, 184.
- 85 International Crisis Group, *Somaliland: democratisation and its discontents*, 18.
- 86 The National Security Service was the primary intelligence agency of Siad Barre's regime, combining internal security and external intelligence. It was set up in 1969 and was headed by Brigadier General Ahmed Suleiman Abdulle (Siad Barre's son-in-law who was trained by the KGB and also served as head of Army Intelligence). It was highly despised in Somaliland.
- 87 Hansen et al, *Somaliland: elections for the Lower House of Parliament*, 11.
- 88 Kaplan, The remarkable story of Somaliland, 150.
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- 90 Kaplan, The remarkable story of Somaliland, 150.
- 91 Yusuf et al, *Further steps to democracy*: 19; Bradbury, *Becoming Somaliland*, 209; Terlinden and Mohammed, Somaliland: a success story of peace-making, state-building and democratisation, 76.
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- 95 Bradbury et al, Somaliland: choosing politics over violence, 475.
- 96 Bradbury et al, Somaliland: choosing politics over violence, 465 and 471; Hoehne, Newspapers in Hargeysa, 99.
- 97 A Finnish civil engineer who neither served with the SNM nor held an official position with the Barre government: International Crisis Group, *Somaliland: democratisation and its discontents*, 21.
- 98 Adan Abokor and S Kibble, Somaliland pre-election assessment of local and presidential elections scheduled for 1 July and 31 August 2008, 2008, 10.

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- 101 Osman and Ibrahim, Strengthening the role of parliament in constructive conflict management, 40.
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- 105 Peter Schraeder, Why the United States should recognise Somaliland's independence, 2006, <http://www.hiiraan.com> (accessed 16 June 2008); Adan, The case for unitary government.
- 106 Schraeder, Why the United States should recognise Somaliland's independence.
- 107 Adam, Formation and recognition of new states, 25-26; Kassahun Addis, Somaliland: politics of recognition, BA thesis, Addis Ababa University, 2004, 21.
- 108 Kaplan, The remarkable story of Somaliland, 152.
- 109 Mangan, Somaliland: a pressing need for recognition, 17. When it comes to the internal aspect of the state, in most of the literature in social and political sciences, the state is usually defined as a centralised organisation. This organisation is led by the state's leadership, which has won the domestic political competition. In addition, it is composed of a set of numerous institutions, which includes the bureaucracy, judicial body and the coercive organs such as the police and the military, as well as the laws and procedures by which they operate. The state possesses the authority to make and implement binding rules for the entire social groups and individuals banded together within its territorial confines. The state also has the monopoly in the use of force necessary for the sustenance of its control over the activities and interactions of these groups and individuals. Finally, the functions of the state are basically to maintain civil order, settle disputes, provide collective goods and services, and render external defense.
- 110 Kaplan, The remarkable story of Somaliland, 152; Kassahun, Somaliland: politics of recognition, 20. For close to two decades, Somaliland's authorities have tried hard to gain recognition from the international community. The question of recognition for them is justifiable, since they feel Somaliland possesses and fulfils almost all the legal and practical requirements that an entity should have to be accepted as a state. There are even claims that Somaliland had been independent for thousands of years even before it became the colony of Britain. What constitutes Somaliland currently are, according to these claims, those territories founded by the British colonial power: Ministry of Information, Somaliland: demand for international recognition, Hargeisa, 2001.
