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PRESS STATEMENT

Time for re-casting the failed Somaliland-Somalia talks about the union that ended nearly 25 years ago

The 2012 initiated talks and their demise

1. It was recognised at the (international) June 2012 London Conference that there was a 'need for the international community to support any dialogue between Somaliland' and the then Somalia government 'or its replacement may agree to establish in order to clarify their future relations'¹. Having waited for decades to see a government in Somalia with which it can discuss the formalities of laying the defunct union to rest, the nationally elected government of the Republic of Somaliland agreed, for the first time since Somaliland's re-assertion of its sovereignty in May 1991, to enter into talks with the whichever government that was formed for Somalia. The talks between the government of Somaliland and the current government of Somalia which were facilitated by Turkey since 2013 have recently come to an end. This came as no surprise to us, as we have warned in our Statement of 30 October 2014² that it was -

'increasingly becoming clear that the current Somalia government is neither willing to implement the only substantive agreement (on the joint control and management of civil aviation³) reached so far in the talks, nor prepared to countenance that the talks will lead to anything other than a 're-union' of Somaliland and Somalia, as repeatedly stated by its leaders. It is also clear that Somaliland will never accept anything other than an amiable agreement to lay to rest the defunct union as has been repeatedly stated by the successive nationally elected leaders of Somaliland'.

2. The current Somalian government, emboldened perhaps by the recognition and support bestowed on it by the international community, has been undermining the talks by including (provokingly and contrary to previous agreement) in its delegates persons from Somaliland and by other various overt and covert steps, which Somalilanders believe, are aimed at undermining the unity and peace among the Somaliland communities. The latest incident, which is being investigated, is the report that someone is attempting to get selected Somaliland traditional leaders involved in the failed talks, presumably in a vain attempt to bypass the elected Somaliland Government and parliament and the established Somaliland political parties. This also came at a time when the Somalian government appears to be encouraging individuals, originating from Somaliland but living in Mogadishu, to participate in the consultations of Somalia's planned 2016 political dispensation. Furthermore, there are reports that individuals from the far Eastern parts of Somaliland have been seeking support from the Somalian government and

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occasionally receiving material and other support, which is an unacceptable blatant encroachment into Somaliland's affairs and statehood. The detrimental effects that these misguided interferences have on the peace and development of these Somaliland areas would inevitably also affect neighbouring Somalian territory.

Some of our concerns

3. On the Somaliland-Somaliland talks, it appears, in hindsight, that the early steps of not keeping in the initial involvement of the UK, Norway and the EU in the talks and the choice of Turkey as the sole 'facilitator', however that came about, may well have contributed to their inevitable demise. Although the Ankara Communique of 13 April 2013 re-stated that 'the dialogue is between the Federal Government of Somalia and the Government of Somaliland', it added that the 'international community that is supporting this process will only provide facilitation when is needed'. This has indeed emboldened the Somalian government to call for the talks to be held in "Somalia" and to try to portray them as being part of the discussions between it and its Somalian regions.
4. Whatever the ins and outs of the alleged recent failed attempt to involve traditional leaders in the talks between the two governments of Somaliland and Somalia are, one can only surmise that they were based on a mindset that has no understanding of the democratically elected governance that has been established in Somaliland since the first national elections in 2002, and cannot see beyond the cynical utilisation of traditional leaders for its political objectives. Somaliland elders, however, are aware of the constitution and laws of their country and have shown that they cannot be so easily suborned.
5. As for Somalia's plans for its planned 2016 political changes, it is clear that Somaliland's representatives have never participated in any of the numerous political consultations/conferences for Somalia since the early 1990s, including the processes that led to the various Somalian transitional constitutions and governments from 2001 to the last 'roadmap' in 2012. Nothing has changed since then and, as was repeatedly confirmed by the Somaliland government, the 2016 Somalian exercise does not concern Somaliland. Attempts to involve individuals from Somaliland in these issues so as to maintain the fiction of Somaliland's involvement are no different from the previous ones and these individuals represent no one but themselves and continue to be considered as criminals under Somaliland law. Somaliland is now conducting its new national voter registration in readiness for its forthcoming early 2017 national elections for President and for the House of Representatives.