- 111 For an interesting comparative study of Somaliland and Eritrea, see Adam, Formation and recognition of new states.
- 112 Kaplan, The remarkable story of Somaliland, 153. Somaliland has a population of three million; its territory is defined by three colonial treaties; it possesses a functioning central government, which has a capital city, a constitution, different institutions, a flag, currency and elections, and effectively controls most of Somaliland's territory; and Somaliland has entered into formal and informal cooperative agreements in different areas with a number of states: International Crisis Group, Somaliland: time for African Union leadership, *Africa Report* 110 (2006), 10-11. Kaplan argues that Somalia proper does not meet the 1933 Montevideo Convention's criteria: Kaplan, The remarkable story of Somaliland, 153. Indeed, Somalia, which is still a full member of the United Nations, continues to be an imagined state in the absence of a functioning administration able to assert effective control over the capital Mogadishu, let alone a significant part of its territory. The irony of the whole affair is that, lacking de jure international recognition even in the face of Somalia's internal collapse and fragmentation, Somaliland is a government without a state, while Somalia is a state without a government for the better part of the past two decades: S Kibble, Somaliland: surviving without recognition; Somalia: recognised but failing, *International Relations* 15(5) (2001). Somalia has not been able to attain the institutional fixtures of statehood and act as a magnet which could be attractive enough to compel Somaliland to compromise in order to benefit from the restoration of economic and political relations and also to share a sense of shared destiny as in 1960.
- 113 According to reliable sources, elites in Somaliland managed to forge some sort of a consensus in order to protect or maintain the status quo, in other words the relative peace of the past eighteen years. Accordingly, these sources do not agree on the fact that about 90 per cent would opt for total independence from Somalia. They argue that there are certain clans who feel that they belong to another camp. Politically motivated co-optation plays an important role in keeping such groups in check.
- 114 See Bradbury, *Becoming Somaliland*, 253-254. Regarding the situation in Somaliland, some analysts contend that it is more or less loose and that there is rampant corruption and disregard for people's collective interests. Moreover, addiction to khat and an insatiable struggle for power is there for the long haul. In a nutshell, these analysts question the very viability of the administration in Somaliland.
- 115 Kaplan, The remarkable story of Somaliland, 153.
- 116 Ibid, 153-154.
- 117 bid, 152.
- 118 Adam, Formation and recognition of new states, 37.
- 119 Mangan, Somaliland: a pressing need for recognition, 17.
- 120 J Crawford, *The creation of states in international law*, Oxford: Oxford University Press, 2006, 415. According to Crawford, Somaliland has not been granted recognition for a number of reasons, some of which are the following: there is strong international reluctance to support unilateral secession or separation; even if referenda conducted in territories wishing to secede returned substantial majorities in favour, it is a matter for the government of the state concerned to respond; and, even in the context of separate colonial territories, unilateral secession is an exception especially if the government of the state concerned is opposed to it: *ibid*, 417-418.
- 121 S Pegg, *De facto states in the international system*, Institute of International Relations, Working Paper 21, 1998, 1. Pegg