Concluding comments

6. It is in the interest of both the peoples of Somaliland and of Somalia (as well as of the countries in the Horn and beyond) for the current failed talks to be recast into an internationally mediated process that can finally lay to rest the defunct union of Somaliland and Somalia. It has been nearly 25 years since Somaliland re-asserted its independence, and adding the eight or so years before then when the then Somali Republic State waged war against the people of Somaliland, the former two states of Somaliland and Somalia that united in 1960 have been in a state of disunion longer than

they have been in a union. An amiable separation will avoid repetition of the costly war of the 1980s. We, therefore, urge -

- the International Community to re-consider its stance on the recognition of Somaliland and support a new process for Somaliland and Somalia; and
- Somalia to realise that the benefits, to its own country, of an internationally recognised neighbouring Somaliland State far outweigh the continuation of the status quo or the start of new hostilities and another war.

7. As far as the Somaliland government is concerned, we recommend that -

- a) The lessons of the failed talks should be studied and learnt and everything should be done to recast the bilateral talks into an international platform.
- b) There has been a lack of clarity and often misinformation about the policies and laws relating to the talks and to non-participation in Somalia's affairs. Neither the laws nor the policies has been published and disseminated widely. Despite Somalia's requests, we are aware of no agreements on travel, open borders or unrestricted communal intermingling, and now that the Somaliland citizenship cards are widely available, the restrictions necessitated by Somalia's denial of Somaliland's sovereignty should be set out in clearer laws, including the immigration laws. Framework Agreements on the so called "Four Freedoms"⁴ can only be finalised on completion of a comprehensive agreement ending formally the union of Somaliland and Somalia, and in the meantime, the policies and laws relating to the separate status of non-Somaliland ethnic Somalis in Somaliland should be reflected in laws that can be implemented. This is essential for not only the sovereignty but also for the security of Somaliland.
- c) The Law on non-participation of Somalia's conferences and governance and other public arrangements should be strengthened and the prosecution of its offences be undertaken in a fair and transparent manner by the State prosecutors (and the police) only.
- d) The Somaliland national identity spanning three centuries should be strengthened.

8. As for the Somaliland political parties and members of parliament, we would urge that, notwithstanding the normal cut and thrust of political discourse in a democracy, issues touching our sovereignty, nationhood and security in these difficult times should garner all our support. We welcome in this respect the position taken by the opposition political parties in re-emphasising the constitutional order of the country and its laws that give the elected Somaliland government full mandate for holding the talks with the Somalia government, with the objective of securing the international recognition of Somaliland's sovereignty.

9. We commend the Somaliland people for their unwavering vigilance in safeguarding Somaliland's sovereignty, peace and security. We urge the civil society organisations to be particularly vigilant about any projects or schemes that might have an adverse impact on the interests and sovereignty of Somaliland and to work closely with the relevant governmental agencies if and when such issues arise.

10. Finally, we should warn those who may misread Somaliland's open, democratic and seemingly chaotic public expression of disagreement and dissent as a weakness to exploit, to think again carefully.

SOMALILAND SOCIETIES IN EUROPE (SSE)

The following Somaliland Diaspora organisations or units also endorse this Statement:

Somaliland Society in UK (SSUK)

Somaliland Riksförbundet (The umbrella of Somaliland originations in Sweden)

SIRAG

West London Somaliland Community

Association of Somaliland organisations in France (ASLF)

DANSOM AID (Denmark)

Somaliland Seura (The umbrella of Somaliland Organisations in Finland)

UDDAA

Somaliland Association in Belgium

Somaliland Overseas Foundation

Somaliland Ireland Community

East London Somaliland Alliance

Nomad (Netherland)

Somaliland Association in Wales

Somaliland Community in Denmark

Somaliland Community in Germany

Somaliland Community in Norway

Somaliland development organisation (Netherland)

Ilays Institute

Somalilandlaw

¹ Paragraph 6 of the Lancaster House London Conference Communique, 23 February 2012.

² SSE Statement '[Somaliland's Union and Disunion and the Lessons of the Scotland Referendum](#) - Time for the International Community to re-consider its stance on Somaliland's 1991 self-determination in this third decade of disunion' – 30 October 2014

³ The joint (Somalia-Somaliland) management of the civil aviation control (which was to be repatriated from Nairobi based Civil Aviation Caretaker Authority that managed it since 1996) was agreed on 9 July 2013 in Istanbul has never been implemented.

⁴ Freedom of residence, freedom of movement, freedom to undertake economic activity and freedom to acquire and dispose of property, of peoples in two (or more) states.