defines a de facto state, within the area of international law, as a 'secessionist entity that receives popular support and has achieved sufficient capacity to provide governmental services to a given population in a defined territorial area, over which it maintains effective control for an extended period of time': *ibid.*

- 122 Terlinden and Mohammed, Somaliland: a success story of peace-making, state-building and democratisation, 81; M Hoehne, Statehood as legal/political concept and empirical reality in the context of state-collapse and state-reconstruction: the case of Somaliland, 2006, 6; Osman and Ibrahim, Strengthening the role of parliament in constructive conflict management, 35–36.
- 123 Kaplan, The remarkable story of Somaliland, 153; Jhazbhay, Somaliland: post-war nation-building and international relations, 264.
- 124 Jhazbhay, Somaliland: post-war nation-building and international relations, 259–261; M Hoehne, *Puntland and Somaliland clashing in northern Somalia: who cuts the Gordian knot?* Social Science Research Council, 2007, 8–9, <http://www.hornofafrica.ssrc.org/Hoehne/> (accessed 10 April 2008); Shinn, *Somaliland: the little country that could*, 4; Guled Ismail, Why will Eritrea recognise Somaliland? *Sub-Saharan Africa* 6(31) (2007), 6; A Huliaras, The viability of Somaliland: internal constraints and regional geopolitics, *Journal of Contemporary African Studies* (20) (2002), 170.
- 125 Huliaras, The viability of Somaliland, 169–170.
- 126 Hoehne, *Puntland and Somaliland clashing in northern Somalia*, 8–9; Shinn, *Somaliland: the little country that could*, 4; Ismail, Why will Eritrea recognise Somaliland, 6. The independence of Somaliland would, for instance, mean for Somalia the loss of the border with Djibouti.
- 127 Kaplan, The remarkable story of Somaliland, 153–154; Shinn, *Somaliland: the little country that could*, 4; Huliaras, The viability of Somaliland, 169.
- 128 Puntland has a three-tiered structure of government consisting of the executive, regional administrations and district councils. At present, there are seven administrative regions, namely Nugaal, Bari, Mudug, Cayn, Karkar, Sool and Sanaag. Its administration is chronically short of money with even members of the government, the armed forces and the civil service getting their salaries irregularly or not at all: Hoehne, Political identity, emerging state structures and conflict in northern Somalia, 410. Dr Abdirahman Mohamed Farole, the opposition leader, was recently elected president.
- 129 Hoehne, Traditional authorities in northern Somalia, 16.
- 130 Building clan loyalties in Puntland was a key element in the establishment of an alliance to curve the territory, including annexation of what used to be historically (at least according to colonial boundaries) British Somaliland: Hussein Mahmoud, Somali nationalism and the new challenges of identity and citizenship in northern Somalia, Paper presented to CODESRIA's Multinational Working Group on Citizenship in Africa, 2007, 18.
- 131 There is a notable difference in typology and structure of political institutions as well as ethnic composition between Somaliland and Puntland. Puntland is defined by clan exclusiveness and territorial control by the large Majerteen clan and other allied Darod clans. In this sense, Puntland differs from Somaliland, as it constitutes a more socially cohesive political entity. Somaliland, on the other hand, supports a diverse population of mixed and rival clan origin belonging to three large clan families, namely the Isaaq, the Darod/Harti and the Dir. This makes Somaliland socially and politically more complex than Puntland. In Somaliland, the *Guurti* have been politicised since 1993, when they were institutionalised as one of the two chambers of parliament in the new administration formed in Boroma. The Interim Charter of Puntland, however, failed to legislate a similar status for the *Isimo*, who have played a similar role in north-east Somalia, securing internal stability and driving the grassroots political process which culminated in the Garowe conference: Jhazbhay, Somaliland: post-war nation-building and international relations.
- 132 Shinn, *Somaliland: the little country that could*, 3; Hoehne, Political identity, emerging state structures and conflict in northern Somalia, 410.
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- 140 Bradbury, *Becoming Somaliland*, 198.



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## ABOUT THE PAPER

After 1991, while the major parts of Somalia descended into chaos, Somaliland has been composedly and independently running its own affairs. It is endowed with a moderately effective administration and functioning security forces, but it is facing acute socio-economic challenges. It has held relatively competitive multi-party elections even if the latest ones have been delayed until September 2009. This delay has ominously called into question its hard-won stability much of which directly flowed from a consensus-driven approach. Somaliland's appeal for international recognition has nonetheless become illusive mainly because of the fear that it might open a Pandora's box in Africa. Somaliland is also feeling the full brunt of Horn of Africa geopolitical jostling and is engaged in an enduring and unresolved conflict with Puntland, both laying claims over the contested region of Sool and Sanaag.

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Berouk Mesfin is currently a senior researcher in charge of the Horn of Africa region with the Conflict Prevention Programme at the Institute for Security Studies, based in Addis Ababa. He has worked as a defence analyst at the Ethiopian Ministry of National Defence, where he headed the North Africa Division of the Research and Analysis Directorate; and as political adviser to the US Embassy in Ethiopia. He has also held several positions at the Addis Ababa University: assistant dean of the College of Social Sciences; lecturer in political science and international relations; and as a research associate at the Institute of Development Research and the Institute of Federal Studies. His teaching and research interests are in international relations, with special emphasis on foreign policy, civil-military relations, conflicts and terrorism in the Horn of Africa, and in comparative politics, with special emphasis on elections, political parties and federalism.

## FUNDER

This paper was produced by the Conflict Prevention Programme with funding received from Humanity United and the Federal Foreign Office of Germany. In addition, general Institute funding is provided by the Governments of Denmark, the Netherlands, Norway and Sweden.



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